

Territorial and Border Demarcation Disputes in the Western Balkans

Case study: Territorial and boundary disputes
between Serbia and Kosovo


Zorana Brozović

Abstract

Territorial and border demarcation disputes brought diverse challenges to republics and provinces founded after dissolution of SFR Yugoslavia. Overview of the issues and lessons that have been identified regionally in Western Balkans are presented in regional study Drawing boundaries in Western Balkans: A people's perspective. This case study provides an overview of people's perspective on territorial and boundary issues in South Serbia, near administrative boundary with Kosovo and Metohija. Data for this research were collected in Bujanovac. Underdevelopment is the biggest challenge of this community. Participants in this region stated that society is divided along ethnic lines and other problems are non-recognition of degrees awarded in Kosovo, the prolonged presence of armed forces in this region and lack of freedom of movement for the people living in Kosovo. With the recommendations of this paper We are addressing Government of Serbia, local authorities and the international community.

This case study is a product of project The People's Peacemaking Perspectives, a joint initiative implemented by ConciliationResources and Saferworld and financed under the European Commission's Instrument for Stability.

The project provides European Union (EU) institutions with analysis and recommendations based on the opinions and experiences of local people in a range of countries and regions affected by fragility and violent conflict. Regional study is available on: <http://saferworld.org.uk/downloads/pubdocs/Drawing%20boundaries%20in%20the%20Western%20Balkans.pdf>



Introduction



Territorial and border demarcation disputes between Serbia and the other states which emerged following the dissolution of the SFRY vary from case to case, and the border delimitation process has been completed with Macedonia alone. In this study, we will focus on Serbia's territorial and boundary disputes with Kosovo.¹ The main issue in this case is that Serbia does not recognize Kosovo as a sovereign state, viewing it as its own southern province.

The European Commission has no jurisdiction over the border demarcation process. There is no *acquis communautaire* relating to border issues and no methodology for tracking progress in this field. However, regional cooperation and good neighbourly relations are considered to be “an essential part of the process of integrating with the European Union”² and an integral part of the Political Criteria section of the EC Progress Report, and the European Union has an important role in the regions examined in this study.

1 Under UNSCR 1244/1999.

2 *Serbia Progress Report*, p. 21, available at: http://ec.europa.eu/enlargement/pdf/key_documents/2009/sr_rapport_2009_en.pdf

The EU plays a key role in attempts to resolve the dispute between Serbia and Kosovo. Talks between Belgrade and Priština, overseen by EU High Representative Catherine Ashton and chaired by EU facilitator Robert Cooper, began in March 2011. Relations between Priština and Belgrade also have an important role in Serbia's progress towards EU integration. The European Commission recently recommended that Serbia be granted candidate status, while adding that negotiations for EU accession should be opened only when Serbia achieves further significant progress in her relations with Kosovo. The EU is giving its full attention to developments in the region adjoining the administrative border with Kosovo and Metohija.³ Cooperation with Kosovo's institutions is evaluated in the 2011 Progress Report, in the chapter entitled "Regional issues and international obligations". The report summarises the achievements of the dialogue between Belgrade and Priština begun in March 2011. Further results are expected in achieving and implementing the principles of inclusive and functioning regional cooperation and in providing sustainable solutions for EU acquis-related matters in sectors such as energy and telecoms. Serbia is expected to participate in diffusing tensions in North Kosovo.⁴

This report will focus on people's perspectives on territorial and boundary disputes. The goal of this study is to find out how these disputes influence the everyday life of people in the region of South Serbia. Recommendations to local institutions, the government and the European Commission should help Serbia overcome the challenge unresolved disputes poses to further EU integration.

The methodology used for this study was developed during the project "The People's Peacemaking Perspectives", which aimed at examining five contested borders/boundaries in the Western Balkans, taking a people's perspective by focusing on the views of and

3 Serbia is expected to make significant progress in meeting the key priority of making further steps to normalise relations with Kosovo in line with the conditions of the Stabilisation and Association Process by: fully respecting the principles of inclusive regional cooperation; fully respecting the provisions of the Energy Community Treaty; finding solutions for telecommunications and mutual acceptance of diplomas; by continuing to implement in good faith all agreements reached; and by cooperating actively with EULEX in order for it to exercise its functions in all parts of Kosovo. More details: *Conclusions on Serbia* (extract from the Communication from the Commission to the Council and the European Parliament "Enlargement Strategy and Main Challenges 2009-2010", COM(2009)533 final) available at: http://ec.europa.eu/enlargement/pdf/key_documents/2009/conclusions_on_serbia_en.pdf

4 More details: *Conclusions on Serbia* (extract from the Communication from the Commission to the Council and the European Parliament "Enlargement Strategy and Main Challenges 2009-2010", COM(2009)533 final) available at: http://ec.europa.eu/enlargement/pdf/key_documents/2009/conclusions_on_serbia_en.pdf, p. 37.

impact on people living near the borders, as well as other stakeholders.⁵ The methodology included: 1) a desk review of relevant documents, websites and media articles on the selected cases; 2) semi-structured interviews with central and local institutions, local civil society organisations (CSOs), international organisations and EU delegations/liaison offices; and 3) focus-group discussions with local community leaders and citizens living near the border/administrative line.

