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**American University in Kosovo**  
**School of Public Services**  
**&**  
**Rochester Institute of Technology**  
**Master of Science Degree in Professional Studies**  
**Public Administration**

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Proposed project title:

***Parliament's Role in Prospering European Integration and the  
Relations Between The Republic of Kosovo and The Republic of  
Serbia***

“Submitted as a Capstone Project Report in partial fulfillment of Master  
Science Degree in professional Studies at the RIT Center for  
Multidisciplinary Studies”

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## ACRONYMS

**UNMIK**-United Nation Interim Administration Mission in Kosovo

**MP**-Member of Parliament = Deputies

**AoK**-Assembly of Kosovo

**EU**-European Union

**EEC**-European Economic Community

**EURO**- European Monetary Currency

**EP**- European Parliament

**IPU**-Inter-Parliamentary Union

**SEE**-South East Europe

**UN**-United Nations

**NATO**- North Atlantic Treaty Organization

**EC**-European Council

**WTO**- World Trade Organization

**OSCE**- Organization for Security and Co-operation in Europe

**OIC**-Organization of the Islamic Conference

**SAA**-Stabilization and Association Agreement

**UNESCO**-United Nations Education, Scientific and Cultural Organization

**INTERPOL**-International Criminal Police Organization

**IMF**-International Monetary Found

**ISO**-International Organization for Standardization

**WB**-World Bank

**EAPC**-Euro-Atlantic Partnership Council

**ICJ**-International Court of Justice

**EULEX**-European Union Rule of Law Mission in Kosovo

**SAPD**-Stabilization and Association Process Dialogue

**ESDP**-European Security and Defense Policy

**RKS**-Republic of Kosovo

**FYROM**- Former Yugoslav Republic of Macedonia

## **Acknowledgments**

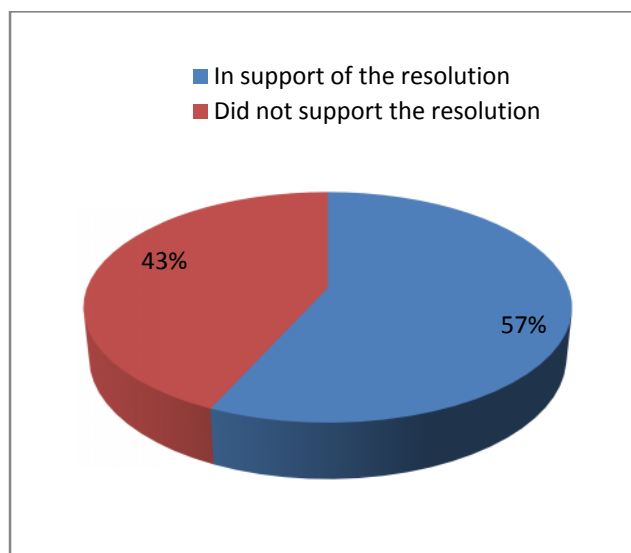
I wish to express my gratitude to my advisors and colleagues that helped me through the ups and downs with completing the capstone project.

I express my appreciation to Dr. Brian Bowen for helping me out throughout the project with excellent guidance.

I wish to extend my warmest thanks to my family for helping me out in overcoming obstacles, supporting and motivating me throughout the project.

## EXECUTIVE SUMMARY

There are several difficulties enforcing Kosovo in European Integration. One of these is most notably the relation with Serbia. The EU does not accept members into its family that have regional disagreements. One solution that was offered by the European Union and the United States of America was for a technical dialogue to solve the problems between these two states.



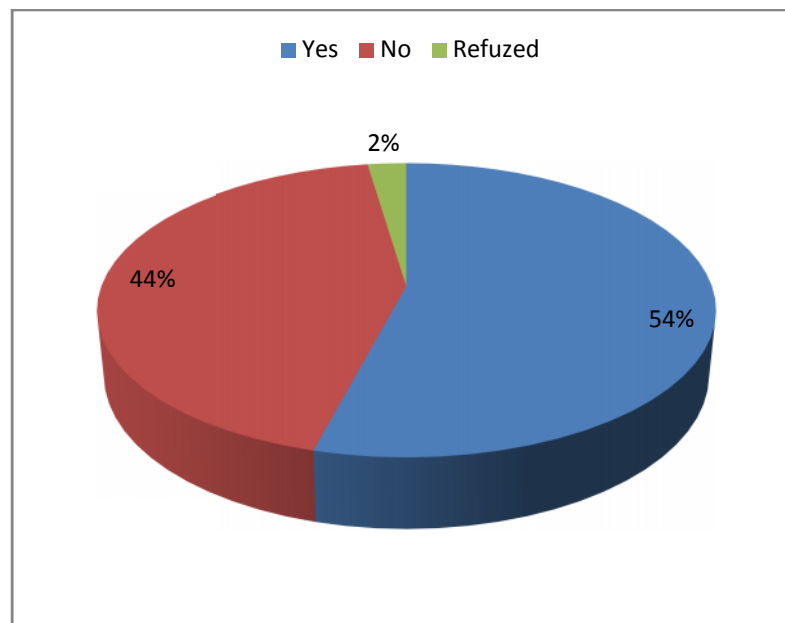
**Project Result for Supporting the Resolution on the technical dialogue between the Republic of Kosovo and the Republic of Serbia (111 Participants in the Survey)**

Based on this project survey it was found that 57%, out of 111 participants in the Kosovo's Assembly, were supporting the resolution for technical dialogue between the Republic of Kosovo and the Republic of Serbia. (See above diagram)

By this resolution the Parliament supports the dialogue as it will lead both states toward EU membership, regional stability and better life for the people.

Based on the research study 44% of the participants were against continuing the technical dialogue with 'conclusion' reached and 54 % were in support of continuing the dialogue between Rep. of Kosovo and Rep. of Serbia.