5

Political context

South Serbia⁶ is a colloquial term, used to refer to the part of the Republic of Serbia adjoining the administrative boundary with Kosovo. Albanians are territorially concentrated in the three municipalities of Bujanovac, Medveđa and Preševo, which abut the administrative line with Kosovo.⁷ The demographic structure varies between the three municipalities. Albanians form the majority in Preševo, Serbs are in the majority in Medveđa, while in Bujanovac Albanians are the majority, but Serbs and Roma represent a significant percentage. This region is unique as it is the only part of Serbia where armed conflict occurred after the fall of the Milošević regime. Sporadic incidents still occur from time to time.

5 The project resulted in five case studies: Bosnia and Herzegovina (prepared by the Centre for Security Studies, BiH), Kosovo (prepared by the Forum for Civic Initiatives and the Kosovar Centre for Security Studies, Kosovo), Montenegro (prepared by the Centre for Security Studies, Montenegro), lessons from the border demarcation process between Kosovo and FYROM (prepared by the Forum for Civic Initiatives and the Kosovar Centre for Security Studies, Kosovo) and case study Serbia, that focused on territorial and boundary disputes between Serbia and Kosovo and demarcation process between Serbia and Montenegro. The regional report was prepared by Saferworld, based on the case studies.

6 South Serbia is geographically broader region that includes also municipalities that are on borders with Macedonia and Bulgaria.

7 There are several ways of naming this region. The Republic of Serbia is territorially organized in districts with Bujanovac and Preševo belonging to the Pčinja district while Medveđa belongs to the Jablanica district. “South Serbia” is term used by the Government of Serbia to stress its special approach to the municipalities of Preševo, Bujanovac and Medveđa. The “Preševo valley” is a name used by Albanian politicians for Preševo and Medveđa. “Eastern Kosovo” is used by Albanians to refer to all three municipalities in Serbia plus parts of Macedonia. Besides these three municipalities, the municipalities of Kursumlija, Brus, Raška, Novi Pazar and Tutin are on the administrative boundary.

6

Year	Serbs	%	Albanians	%	Roma	%	Others	%	Total
1991	14,660	29,77	29,588	60,09	4,408	8,95	582	1,18	49,238
2002	14,782	34,14	23,681	54,69	3,867	8,93	972	2,24	43,302

Table 1. Demographic structure of the Municipality of Bujanovac⁸

Year	Serbs	%	Albanians	%	Roma	%	Others	%	Total
1991	3,206	8,23	34,992	89,85	505	1,3	240	0,62	38,943
2002	2,984	8,55	31,098	89,1	322	0,92	500	1,43	34,904

Table 2. Demographic structure of the Municipality of Preševo⁹

Year	Serbs	%	Albanians	%	Roma	%	Others	%	Total
1991	8,194	61,3	3,832	28,66	119	0,89	1,223	9,15	13,368
2002	7,163	66,57	2,816	26,17	108	1	673	6,25	10,760

Table 3. Demographic structure of the Municipality of Medveđa¹⁰

The major turning point in the past decade was in 1999 after the NATO bombing of the FRY. The conflict ended with the Military Technical Agreement between the International Security Force (“KFOR”) and the governments of the Federal Republic of Yugoslavia (FRY) and the Republic of Serbia. Under the provisions of this agreement, Serbia’s armed forces withdrew from Kosovo and a five km-wide Safety Zone (GSZ) was established in South Serbia along the 382 km-long administrative line with Kosovo and Metohija, where only lightly armed Yugoslav police were allowed.¹¹ Not long after the agreement was signed, conflict flared up in this region, culminating in the spring of 2001 with attacks on police and military units by the LAPMB (Liberation Army of Preševo, Medveđa and Bujanovac, working with the support of elements in the Kosovo Liberation Army (KLA)).¹²

8 Source: Data for 1991 were taken from: Savezni zavod za statistiku (1993): *Popis stanovništva, domaćinstava, stanova i poljoprivrednih gazdinstava u 1991. godini: Stanovništvo-nacionalna pripadnost, podaci po naseljima i opštinama*. Beograd: Savezni zavod za statistiku and for 2002 from: Republički zavod za statistiku (2010) *Opštine u Srbiji 2010*, Beograd: Republički zavod za statistiku pg. 64-65. available on: <http://webzrs.stat.gov.rs/WebSite/Public/PublicationView.aspx?pKey=41&pubType=1>

9 Ibid.

10 Ibid.

11 For further information see the *Military Technical Agreement*: <http://www.nato.int/kosovo/docu/a990609a.htm>

12 International Crisis Group, 2007, Serbia: Maintaining Peace in the Presevo Valley, *ICG Europe Report No. 186*, Belgrade/Brussels: 1.

According to the International Crisis Group, about 100 people were killed during fighting between the LAPMB and Yugoslav security forces, while 12,500 Albanians fled to Kosovo.¹³ A demilitarization agreement between Albanians and Serbs (known as the Končulj Agreement) was signed in March 2001 with the support of the international community, terminating the conflict. This agreement led to the dissolution of LAPMB and armed forces were allowed to return to the Ground Safety Zone (GSZ).

The Serbian government established a Coordination Body for the Municipalities of Preševo, Bujanovac and Medveđa in 2000 with the goal of defusing interethnic tensions, bringing armed conflicts to an end and normalizing the lives of all citizens of the three southern Serbian municipalities.¹⁴

A program for the peaceful termination of the conflict, the so called Čović Plan, was developed with the objectives of 1) eliminating threats to the “state sovereignty” and “territorial integrity” of the Republic of Serbia ; 2) demilitarizing the region and providing security, freedom of movement and the right for all refugees to return to their homes; 3) developing a multi-ethnic and multi-confessional society; and 4) supporting economic and social development.¹⁵

Recent armed conflicts on the Kosovo side of the administrative boundary show that this region is still at risk. Relations between Serbia and Kosovo are highly politicized and demarcation issues are a long way from being on the agenda for negotiations between Belgrade and Priština. The most recent crisis in northern Kosovo started this summer when the Kosovo government imposed an embargo on goods from Serbia because a customs deal between Belgrade and Priština had not been agreed. The Kosovo government used the opportunity to try to take control over northern Kosovo. The attempt by the Kosovo police force to take control of administrative crossings from Serbian officers of the *Kosovo Police Service* (KPS) resulted in protests by local Serbs on the Kosovo side of the administrative boundary, armed conflict and the burning down of the Jarinje border crossing. After these incidents, in which a KPS officer was killed, KFOR took over control of the Kosovo side of the administrative

13 International Crisis Group 2003, *Southern Serbia’s Fragile Peace*, ICG Europe Report No. 152, Belgrade/Brussels: 1.

14 The Coordination body’s priorities were altered several times after it was founded. Its current priorities are education, social issues, economic development and strengthening civil society capacities. More details: <http://www.kt.gov.rs/>

15 Although the Government of Serbia adopted this strategy of crisis resolution, the leading role in its formulation and implementation belonged to Nebojša Čović, Serbian deputy prime minister and first president of the Coordination Body for South Serbia. For this reason the strategy is colloquially known as the Čović Plan.

boundary.¹⁶ In October KFOR attempted to remove barricades in Northern Kosovo, resulting in clashes in which more than 20 local people and 8 KFOR soldiers were injured.¹⁷ Local Serbs still man the barricades, while KFOR threatens to use force. Understanding the problems and priorities of local people can help policy makers to understand potential sources of tension and prevent possible conflicts. In this report we will focus on the problems of people living on the Serbian side of the administrative line with Kosovo and Metohija. The problems of people in northern Kosovo will be dealt with in the report on the Kosovo case study.¹⁸

The data for this report was collected in Bujanovac in May 2011. Two focus groups were conducted, the first with the participation of informal community leaders (seven participants) and the second with people living near the administrative boundary with Kosovo and Metohija (six participants). Seven Albanians, three Roma and three Serbs participated in the focus groups. The participants in the first focus group were from Bujanovac, while those in the second were from the villages of Mali Trnovac, Dobrosin, Ljiljance and Končulj. The local organization Resource Centre Bujanovac helped recruit participants for the focus groups. Interviews were conducted with the First Secretary of the EU Delegation to the Republic of Serbia, the Director of the Coordination Body's Office for the Municipalities of Preševo, Bujanovac and Medveđa, an MP from South Serbia, the Chairman of the Municipal Assembly of the Municipality of Bujanovac, the Municipal Co-ordinator of the OSCE Mission to Serbia and the Project Coordinator of UN-HABITAT in Bujanovac.

16 More information about this incident: Napetost na administrativnoj liniji sa Kosovom, *Vreme br. 1073*, 28. 7. 2011.

17 More information about this incident: http://www.b92.net/info/vesti/index.php?yyyy=2011&mm=10&dd=20&nav_id=550932

18 The report is available at: www.qkss.org, www.fiq-fci.org

Key security dynamics

The results of our research show that lack of prospects, divided societies and migration from this region are problems recognized by all communities. The Albanian community is additionally concerned about freedom of movement and the prolonged presence of armed forces in this region.

Lack of prospects and migrations

Lack of prospects is a theme running through both focus groups and in all interviews, as do the issues of unemployment and the underdevelopment of the economy. South Serbia is one of Serbia's less developed regions, with unemployment among the highest in the country.¹⁹ The average monthly income in these municipalities is lower than the national average (around €300 in January 2010), although these are not among the municipalities with the lowest income in Serbia.²⁰

The establishment of new borders led to a reduction in economic activity, particularly in the view of Albanian informants in this study. Prior to this, there was a market in Northern Macedonia and Kosovo for the products made by small businesses from South Serbia. Trade with Macedonia decreased after the establishment of the border with Serbia, and the same was true for Kosovo after NATO's intervention in 1999. Local ethnic Albanian businessman would prefer to be able to cooperate with the Kosovo business community, but this is almost impossible. Movement of people and goods between South Serbia and Kosovo is not easy because of the lack of freedom of movement, and Kosovo's citizens are unable to travel freely to Serbia. Political issues affect have a particular effect on economics in this region. Participants in this research feel that this is a politically unstable region, meaning that potential investors choose other regions in which to invest.

19 The level of employment Bujanovac (147 employed per 1000 inhabitants) and Preševo (85 per 1000) is lower than in Pčinja district (176) and significantly lower than in developed municipalities, such as Belgrade (376) or Novi Sad (435), more details: Republički zavod za statistiku (2010) *Opštine u Srbiji 2010*, pp. 116-127.