Project Results for continuing the technical dialogue between then Republic of Kosovo and the Republic of Serbia

Based the results from the research study the technical dialogue between Republic of Kosovo and the Republic of Serbia will continue. From the project survey it shows that 44 % of the participants were not in support of the dialogue the recommendations are:

- *Form three groups of experts specialized in the fields in which conclusions were reached.* Those three groups will prepare another optional version for the conclusions reached which will include changes that will reformulate the conclusions and to be re-talked again in the next round of the technical dialog.
- *Create an ad-hoc parliamentary committee on technical dialogue between Rep. of Kosovo and Rep. of Serbia.* This dialogue will hold regular meeting with the head of the technical dialogue from Kosovo side. In support from the experts of the specific field, each topic that will be talked in the meetings with Serbia the parliamentary committee will continuously provide recommendation.
- *Invite specialist in the field of international law* to consult with deputies of the Assembly and prove why ‘conclusion’ should be international agreements between two independent and sovereign states.

Based on the research done in the case studies of Albania and Macedonia it was concluded that those states will be integrated in the EU, based on current trends, before Serbia and Kosovo. These two states unlike Rep. of Kosovo and Rep. of Serbia have no problems regarding the free flow of individuals and commodities between them. Moreover, the technical dialogue between the Rep. of Kosovo and the Rep. of Serbia will help opening and improving the flows between both states.

## HISOTRICAL BACKGROUND

### Introduction

South East Europe geographically is a part of Europe but it is not integrated in the European Union. Having in consideration the different phases of the history of this part of the world has gone through it gives a picture that economically and politically those states are beyond the European Union member states. The need for the people to move freely across the borders, to have a better standard of living increased willingness to be integrated into the family of European Union.

In order for a state to be a member of the European Union it should fulfill the Copenhagen Criteria the very basic rules that each state should accomplish in order to be eligible to join EU. Membership requires the candidate country to have created political and economical stability, to have rule of law, to respect human rights and minorities, to be able to cope with the standards of the EU members.

Parliament/ Assembly as the highest legislative body of a state hold on its shoulder the responsibility toward fulfilling the standards that lead toward being part of the EU. A parliament is a generic term depicting a representative body of individuals to whom the people have ensured the responsibility of representing them by laying down the legal framework within which society shall be governed and seeing to it that these legal conditions are implemented in a responsible manner by executive.<sup>1</sup>

In order to get the idea of how far are the SEE states from EU membership (Albania, Kosova, Macedonia and Serbia) in this project were studies as separate cases. The parliament/assembly of each of the above mentioned states is playing a crucial role toward EU.

The problem identified is the relation between the Republic of Kosovo and the Republic of Serbia as a very important point that is not letting those two states to be integrated into EU, because EU does not accept members in the family that have regional problems. Therefore as a solution that was offered by European Union and the United States of America was the technical dialogue that as a chance to solve the technical problems that those two states have such as (based on the platform of the technical dialogue):

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<sup>1</sup> [http://www.ipu.org/PDF/publications/unesco\\_en.pdf](http://www.ipu.org/PDF/publications/unesco_en.pdf) (Page 5)

- *Return of documents taken by Serbia (cadastral records, civil records, etc);*
- *Issues of Serbia's illegal intervention in the field of energy, telecommunication, etc; Return of exhibits of cultural heritage taken/borrowed from Serbia; Protection of cultural and religious heritage in Kosovo;*
- *Finding the missing people from the war period;*
- *Return of displaced persons to their homes and properties;*
- *Issue on pension fund returns for citizens of Kosovo;*
- *Trade relations between Kosovo and Serbia (the recognition of custom currencies, normalization of export and import of goods between two countries);*
- *Indemnification for damages of war by the Serbia; Issues related to the succession on the former Yugoslavia;*
- *Demarcation of the border between Kosovo and Serbia in close cooperation with NATO and CAMKFOR.*

The Parliament of the Republic of Kosovo in respect of the Resolution for Kosovo made by the General Assembly of the United Nation on 9<sup>th</sup> of September 2010, based on Article 65.1 of the Constitution of the Republic of Kosovo and Article 6.1 of the Rule of Procedure of the Assembly, the plenary meeting was held on 10th of March 2011 in support of the dialogue between the Republic of Kosovo and the Republic of Serbia.

By this resolution the Parliament supports the dialogue as it will lead both states toward EU membership, regional stability and better life for the people. However the Parliament makes it clear that the following points must be met:

- ❖ “The Government of the Republic of Kosovo is obliged to present to the Assembly of the Republic of Kosovo basic documents of the dialogue within a legal term”
- ❖ “The person appointed by the Prime Minister as a head of Republic of Kosovo for dialogue with Republic of Serbia should inform regular basis the Committee on Foreign Policy and other representative committees of the Assembly of Kosovo and should, also, report during plenary sessions of the Assembly of Kosovo”

- ❖ “The Assembly of the Republic of Kosovo reconfirms the constitutional right for ratification of international agreement signed by the Government of Republic of Kosovo”

On July 2, 2011 the fifth round of the technical dialogue between both parties was held. As a result conclusions were reached. However: The name was changed from ‘agreements’ to ‘conclusion’.

Conclusions were reached on three important points:

- ✓ Freedom of movement across the border,
- ✓ Herd books (civil registries), and
- ✓ Recognizing education diplomas

The MP’s continuously were not satisfied with the transparency from the Government to the Assembly regarding the dialogue. In other words the Assembly had lack of information on the technical dialogue between the Rep. of Kosovo and the Rep. of Serbia. Because the MP’s felt very unhappy by the way those “conclusions” were received and not ratified they decided to have an extraordinary plenary session. Members of parliament had the chance to give their parliamentary group opinions of why they think this is not right if the agreements are not signed. If those ‘conclusions’ are not treated as international agreements between two states and not ratified in the Assembly that means there is no legal obligation to implement them. According to the international law only the signed agreements create rights and obligations.

Therefore the agreements “conclusion” should be ratified in the Assembly of the Republic of Kosovo, signed by the government and be considered as international agreements between two independent states.

Based on the research study 44% of the deputies were against continuing the technical dialogue with so called ‘conclusion’ and 54 % were in support of continuing the dialogue between Rep. of Kosovo and Rep. of Serbia.