20 The Republic average was around €300 in 2009. Even in Pčinja district the municipality of Bujanovac (€254) had a higher average income in January 2010 than the municipalities of Vladičin Han (€143), Bosilegrad (€206), Trgovište (€233) and even Vranje (€242). Preševo had the highest average income in Pčinja district (€258) despite its high rate of unemployment. Source: Ibid: pp. 140-147.

Coordination body is aware that investing in development is one of the priorities. Half of the budget of this body is transferred to municipalities in South Serbia and available to municipal projects. In the period from 2008 to 2010 Coordination Body transferred €80 million to South Serbian Municipalities.²¹ This is not obvious at first sight. The Coordination Body's director shared his impression when interviewed that the region's infrastructure is in a very bad state and that the region requires increased investment. The Coordination Body's perception is that one of its greatest challenges is that both the local government and the Albanian National Council lack the administrative capacity to carry out projects. The Director of the Coordination Body's Office cites as an example problems with the reconstruction of the maternity hospital in Preševo, where the local authorities were unable to prepare the tender, meaning that the Coordination Body was forced to prepare it on their behalf. The South Serbian municipalities receive additional government funds through the Coordination Body and so are in a privileged position compared to many other less developed municipalities. Nevertheless, these additional resources are often unused due to the lack of capacity to apply for them. The Coordination Body is criticised by local stakeholders for lacking the power to encourage the relevant ministries (the Ministries of Finance, Infrastructure, Energy and others) to become more active in the region. The president of the Coordination Body is also the Minister of Public Administration and Local Self-Government and, according to local stakeholders, the Head of the Coordination Body's office has little influence over the government.

The European Union has recognized the importance of development in this region, which it has supported through several programs, including the Rapid Employment Programme and the Municipal Improvement and Revival Programme (*MIR 1 and MIR 2*) which ended in 2008.²² In 2010 the EU, alongside the Swiss Government and the Government of Serbia, began work on the Progress programme, designed to support 25 municipalities in South-West

21 The budgets of the municipalities of Preševo (around €4.5 million), Bujanovac (around €5.5 million) and Medveđa (around €2.1 million) in 2009 was lower than the budgets of municipalities in other parts of Serbia. For example, the budgets of the municipalities of Ivanjica (around €4.8 million) or Odžaci (around €4.6 million) which have a similar population to Preševo are higher although they don't have privileged status while some more developed municipalities such as Indija, which has a similar population to Bujanovac, has a budget three times higher (around €15 million). Source: Ibid, pp. 148-155.

22 This programme supported municipalities in the Pčinja and Jablanica districts in the south contributing to strengthening local good governance in terms of the delivery of services to citizens and local inter-municipal stewardship of social and economic development. The programme was funded by the EU, the Austrian Development Agency (ADA), the Swedish Agency for International Development (SIDA), the Kingdom of Norway and the Serbian Government.

Serbia.²³ The goal of these projects is to improve infrastructure, modernize local government and upgrade the services that municipalities offer to their citizens and the economy. The goal of this programme is to empower municipalities in less developed areas to apply for bigger projects. It is expected that this project will bring results in the long term.



Street in Bujanovac, OSCE, Milan Obradovic

Another problem is migration. According to a survey conducted in 2002, the population of Bujanovac is falling and Albanians in particular are migrating from the region, leading to a drop in Bujanovac's Albanian population of almost 6,000 since 1991 (Table 1).²⁴ It is difficult to estimate current trends in this field as Albanians boycotted the 2011 census. Migration away from less developed regions is a general problem in Serbia. What is specific to this region is that Albanians migrate more than other ethnic groups. Focus group participants reported that it is a lack of prospects which induces these people to move to Kosovo or Western Europe.

23 PROGRESS is the EU's employment and social solidarity programme. It was established to financially support the implementation of the objectives of the European Union in employment, social affairs and equal opportunities, as set out in the Social Agenda. More details: <http://ec.europa.eu/social/main.jsp?catId=327>

24 According to Riza Halimi, MP this figure should be treated with caution, as those working abroad (predominantly in Western Europe) were included in the 1991 census, while the 2001 census contained two categories: those abroad up to one year and those away over one year.

Non-recognition of diplomas issued in Kosovo

Non-recognition of degrees awarded in Kosovo is a problem noted especially by young people, and reduces opportunities to find employment. Degrees awarded by universities in Kosovo are certified by UNMIK, but the Serbian authorities do not recognize degrees bearing the Republic of Kosovo seal. This is a big problem for young ethnic Albanians from South Serbia who mostly study in Kosovo or Albania. Their main reason for choosing universities in Macedonia or Kosovo is language. Economic reasons are another very important factor influencing this choice as very often future students have relatives in Kosovo or Macedonia and these universities are close to their hometowns. This reduces the cost of study in comparison to attending university centres in Serbia.²⁵ This problem was recognized by Serbia and Kosovo as very important and was one of the subjects of Serbia-Kosovo talks.²⁶ During the round of talks which took place in Brussels on 2nd July 2011, representatives of Belgrade and Priština agreed on the general principle of recognition of diplomas through certification by an external and mutually accepted international body or an academic institution in a state already recognized by Serbia.²⁷ The details of how this will work still need to be agreed and will be the subject of talks between Priština and Belgrade in the forthcoming rounds of talks.