Based the results from the research study the technical dialogue between Republic of Kosovo and the Republic of Serbia will continue. Considering the fact that 44 % of the deputies were not in support of the dialogue the recommendations are:

- *Form three groups of experts specialized in the fields in which conclusions were reached.* Those three groups will prepare another optional version for the

conclusions reached which will include changes that will reformulate the conclusions and to be re-talked again in the next round of the technical dialog.

- *Create an ad-hoc parliamentary committee on technical dialogue between Rep. of Kosovo and Rep. of Serbia.* This dialogue will hold regular meeting with the head of the technical dialogue from Kosovo side. In support from the experts of the specific field, each topic that will be talked in the meetings with Serbia the parliamentary committee will continuously provide recommendation.
- *Invite specialist in the field of international law* to consult with deputies of the Assembly and prove why ‘conclusion’ should be international agreements between two independent and sovereign states.

Based the research done on the case studies of Albania and Macedonia were concluded that of those states will be integrated before Serbia and Kosovo in the EU having in consideration that they are working in fulfilling the standards set by EU and they do not have neighborhood problems. Moreover, the technical dialogue will help improving and developing the relations and between Kosovo and Serbia. Having good neighborhood relation, political and economical stability, respect for the minorities and human resources would lead both citizens of Kosovo and citizens of Serbia toward having a higher living standard and free movement of people and goods, and be members of the European Union family.

## 1.0 Assembly of the Republic of Kosovo



Figure 1: Assembly of the Republic of Kosovo

The Assembly is a legislative institution of the Republic of Kosovo (Fig.1) directly elected by the people<sup>2</sup> for a mandate of four (4) years, starting from the day of the constitutive session, which shall be held within thirty (30) days from the official announcement of the election result.<sup>3</sup> The Assembly elects the President, Prime Minister and President of the Assembly and five (5) Deputy Presidents from among its deputies. The President of the Assembly is proposed by the largest parliamentary group and is elected by a majority vote of all deputies in the Assembly.<sup>4</sup>

The Assembly was established in 2001 by United Nations Interim Administration Mission in Kosovo (UNMIK), to provide a provisional democratic self-government<sup>5</sup> and it is composed of four legislatures.

- The first legislature (17.11.2001-23.11.2004);

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<sup>2</sup> Constitution of the Republic of Kosovo. Chapter IV, Article 63

<sup>3</sup> Constitution of the Republic of Kosovo. Chapter IV, Article 66

<sup>4</sup> Constitution of the Republic of Kosovo. Chapter IV, Article 67

<sup>5</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union , pg.3

- Second legislature (23.11.2004-12.12.2007);
- Third legislature (January 2007-2010);
- Fourth legislature (February 2011-Present).

On February 17, 2008 Kosovo declared independence as a sovereign, democratic, unique and inadvisable state.<sup>6</sup> The Republic of Kosovo adopted a constitution which came into effect on June 15, 2008. The Assembly is regulated by the Constitution of the Republic of Kosovo and it has one hundred twenty (120) deputies or members of parliament (MP's) elected by the people. The seats in the Assembly are distributed among all parties, coalitions, citizens' initiatives and independent candidates in proportion to the number of votes received by them in the national election to the Assembly.<sup>7</sup>

Of the 120 deputies of the Assembly; 100 are directly voted into the Assembly and 20 of them are reserved for minorities as follows: Ten (10) seats for representatives of the Kosovo Serb community; the Roma community has one (1) seat; the Ashkali community has one (1) seat; the Egyptian community has one (1) seat; and one additional seat will be awarded to either the Roma, the Ashkali, or the Egyptian community based on the highest overall votes; the Bosnian community has three (3) seats; the Turkish community two (2) seats; and the Gorani community has one (1) seat if the number of seats won by each community is less than the number guaranteed.<sup>8</sup> Each deputy is part of one or two parliamentary committee.

The AoK appoints permanent committees, operational committees and ad hoc committees reflecting political composition of the Assembly.<sup>9</sup> The Assembly of the Republic of Kosovo performs its work through thirteen types of committees; four permanent committees and nine operational committees.<sup>10</sup> The role of these committees is to analyze draft legislation, to propose necessary amendments, to ensure that the legislation is consistent with international standards and the interests of the people, and to scrutinize government performance.<sup>11</sup>

#### 1. Committee on Budget and Finance,

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<sup>6</sup> Constitution of the Republic of Kosovo, Chapter I, Article 1.

<sup>7</sup> Constitution of the Republic of Kosovo, Chapter IV, Article 64

<sup>8</sup> Constitution of the Republic of Kosovo. Chapter IV. Article 64

<sup>9</sup> Constitution of the Republic of Kosovo. Chapter IV, Article 77

<sup>10</sup> <http://www.assembly-kosova.org/?cid=1,128,3554>

<sup>11</sup> [http://www.ipu.org/PDF/publications/unesco\\_en.pdf](http://www.ipu.org/PDF/publications/unesco_en.pdf)



2. Committee on Rights, Interests of Communities and Returns,
3. Committee on Legislation
4. Committee for European Integration
5. Committee on Foreign Affairs,
6. Committee for Education, Culture, Youth, Sports, Public Administration, Local Government and Media,
7. Committee for Economic Development, Infrastructure, Trade and Industry,
8. Committee on Health, Labor and Social Welfare
9. Committee for Agriculture, Forestry, Environment and Spatial Planning,
10. Committee on Internal Affairs, Security and Supervision of Kosovo Security Force,
11. Oversight Committee for Kosovo Intelligence Agency,
12. Oversight Committee on Public Finance

Commission on Human Rights, Gender Equality, Missing Persons and Petitions

The competencies of the Assembly of the Republic of Kosovo are:

- Adopts laws, resolutions and other general acts;
- Decides to amend the Constitution by two thirds (2/3) of all deputies including two thirds(2/3) of all deputies holding seats reserved and guaranteed for representatives of communities that are not in the majority in Kosovo;
- Announces referenda in accordance with the law;
- Ratifies international treaties;
- Approves the budget of the Republic of Kosovo;
- Elects and dismisses the President and Deputy Presidents of the Assembly;
- Elects and may dismiss the President of the Republic of Kosovo in accordance with Constitution;
- Elects the Government and expresses no confidential in it;
- Oversees the work of the Government and other public institutions that report to the Assembly in accordance with the Constitution and the law;
- Elects members of the Kosovo Judicial Council and the Kosovo Prosecutorial Council in accordance with the Constitution;
- Proposes the judges for the Constitutional Court;

- Oversees foreign and security policies;
- Gives consent to the President's decree announcing a State of Emergency;
- Decides in regard to general interest issues as set forth by law;<sup>12</sup>

### 1.1 Function of the Assembly of the Republic of Kosovo

The functions of the Assembly of the Republic of Kosovo are:

- **to adopt the laws that govern the society,**
- **to oversee the executive** by monitoring the performance of the executive and ensuring it is held accountable and responsible for the overall good of society,
- **to allocate financial resources to the executive-** by approving and allocating the revenue that the executive requires to carry out the policies that it has formulated, and monitoring government spending.