The Coordination Body recognizes that young people and their education in the region should be a priority. The body is aware that the region's young Albanian people often go to Kosovo or Macedonia to study. The Coordination Body is also aware that young people represent a greater share of the population here compared to other parts of the country, meaning that the unemployment rate is likely to rise in future. This body provided €124,000 for scholarships for secondary school pupils in 2011. 206 pupils received scholarships in

25 For example, the distance from Bujanovac to Niš is 97 km and to Priština is 54 km.

26 The first direct talks between Serbia and Kosovo after Serbia's former province declared independence in 2008 began in March 2011 under the oversight of EU High Representative Catherine Ashton. The main topics of the talks are the rule of law, freedom of movement and regional cooperation. The aim of the talks is to improve cooperation in the Western Balkans and to bring the region closer to the EU. The Serbian delegation's goal is to reach agreement on technical issues and make life easier for citizens living in Kosovo. Six meetings have been held so far, and the last one, planned for 28th September 2011 was cancelled as the Serbian delegation was not prepared to discuss telecommunications and regional initiatives while violence was occurring at check points in Northern Kosovo.

27 Srbija priznaje diplome sa Kosova, B92, 12 July 2011, available at: http://www.b92.net/info/komentari.php?nav_id=524908

2010 and 147 in 2009.²⁸ Another 11 scholarships at the University of Novi Sad, beginning from the 2011/12 academic year, were granted to students from South Serbia (5 Albanians and 6 Serbs), with the language of study being Serbian. This is of course a positive decision, but the extent of support is still small. The Coordination Body has been criticized for weak engagement in providing Albanian language textbooks for Albanian pupils. As an example, around 400 Albanian language textbooks are still required for Albanian pupils in primary and secondary education. Books for the first grade arrived in Bujanovac, Preševo and Medveđa 15 days after the school year started.

One mechanism to keep young people in the region is the opening in Medveđa of two departments of the University of Niš using the Albanian language: the Faculty of Law and the the Faculty of Economics.²⁹ This is a joint effort by the Coordination Body, the Ministry of Education, the National Council of Albanians³⁰ and the OSCE Mission to Serbia. These institutions hope that this is a way of keeping Albanians in South Serbia, but it is an open question whether the opening of these faculties fits the needs of the labour market. Opening Albanian language study programmes in Medveđa has also been criticized as the number of Albanians living in the city is small.³¹ Subotica's economics faculty opened a department in Bujanovac in October 2011, where students will be able to attend lectures in Serbian and Albanian. The first intake numbers 69 students (39 Albanians and 30 Serbians).

Freedom of movement

Lack of freedom of movement was cited as a problem in focus groups, especially by Albanians. Citizens of the Republic of Serbia need only their identity cards to travel to Kosovo, but for citizens of Kosovo travel to Serbia is almost impossible. There been no freedom of movement between Kosovo and Serbia since 1999. If an individual holding documents issued by the Kosovo authorities wishes to travel to Serbia, the procedure requires that his host in Serbia

28 More information: Konkurs za stipendije učenika, *Jugpress*, 1st September, available at: <http://www.jugpress.com/index.php/jug-srbije/10050-konkurs-za-stipendije-uenika>

29 In 2010/2011, 32 students enrolled at the Economic Faculty, and 45 at the Law Faculty.

30 National councils represent national minorities on issues such as education, culture and the use of the national minority's language and participates in decision making on these issues. The ministry responsible for human rights keeps a register of the national minorities councils (more details: Law of National Councils of national minorities: *Official Gazette of Republic of Serbia* No. 72/2009)

31 According to Riza Halimi, an MP from this region, only around 500 Albanians currently live in Medveđa. The results of the October 2011 census will provide precise data about the region's population structure .

send an invitation letter to the Interior Ministry. After they have crossed the administrative boundary, the Serbian police retains the passport issued by the Kosovo authorities as long as the person is in Serbia. This limitation of freedom of movement has separated Albanians from their ethnic kin living in Kosovo and affects the exchange of goods. Many people from South Serbia have relatives in Kosovo and the problem of family ties becoming broken arises. The chief cause of this problem is that Serbia has not recognized Kosovo's independence and as a result does not recognize documents issued by the Kosovo authorities.

Facilitation of greater freedom of movement was agreed during the Belgrade-Priština talks held in Brussels on 2nd July 2011.³² Citizens of Kosovo will be able to travel to Serbia with identity cards issued by the Kosovo authorities. The procedure will include the issuing of identity certificates at the border. Statements by the negotiator indicate that the certificate will bear a statement to the effect that issuing the document does not prejudge Kosovo's status. The same procedure is in place for driving licences and there is no possibility for travel to Serbia using passports issued in Kosovo. The agreement should be implemented in November 2011.³³

People living near the administrative boundary with Kosovo (e.g. the village of Končulj) had no problems until Kosovo declared independence. Now they have to cross the administrative boundary at check points, an unfamiliar procedure for them. There have been cases in which people have been arrested for crossing the boundary at inappropriate points and had to pay large fines.

Another problem, especially in summer, is the long wait at check points suffered by people who work in western Europe are returning home to Macedonia and Kosovo for their holidays. The citizens think that check points should exist but that procedures used there should be sped up.

All the participants in this research agreed that this problem can only be solved by Serbia and Kosovo and that talks and compromise are the only solution. They also agreed that EU mediation is necessary for these talks to be successful.

32 Three agreements have been reached so far: on civil registry, freedom of movement and acceptance of school and university diplomas. More details: EU facilitated dialogue: three agreements, *Press statement* http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/123383.pdf

33 Stefanović: Činilo mi se kao da pričam sa ljudima sa druge planete, *Blic*, 5 July 2011, available at: <http://www.blic.rs/Vesti/Politika/263962/Stefanovic-Cinilo-mi-se-kao-da-pricam-sa-ljudima-sa-druge-planete>

Divided communities, Albanians' lack of confidence in state institutions and militarization

15

Divided communities and Albanians' lack of confidence in state institutions are among the greatest challenges in South Serbia. The situation differs from that in Kosovo in the 1990s, when Albanians formed parallel institutions in reaction to a lack of autonomy. In South Serbia, Albanians were represented in the Republic of Serbia's institutions even under the Milošević regime when they had a representative in parliament. Currently there is one MP with Albanian nationality from this region, Riza Halimi. The greatest challenge is how to integrate Albanians into institutions and how to make them convince their children that Serbia is their country.

All participants agreed that while there are no open conflicts or tensions between different communities, the communities are divided from each other. One good example of the division is the fact that Serbian and Albanian children do not attend the same schools in Bujanovac. Roma pupils go to school with Serbian pupils although, as is the case in other parts of Serbia, they lack the opportunity to learn their language at school. The October 2011 census provides another example of the division, as Albanians in South Serbia massively boycotted the census following a call by Albanian political leaders. Around 55,000 Albanians participated in the previous census in 2002, while according to the preliminary results of the 2011 census, less than 1,000 Albanians participated.

"... A Serbian from Belgrade and an Albanian from Kosovo suffer less because of bad Serbian-Albanian relations than a Serb from Bujanovac or an Albanian from Preševo."
Bujanovac journalist

All participants agreed that developments in Kosovo have an immediate effect in South Serbia, and people living in this region feel like victims no matter what their nationality is. A few days before the data was collected in Bujanovac, Ivica Dačić, deputy prime minister of Serbia and interior minister made a statement calling for Kosovo to be divided between Serbia and Albania.³⁴ All participants agreed that statements like this increase tensions in South Serbia.

³⁴ Kosovo treba deliti sa Albanijom, *Blic*, 01. 06. 2011, available at: <http://www.blic.rs/Vesti/Politika/257247/Kosovo-treba-deliti-sa-Albanijom>

The establishment of multiethnic local government was one of the mechanisms aimed at helping to integrate Albanians into institutions. This was one of the objectives of the Čović Plan related to the region's need to develop a multi-ethnic and multi-confessional society in South Serbia with respect for all human, political and minority rights. Bujanovac elected its first Albanian mayor in history, Nagip Arifi, in a 2002 by-election. Almost a decade on, this representative of local government in Bujanovac says that all governments since 2002 have lacked the will to solve the problem of integrating Albanians into Serbian institutions. As an example he says that government representatives often visit the police and military in South Serbia but never visit local authorities, although they are supposed to. Albanians are still not represented in local institutions in proportion to their number, but after decades of absence this is expected to be solved in the long run. On the other hand, the impression given in interviews is that, even when they are in local government, Albanian politicians only speak about the interests of Albanian community.

"If you look at the employee structure in public institutions where Serbs are in the top positions, the number of Albanians and Roma is low, while in institutions where Albanians are in the top positions the number of Serbs and Roma is low. In some cases Serbs and Roma are in a minority, in other case it is Albanians and Roma. This is because institutions are not democratized and the problem is how to change this approach."

Bujanovac journalist

Improving the degree of social and political integration is one of the Coordination Body's goals. The body has been criticized for having more staff in Belgrade than in South Serbia and for its employees not always being familiar with the region of South Serbia. Local actors describe the Serbian government's support for multiculturalism as not always appropriate to local needs.³⁵

"We need here local government where no one feels like a winner or loser, but where all communities are at least roughly satisfied."

Bujanovac doctor

The Albanian National Council is another mechanism that should help Albanians to protect their interests in the fields of education, culture, information, the official use of the Albanian language and other issues. Albanians were the only large ethnic group without

³⁵ Participants cited the You and I = We theatre performance supported by Coordination body as an example. The show involved 14 schoolchildren of different municipalities in a joint show performed in four languages (Albanian, English, Serbian and Roma). Participants in this research criticized the show because it involved only one person from Preševo, because it was played only a few times in Preševo and Bujanovac and because it ignored the problem - the integration of Albanians and Roma into the Republic's institutions is a greater challenge than communication between different communities.

a national council until 2010. The Albanian National Council was formed after international actors, the OSCE, USAID and the British and American embassies engaged in the process. The problem was that Albanian political parties in South Serbia had opposing views on the Council. There are 11 Albanian political parties in South Serbia but the main clash was between the Party for Democratic Action, which advocated the Council being constituted through direct elections, and the Democratic Party of Albanians (Demokratska partija Albanaca), which opposed its formation. The latter party boycotted elections along with the Democratic Union of the Valley (Demokratska unija doline) and the Party of Democratic Progress (Partija demokratskog progresna). The main issue in the debate among the Albanian community was whether the community should cooperate with government institutions at all and whether the government would use this body as a political tool to show its commitment to resolving interethnic disputes, while failing in reality to fully engage. This body was constituted in July 2010. In a survey conducted in April 2011 about minority rights for Albanians and the Albanian National Council, the majority of respondents (89.40%) were not aware of the Council and its activities. Around one third (30,80%) did not know the role and functions of the Council.³⁶ According to the president of the Albanian National Council, education is one of the council's priorities and resolution of major problems is impeded by high politics. As an example he says that even during the Milošević era, pupils from Kosovo were using textbooks from Kosovo, but now this is impossible as Serbia does not recognize Kosovo and its textbooks.³⁷ The first results of the activities of the Albanian national council will be seen in the coming period. The Government of Serbia should ensure cooperation between government institutions and the Albanian National Council on increasing the rights of the Albanian community.