The assembly has the function of forming the government.<sup>13</sup> The Prime Minister is the leader of the political party which has the majority of seats in the parliament and he is approved by the deputies.

In order for the parliament to exercise its function in an efficient and legitimate manner, it should meet the following basic conditions:

- ***Its powers*** (law-making and oversight) should be enshrined in and guaranteed by the Constitution;
- ***It should be constituted in such a way as to be representative of all sectors of society in its diversity:*** political trends, sexes, races, ethnic groups, minorities, etc;
- ***It should be independent of the executive:*** it must have its own autonomous resources (budget and administration);
- ***It should allow for plurality of expression:*** all its members should be able to express themselves freely without undue pressure or fear of repression.<sup>14</sup>

### 1.2 Structure of the Assembly of the Republic of Kosovo

The structure of the Assembly of the Republic of Kosovo is a monocameral structure and it is composed of a single Chamber. The Assembly is composed of a multi-party system,

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<sup>12</sup> Constitution of the Republic of Kosovo. Chapter IV, Article 65

<sup>13</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg.6

<sup>14</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg.3

which means that a group of parties make up the governing majority that supports the government. On the other hand, there is a group of parties that make the opposition (political parties not in coalition) whose main task is to hold the government in check and to make sure that it acts in a responsible and accountable manner.

### **1.3 Management of the Assembly of the Republic of Kosovo**

The Assembly of the Republic of Kosovo lies under the administrative structure which supports the policy making process (Table 1). This function is performed by secretariat headed by the Secretary General, working under the authority of the President of the Assembly. The leadership is to provide administrative back up services to the deputies (MP's) who are each entrusted with responsibility for a specific sector of state business.<sup>15</sup>

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<sup>15</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg.6



## PARLIAMENT AND EUROPEAN INTEGRATION

Globalization is part of the world that we live in nowadays and the respective role of the parliament to the world is crucial in managing the national and international issues of a state. Parliaments are involved in the process of negotiating, dialogue, and adopting decisions at the global level, so as to bring in the voice of the people and facilitate the implementation of internationally negotiated decisions at the national level.<sup>17</sup> Parliaments hold transparency and accountability in the management of international affairs; therefore a greater involvement of parliaments in international affairs process is needed. Parliaments are being called upon to play an important role in management of global politics so as to provide popular legitimacy to the international decision-making process<sup>18</sup> and adopting the legislation process according to the EU standards. The role of the parliament is crucial to society. It is the parliament which is responsible for laying down the legal framework within which society functions<sup>19</sup> including the ratification of the international agreements that may lead the fortune of the whole citizens of a state.

Based on the case study research, states (Albania, Kosovo, Macedonia and Serbia) are in the process towards European perspective. The parliaments of the above mentioned states are responsible for fulfilling EU standards and deciding for the sovereignty of their territory and for the future of the people. Beside Macedonia and Albania that have good relations toward getting the EU membership, Serbia and Kosovo are not having good relations with each-other that is not in the benefit of either one. In order to improve the relations between those two states there is a technical dialogue under the supervision of the European Union that will help toward solving the issues and having the door open to Europe.

Even though the Republic of Kosovo is a fairly young state, the Assembly is active in the field of international relations because it has many steps that need to be passed in order to be considered as a developed state and be part of the European Union. The Assembly is working actively in improving international relations and developing parliamentary diplomacy.

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<sup>17</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg3

<sup>18</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg3

<sup>19</sup> A guide to Parliamentary Practice, Inter-Parliamentary Union, pg3

## 2.1 The growing of European Community

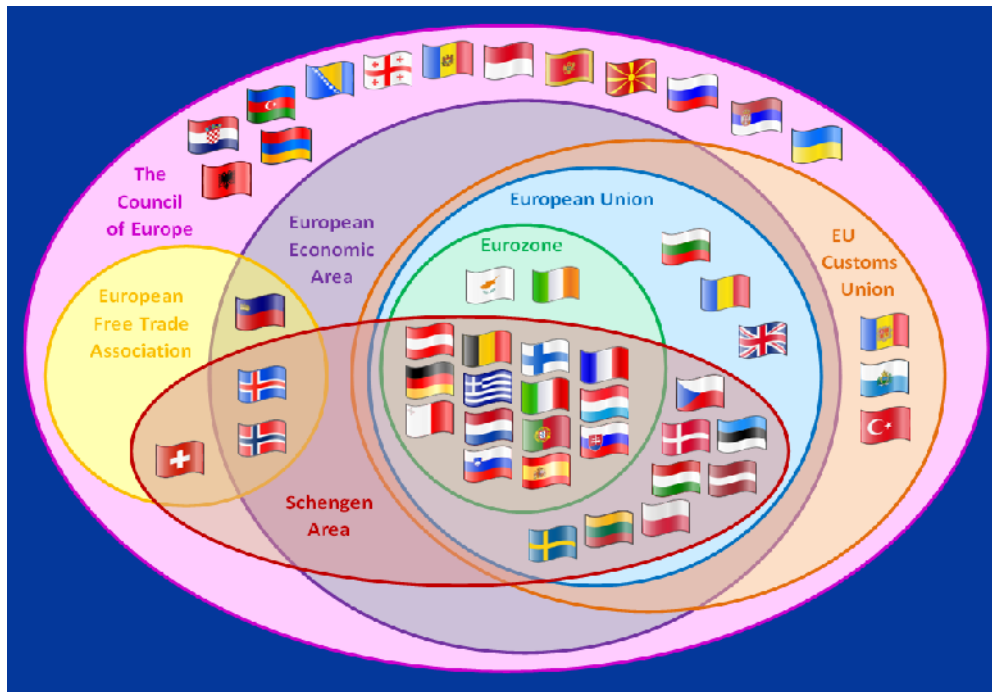


Figure 2: Multinational European Organization<sup>20</sup>

European Union is set up with the aim of ending the frequent and bloody wars between neighbors, which culminated the Second World War.<sup>21</sup> The six founders of European Union are: Belgium, France, Germany, Italy, Luxemburg and Netherlands.<sup>22</sup> In 1957, the Treaty of Rome created the European Economic Community (EEC), or known as 'Common Market'.<sup>23</sup>

The second generation to the states that joined the European Union was Denmark, Ireland and the United Kingdom on January 1, 1973 raising the number of member states to nine. The war between Arab and Israeli in 1973 resulted in deep economic problems in Europe.<sup>24</sup> However; the EU regional policy started to transfer huge sums to create jobs and infrastructure in poor areas. The influence of the European Parliament increased its role in EU affairs in 1979 when all the citizens for the first time elected their members directly.<sup>25</sup> The 10<sup>th</sup> member states that joined the EU were Greece, Spain and Portugal. With the fall of the Berlin Wall the state of Germany was opened for the first time to the

<sup>20</sup> <http://www.kosmopolito.org/2009/08/06/variable-geometry/>

<sup>21</sup> [http://europa.eu/abc/history/index\\_en.htm](http://europa.eu/abc/history/index_en.htm)

<sup>22</sup> [http://europa.eu/abc/history/index\\_en.htm](http://europa.eu/abc/history/index_en.htm)

<sup>23</sup> [http://europa.eu/abc/history/index\\_en.htm](http://europa.eu/abc/history/index_en.htm)

<sup>24</sup> [http://europa.eu/about-eu/eu-history/index\\_en.htm](http://europa.eu/about-eu/eu-history/index_en.htm)

<sup>25</sup> [http://europa.eu/abc/history/index\\_en.htm](http://europa.eu/abc/history/index_en.htm)

European community, and became part of the EU in 1993.<sup>26</sup> The ‘Single Market’ was introduced to the European Community and was completed with the ‘four freedoms’ of: free movement of goods, services, peoples and money act made the life easier and helped the economic growth and communication between people. The European Union in 1995 gained three more members: Austria, Finland and Sweden.<sup>27</sup> Also during this time the ‘Schengen’ agreement that allowed people to travel without having their passports checked at the borders. The name Schengen comes from a small village in Luxemburg. On September 1, 2001, EURO was introduced to the EU market as a single currency of the European Monetary Union, an act which helped Europe work more closely.<sup>28</sup> In 2004, the EU gained ten more countries: Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia, Slovakia, Malta, and Cyprus. European Union seemed to be attractive and wanted for many states that needed development and prosperity and as a result in 2007 Bulgaria and Romania joined EU bringing the number to 27 countries.<sup>29</sup> (Figure 2) According to The Economist, the Balkan states are moving slowly toward the European membership. As so the former “Yugoslavs” and Albania are more like old cars, juddering forward, breaking down and sometimes spluttering backwards. These include organized crime, corruption, party cronyism and a media hobbled by political and commercial interests.<sup>30</sup>

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<sup>26</sup> [http://europa.eu/abc/european\\_countries/eu\\_members/germany/index\\_en.htm](http://europa.eu/abc/european_countries/eu_members/germany/index_en.htm)

<sup>27</sup> <http://www.informationshield.com/papers/EU%20Data%20Protection%20Directive%20FAQ.pdf>

<sup>28</sup> <http://www.oanda.com/help/euro>

<sup>29</sup> [http://europa.eu/abc/history/2000\\_today/index\\_en.htm](http://europa.eu/abc/history/2000_today/index_en.htm)

<sup>30</sup> [http://www.economist.com/node/18774764?story\\_id=18774764](http://www.economist.com/node/18774764?story_id=18774764)

### 2.3 EU Parliament and Integration



Figure 3: European Parliament<sup>31</sup>

States are not integrated entities, but are composed of bureaucracies, interest groups and individuals that attempt to influence foreign policy through competition, coalition building, conflict and compromise.<sup>32</sup> International politics, like all politics, is a struggle for power. Whatever the ultimate aims of international politics, power is always the immediate aim; Regardless of the instrument employed, the ultimate aim of foreign policy is always the same: to promote one's interests by changing the mind of the opponent.<sup>33</sup> The European Parliament is the EU institution that represents the peoples of the Member States of the European Union.<sup>34</sup> The European Integration has primarily come about through the European Union and the Council of Europe.<sup>35</sup> The European parliament is the only directly elected EU body which represents the people of the EU in

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<sup>31</sup> <http://www.civitas.org.uk/eufacts/FSINST/IN4.htm>

<sup>32</sup> <http://asrudiancenter.wordpress.com/2010/03/11/international-relations-and-european-integration-theory-the-role-of-the-european-parliament/> (pg. 7)

<sup>33</sup> <http://asrudiancenter.wordpress.com/2010/03/11/international-relations-and-european-integration-theory-the-role-of-the-european-parliament/> (pg. 2)

<sup>34</sup> <http://www.europarl.europa.eu/parliament/expert/staticDisplay.do?id=52&language=EN>

<sup>35</sup> <http://ng-club.org/european-integration/>



contact to the Council of Ministers which represents the governments.<sup>36</sup> The European Parliament has 27 member states, 736 members and it is elected once every five years.<sup>37</sup> The work of the European Parliament is important because the decisions on European laws are made jointly by Parliament and the Council of Ministers which represent Member States of the EU. Parliament plays an active role in drafting legislation which has impact daily lives of its citizens such as: environment protection, consumer rights, equal opportunities, transport, and the free movement of workers, capital, services and goods.<sup>38</sup>