36 More details about this research: Anketa o manjinskim pravima Albanaca i Nacionalnom savetu albanske nacionalne manjine, available at: <http://www.transconflict.com/institutions/nmc-serbia/albanian-nmc/anketa-o-manjinskim-pravima-albanaca-i-nacionalnom-savetu-albanske-nacionalne-manjine/>

37 Beograd i Priština proizvode probleme, *Jug Press*, 2 May 2011, available at: <http://www.juznevesti.com/Intervju/Beograd-i-Priština-proizvode-probleme.sr.html>

Prolonged presence of the armed forces

The prolonged presence of the armed forces was one of the problems of the past decade noted by citizens and local politicians. Local politicians' main question was to ask why there are special police and military units in South Serbia if the situation is normal. The police and particularly the Gendarmerie are still present in South Serbia in inappropriate numbers according to the chairman of the Municipal Assembly of Bujanovac.³⁸ He says that memories of violence inflicted by the Serbian armed forces on Albanians are still fresh. According to participants in this research, until a few years ago the Gendarmerie would go out to the GSZ and conduct detailed searches of vehicles and people, causing tensions with locals. Sometimes the Gendarmerie even acted as the traffic police.³⁹

According to citizens from focus groups, the situation has now improved greatly compared to several years ago and they no longer see the Gendarmerie on the streets. The presence of the Gendarmerie was not recognized as an issue in either focus group. When the participants were specifically asked if there had been any problems with the armed forces recently they replied that they don't see the Gendarmerie in the streets any more and, as far as they know, they are not present to the extent they were previously. In the past five years there has been only one complaint, which occurred during the arrest of members of the "Gnjilane group" when the Gendarmerie went to the house of the wrong person and used excessive force during arrest. In the past five years there have been no accusations about the Gendarmerie's regular activities.

It is estimated that there are currently around 500 Gendarmerie officers deployed in the Ground Security Zone. They are located in bases and have police competences. The rationale for deploying the Gendarmerie is that the regular police are unarmed and are not trained to combat terrorism and other security threats in the area. According to recent statements by the Interior Minister, the Gendarmerie performs only missions that the

38 The Gendarmerie is an organizational unit of the Police Directorate of the Ministry of Interior, which plans, organizes and executes the most complex security tasks over the entire territory of the Republic of Serbia. Their mission includes counter terrorism, ensuring public order and peace in situations of high risk and providing assistance in emergency situations (rescue service). More details at : http://www.mup.rs/cms_lat/direkcija.nsf/zandarmerija.h

39 This information was provided in an interview with Riza Halimi, MP.

Multi-Ethnic Police force is unable to perform.⁴⁰ The official position of the Gendarmerie regarding its permanent presence at the administrative boundary with Kosovo and their estimate regarding the potential for terrorism in the region could not be obtained for this study.

One indicator of poor police performance is complaints about the police. The Internal Affairs Sector of the Interior Ministry responded to our request for information of public importance on complaints against the police in the municipalities of Bujanovac, Medveđa and Preševo. The response was that between 2003 and 2011 there were only ten complaints against the police. The Internal Affairs Sector decided that eight were unfounded, while two were substantiated and related to narcotics or carrying out illegal activities. Three complaints (two remonstrances and a complaint) were against the Gendarmerie and related to unprofessional treatment during the search of a residential building in Preševo and unprofessional and incorrect treatment by Gendarmerie officers, but the Internal Affairs Sector decided they were unfounded. The complaints were anonymous so it was not possible to determine if the reported bad treatment was ethnically motivated.

The establishment of the Multi-Ethnic Police force in 2001, an integral part of the Serbian police force, was an attempt by the Serbian government to increase citizens' confidence in the armed forces. A recent statement by the minister implies that Albanians are represented in the police to a far greater degree than previously. In Preševo 115 of 154 Mol employees are Albanian, while in Bujanovac Albanians represent 101 of 198 employees.⁴¹ This is an improvement on the situation a decade ago, but representation of Albanians still does not correspond with their presence in the general population. We could not obtain official data about the representation of Albanians in the Ministry of Interior in general nor in the region. According to information gathered in interviews, there are no Albanians in the Gendarmerie. Representation in the regular police is better, e.g. the police station chief in Preševo is Albanian. The problem is that Albanians are not represented at higher levels of management, such as the Police Directorate in Vranje. Another problem is that no policemen of Albanian nationality has graduated from the Police Academy.⁴²

Another response was the Municipal Security Council, established in Bujanovac in

40 Jug Srbije-u potrazi za rešenjem, *B 92*, available at: http://www.b92.net/info/vesti/pregled_stampe.php?yyyy=2011&mm=03&dd=28&nav_id=502448