## 2.6 Copenhagen Criteria

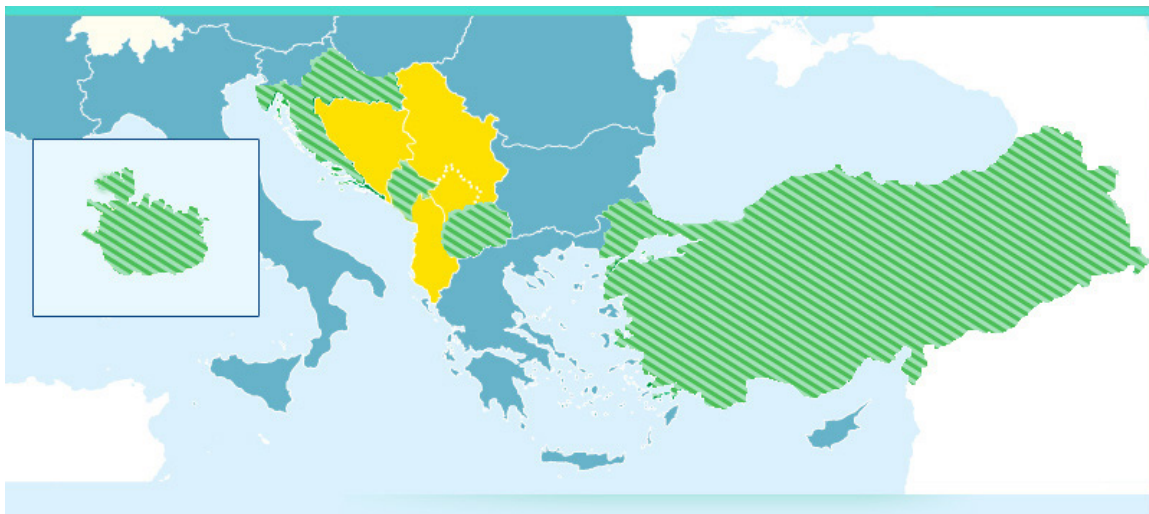


Figure 4: Potential Candidates<sup>39</sup>



Potential candidates



Candidate countries

The Copenhagen Criteria (membership criteria) are the rules defined for a state if it is eligible to join the European Union. In 1993, at the Copenhagen European Council the Union took decisive step toward the fifth enlargement, agreeing that “the associated countries in Central and Eastern Europe that so desire shall become member of the European Union.”<sup>40</sup> Concerning the matter of “when” a country may join European

<sup>36</sup> [http://news.bbc.co.uk/2/shared/spl/hi/europe/04/eu\\_parliament\\_guide/html/introduction.stm](http://news.bbc.co.uk/2/shared/spl/hi/europe/04/eu_parliament_guide/html/introduction.stm)

<sup>37</sup> <http://www.europarl.europa.eu/parliament/public/staticDisplay.do;jsessionid=DDBCf353D5826010FD921B6C4FFE1F5B.node1?id=146>

<sup>38</sup> <http://www.europarl.europa.eu/parliament/public/staticDisplay.do?id=146&language=en>

<sup>39</sup> [http://ec.europa.eu/enlargement/potential-candidates/index\\_en.htm](http://ec.europa.eu/enlargement/potential-candidates/index_en.htm)

<sup>40</sup> [http://ec.europa.eu/enlargement/enlargement\\_process/accession\\_process/criteria/index\\_en.htm](http://ec.europa.eu/enlargement/enlargement_process/accession_process/criteria/index_en.htm)

Union the European Union states: “Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required.”<sup>41</sup> In this occasion the Presidency of the Copenhagen concluded that:

“Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, rule of law, human rights and respect for protection of minorities, the existence of functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate’s ability to take on the obligations of membership including adherence to the aims of the political, economic and monetary union”<sup>42</sup>

SEE countries are working hard for European integration (Fig.4); however regional cooperation remains an essential element of EU policy for South East Europe. Kosovo’s regional cooperation is the key for its European approximation agenda and in order to accomplish the road to EU family it needs to develop the relations with Serbia through the dialogue as the most important step toward EU integration.

## 2.7 Inter-Parliamentary Union (IPU)



Figure 5: Inter-Parliamentary Union<sup>43</sup>

The Inter-Parliamentary Union (IPU) is the world organization of Parliaments (Fig.5). IPU is the “focal point for worldwide parliamentary dialogue” and works “for peace and co-operation among peoples and for the firm establishment of representative

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<sup>41</sup> [http://ec.europa.eu/enlargement/enlargement\\_process/accesion\\_process/criteria/index\\_en.htm](http://ec.europa.eu/enlargement/enlargement_process/accesion_process/criteria/index_en.htm)

<sup>42</sup> [http://ec.europa.eu/bulgaria/documents/abc/72921\\_en.pdf](http://ec.europa.eu/bulgaria/documents/abc/72921_en.pdf)

<sup>43</sup> <http://www.ethiopianreview.com/album/displayimage.php?album=30&pos=14>

institutions”.<sup>44</sup> IPU is currently composed of 151 members. IPU was the first international political organization founded in 1889. Firstly it was formed by the individual parliamentarians of European States toward a global organization of 153 Parliaments and eight Associate Members in 2009.<sup>45</sup> The intention of the Union is to reduce governmental power in foreign affairs.<sup>46</sup> The governance structure is taken over by the Assembly (political organ), the Governing Council (governing organ), the Executive Committee and the Secretariat management organ and executive organ) and the IPU President (political head of the organization). The organization is single-headed (President), multi-headed (Executive Committee) and self-regulatory (Governing Council).<sup>47</sup> The Assembly of the Republic is not part of the IPU because it is not recognized by the IPU as a sovereign State. Therefore as soon as Kosovo is recognized by the United Nations as a sovereign State and therefore becomes a UN member, it will be able to join IPU as well.