41 Dačić: Stabilno u Bujanovcu, Preševu i Medvedji, *Blic*, 28 March 2011, available at: <http://www.blic.rs/Vesti/Politika/244242/Dacic-Stabilno-u-Bujanovcu-Presevu-i-Medvedji>

42 This information was obtained in an interview with Riza Halimi, MP.

2005, which counts politicians and representatives of relevant institutions and the judiciary etc. among its members. There are three active groups within the council, responsible for drug abuse, prevention of domestic violence and multi-ethnic relations. This body discusses current security issues and has meetings with the police, but one of the concerns of the Chairman of the Municipal Assembly as president of this body was that the council cannot influence the work of the police. One problem is that police is centralized with orders coming from Belgrade.



*A woman buying vegetables in
Bujanovac
OSCE, Milan Obradovic*

Recommendations

- The Government of Serbia should engage more in the South Serbia region. The Coordination Body for the Municipalities of Preševo, Bujanovac and Medveđa should increase its capacity in its offices in South Serbia and ensure that its programs are tailored to fit the needs of citizens from this region.
- Economic development should be a priority of the Serbian government's policy towards South Serbia. The government should have a plan for economic development in this region and should act to attract more investment there.
- The Government of Serbia and the European Union should engage more in building the capacity of local actors to attract more investment to the region.
- The Government of Serbia should engage more in integrating Albanians and Roma into government institutions, without allowing this issue to create divisions within those communities.
- Government should engage more in increasing freedom of movement from Kosovo to Serbia. Communication between Albanians and their ethnic kin from Kosovo is a priority for this population. The agreement on freedom of movement should begin implementation as soon as possible.
- Local politicians should act as representatives of their communities and not representatives of their nationality. Local authorities should define their priorities and develop projects that are relevant to the problems of all ethnic communities in the region.
- An improvement in dialogue between communities is still needed and the role of the EU and the international community should be to foster this dialogue.
- Finding a solution for recognition of diplomas issued in Kosovo should be a priority for the Government of Serbia. This way the Government will send a message that it cares about young people in South Serbia.
- The Government of Serbia and local authorities should address migration as a problem which can influence the development of this region. They should use people who have moved to Kosovo or the EU as a resource for a more intensive dialogue with these countries and to develop of economic cooperation.
- The Interior Ministry should encourage Albanians and Roma to work in the police,

especially the Gendarmerie, despite its bad reputation. Increased representation should build these communities' confidence` in police.

- The Interior Ministry should develop possibilities for local communities to participate in addressing local security problems. This can be achieved by regular meetings between the Interior Ministry and representatives of local communities.

Acronyms

CSO	Civil society organization
EU	European Union
GSZ	Ground Safety Zone
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KPS	<i>Kosovo Police Service</i>
LAPMB	Liberation Army of Preševo, Medveđa and Bujanovac
MP	Member of Parliament
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Co-operation in Europe
SFRY	<i>Socialist Federal Republic of Yugoslavia</i>
USAID	United States Agency for International Development

About the Author

Zorana Brozović - BA in psychology, Faculty of Philosophy, MPhil in Political Science, Faculty of Political Science, University of Belgrade. Participated in research, educational and advocacy activities of BCBP. Interested in the public opinion on defence issues, civil society, discourse analysis and social research. Proficiency in English, understanding of French. Kontakt: zorana@ccmr-bg.org.

Policy Paper

A policy paper is an analytical text in which an author offers informed solutions for topical issues in the area of security. The form and content of the policy paper are the sole responsibility of the author. The views expressed in the paper do not necessarily represent the views of the Belgrade Centre for Security Policy.

Belgrade Centre for Security Policy (BCSP)

The Belgrade Centre for Security Policy (BCSP) is an independent think-tank which is publicly advocating human, national, regional and international security based on democracy and respect for human rights. The Centre works towards consolidation of security sector reform (SSR) and security integration of Western Balkan states into Euro-Atlantic community by creating an inclusive and knowledge-based security policy environment. It achieves these goals through research, public advocacy, education, publications and creation of networking opportunities for relevant stakeholders.

Author: Zorana Brozović

Publisher: Belgrade Centre for Security Policy

www.ccmr-bg.org

www.bezbednost.org

Editors of BCBP policy papers series:

Miroslav Hadžić and Sonja Stojanović

Language editor: Matthew White

Review: Filip Ejđus

Layout: Boris Brozović

Narodna Biblioteka Srbije, Beograd

ISBN: 978-86-6237-004-4

CIP - Каталогизacija y
публикацији
Народна библиотека
Србије, Београд

323(497.11)

BROZOVIĆ, Zorana, 1976-
Territorial and Border
Demarcation
Disputes in the Western
Balkans : case study:
the demarcation process
between Serbia and
Kosovo / Zorana Brozović ;
[prevod Matthew
White]. - Belgrade :
Belgrade Centre for
Security Policy, 2011
(Belgrade : Unigraf). -
23 str. : ilustr. ; 25 cm. -
(Policy Paper ;
4)

Tiraž 500. - About the
author: str. 23. -
Napomene i bibliografske
reference uz tekst.

ISBN 978-86-6237-004-4

а) Србија - Границе -
Косово
COBISS.SR-ID 188410892