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<sup>44</sup> <http://idw.csfederalismo.it/index.php/inter-parliamentary-union>

<sup>45</sup> <http://idw.csfederalismo.it/index.php/inter-parliamentary-union>

<sup>46</sup> <http://idw.csfederalismo.it/index.php/inter-parliamentary-union>

<sup>47</sup> <http://idw.csfederalismo.it/index.php/inter-parliamentary-union>

## CASE STUDY ALBANIA, KOSOVA, MACEDONIA, AND SERBIA



Figure 6: Eight countries that are waiting in the wings to join the EU<sup>48</sup>

Regional cooperation is very important because it increases the political and economical stability. Good cooperation between the regional states makes the life easier for the people and offers better opportunities to work study and exchange experiences. The President of EP, Jerzy Buzek in an official meeting with the President of the AoK mentioned that EP supports the independence, democracy in Kosovo but he put the emphasis in two important issues that Kosovo must do:” general reforms and regional cooperation”<sup>49</sup> In order to get better analysis of the project as a comparative case study were chosen: Parliament of Albania, Assembly of the Republic of Macedonia, and National Assembly of Serbia.

<sup>48</sup> <http://www.bbc.co.uk/news/world-europe-11283616>

<sup>49</sup> EP supports the Independence of Kosovo, Epoka e Re Newspaper, page 02, 14<sup>th</sup> April 2011.

## PARLIAMENT OF ALBANIA



Figure 7: Assembly of the Republic of Albania

Parliamentarism was introduced during the year of independence 1912 known as National Assembly of Vlora (Fig.6). The rights and competencies of the Parliament of Albania are set by the State Constitution. The constitution of Albania was adopted in November 1998<sup>50</sup> and it defines the Republic of Albania as a parliamentary republic. Since the day of independence Albania has gone through different phases of political instability that led to many changes of the constitution. According to the Constitution the Assembly is a unicameral legislature composed of 140 deputies.<sup>51</sup> One-hundred are elected directly in single-member electoral zones with the approximate number of voters. Forty deputies are elected from the multi-name lists of parties or party coalitions according to their representative order.<sup>52</sup>

The Assembly is elected every four years. Elections for the Assembly are held within 60 to 30 days before the end of the mandate and not later than 45 days after its dissolution.<sup>53</sup>

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<sup>50</sup> [http://ec.europa.eu/agriculture/enlargement/countries/albania/profile\\_en.pdf](http://ec.europa.eu/agriculture/enlargement/countries/albania/profile_en.pdf)

<sup>51</sup> Constitution of Albania. Part Three. Chapter I. Article 64

<sup>52</sup> Constitution of Albania. Part Three. Chapter I. Article 64

<sup>53</sup> Constitution of Albania. Part Three. Chapter I. Article 65

The mandate of the Assembly extended only in the case of war.<sup>54</sup> The Assembly of Albania conducts its annual work in two sessions. First session begins on the third Monday of January and the second session on the first Monday of September.<sup>55</sup> The Assembly elects standing committees from its ranks and may also establish special committees.<sup>56</sup> The Assembly is composed of eight committees:

1. Legal Issues, Public Administration and Human Rights Committee;
2. European Integration Committee;
3. Foreign Policy Committee;
4. Economy and Finance Committee;
5. National Security Committee;
6. Productive Activity, Trade and Environment Committee;
7. Work, Social Issues and Health Committee,
8. Education and Means of Public Information Committee.<sup>57</sup>

### **3.1. Membership of Albania in International Organization**

Albania is a member of United Nation (UN), NATO, Council of Europe (EC), World Trade Organization (WTO), Organization for Security and Co-operation in Europe (OSCE), Organization of the Islamic Conference.<sup>58</sup> The Parliament of Albania is a member of Inter-parliamentary Union; therefore it helps in developing international relations through conferences organized by IPU.

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<sup>54</sup> Constitution of Albania. Part Three. Chapter I. Article 66

<sup>55</sup> Constitution of Albania. Part Three. Chapter III. Article 74

<sup>56</sup> Constitution of Albania. Part Three. Chapter III. Article 77

<sup>57</sup> [http://www.parlament.al/web/Parliamentary\\_Committees\\_10001\\_2.php](http://www.parlament.al/web/Parliamentary_Committees_10001_2.php)

<sup>58</sup> <http://www.reegle.info/countries/AL>

### 3.2. Albania toward European Union Integration

Albania's path to European Union (EU) took nineteen years and yet is not part of the EU. In 1992 Albania became eligible for funding under the EU's Phase programme when it signed the Trade and Co-operation Agreement.<sup>59</sup> Throughout the years Albania continued having good relations with the EU and as a result in June 2006 signed the Stabilization and Association Agreement (SAA) which entered into force in April 1, 2009.<sup>60</sup> In October 2010 European Parliament approved visa liberalization for Albania with 538 votes in favor and 47 against: This event was welcomed by the people of Albania because it allows them to travel in Schengen states without a visa, so the walls EU-Albania were broken for the first time which Albanians longed for too long.<sup>61</sup> Europeanization process of domestic law is very difficult process for candidate states since it requires qualified public administration that is able to handle the work properly and a good national strategy including financial support<sup>62</sup>. In the case of Albania's administration it is very difficult the process of harmonization because of the lack of experience and lack of qualified human resources.<sup>63</sup> Albanian has a large number of students that have studied in Western countries and this asset that Albania has can push the State forward to EU integration process. Moreover; the Albanian Legal system should experience a change in the relation with international and domestic law<sup>64</sup>. Albanian Courts and National Institutions should accept the supremacy of international treaties; this means that Albanian Courts and institutions need to be Europeanized as part of European integration process.<sup>65</sup> The Republic of Albania in order to be a full member of the EU, regardless of its constitutional provisions and doctrine shall accept to apply all the norms of international law and especially of EU law.<sup>66</sup>

However; the current political situation in Albania has make the EU membership even harder or better saying the worst in the region countries. "Perhaps most worrying is

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<sup>59</sup> [http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu\\_albania\\_relations\\_en.htm](http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu_albania_relations_en.htm)

<sup>60</sup> [http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu\\_albania\\_relations\\_en.htm](http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu_albania_relations_en.htm)

<sup>61</sup> [http://www.europeanforum.net/news/980/european\\_parliament\\_approves\\_visa\\_liberalisation\\_for\\_bih\\_and\\_albania](http://www.europeanforum.net/news/980/european_parliament_approves_visa_liberalisation_for_bih_and_albania)

<sup>62</sup> <http://ces.epoka.edu.al/icbs/2.pdf>

<sup>63</sup> <http://ces.epoka.edu.al/icbs/2.pdf>

<sup>64</sup> <http://ces.epoka.edu.al/icbs/2.pdf>

<sup>65</sup> <http://ces.epoka.edu.al/icbs/2.pdf>

<sup>66</sup> <http://ces.epoka.edu.al/icbs/2.pdf>

Albania, which has been paralyzed since a dispute election in 2009. Local elections on May 8<sup>th</sup> may have made things worse. In Tirana the contest for mayor was a dead heat. The candidate of Sali Berisha, the prime minister, won only if ballots put in the wrong boxes were counted. But that, say supporters of Edi Rama, mayor since 2000 and leader of the opposition Socialists, is against the rules. The electoral challenge is to rule on June 3<sup>rd</sup>, but few expect the stalemate to be broken. Albania's progress towards the EU has stopped; business confidence is suffering and a culture of impunity rules. Corruption scandals proliferate, but nobody is punished.”<sup>67</sup>

### **3.3. The role of Parliament toward EU membership**

The Albanian Parliament has overall, good international relations with parliaments around the world. Having in consideration that European Integration represents a major political objective for Albania and Albanians, context of reforms and progress in the path of European integration, consolidation of democratic society, rule of law, fight against organized crime and corruption, which ensures sustainable development democratic country. Considering the fact that the Republic of Albania is a functioning democracy; according to European Standards and practices and over the years, it has made progress in meeting the criteria dealing with the stability of institutions guaranteeing the democracy, rule of law, human rights and respect the protection of minority rights, known as Copenhagen criteria, 1993 and, simultaneously, the requirements of the Stabilization-Association; Considering the fact that visa liberalization was a historic achievement for the country and the Albanian people the Parliament has approved several Statements and Resolution.<sup>68</sup> During the decade the Parliament has approved the following resolutions: “For Albania's integration in EU (December 27, 2010)”, “Liberalization of visa regime with EU (March 11, 2010)”, “Albania's NATO Membership (January 21, 2008)”; “On the occasion of signing the Stabilization and Association Agreement (June 8, 2006)”, continuing with the following declarations: “Status of Kosovo (May 10, 2007)”, “Visit of the USA President George W. Bush in Albania (May 7, 2007)”, and “For Kosovo (November 20, 2006)”.<sup>69</sup>

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<sup>67</sup> [http://www.economist.com/node/18774764?story\\_id=18774764](http://www.economist.com/node/18774764?story_id=18774764)

<sup>68</sup> <http://www.ejil.org/pdfs/12/1/503.pdf>

<sup>69</sup> [http://www.parlament.al/web/Deklarata\\_dhe\\_Rezoluta\\_242\\_1.php](http://www.parlament.al/web/Deklarata_dhe_Rezoluta_242_1.php)



Moreover the contribution in the field of international relation was given by the Committee on Foreign Affairs is one of the assembly committee which has a great impact in the foreign policy of the Republic of Albania. The committee is responsible for international cooperation, and implementation of international agreements.

During 2010 the committee has approved more than 12 international agreements. In September 2010 the committee adopted some important agreements on cooperation regarding cross border and transnational with Greece, Montenegro, Macedonia, SEE (South East Europe) and Mediterranean named “*Ratification of the funding between the Council of Ministers of the Republic of Albania and the Commission of European Communities*”.<sup>70</sup> The overall objective of the programs included in the mentioned agreement was to promote cooperation among people and institutions in border areas to promote good neighborly relations and sustainable development and common prosperity of the countries involved in the deal.<sup>71</sup> Advantage of this agreement includes strengthening cross-border economic development by promoting entrepreneurship and promoting sustainable tourism as one of the criteria for candidate countries for EU membership. During July 2010, the committee on foreign affairs approved three important bills in the field of security and cooperation, as a member of NATO in the framework of European Integration. The bill “*On ratification of the agreements between the Council of Ministers of the Republic of Albania and the Republic of Slovenia for exchange and mutual protection of classified information*”.<sup>72</sup> The provisions of the agreement provided the necessary measures for contracting that parties shall take in accordance with their domestic legislature to ensure protection of classified information. The draft law “On ratification of agreement RACVIAC-Center for Security Cooperation” (The mission of RACVIAC agreement has to do with the establishment and strengthening of dialogue and cooperation on security issues between countries of Eastern Europe and their partners ).<sup>73</sup>

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<sup>70</sup>[http://www.parlament.al/web/Komisioni\\_per\\_Integrimin\\_Europian\\_dhe\\_Komisioni\\_per\\_Politiken\\_e\\_Jashtme\\_miratojne\\_disa\\_marreves\\_11143\\_1.php](http://www.parlament.al/web/Komisioni_per_Integrimin_Europian_dhe_Komisioni_per_Politiken_e_Jashtme_miratojne_disa_marreves_11143_1.php)

<sup>71</sup> [http://ec.europa.eu/world/enp/pdf/strategy/strategy\\_paper\\_en.pdf](http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf)

<sup>72</sup>[http://www.parlament.al/web/Komisioni\\_per\\_Politiken\\_e\\_Jashtme\\_miraton\\_tri\\_projektligje\\_te\\_rendesishme\\_per\\_sigurine\\_dhe\\_ba\\_10923\\_1.php](http://www.parlament.al/web/Komisioni_per_Politiken_e_Jashtme_miraton_tri_projektligje_te_rendesishme_per_sigurine_dhe_ba_10923_1.php)

<sup>73</sup>[http://www.parlament.al/web/Komisioni\\_per\\_Politiken\\_e\\_Jashtme\\_miraton\\_tri\\_projektligje\\_te\\_rendesishme\\_per\\_sigurine\\_dhe\\_ba\\_10923\\_1.php](http://www.parlament.al/web/Komisioni_per_Politiken_e_Jashtme_miraton_tri_projektligje_te_rendesishme_per_sigurine_dhe_ba_10923_1.php)

<b>ALBANIA'S</b>	<b>PATH TO EUROPEAN UNION<sup>74</sup></b>
<b>1992</b>	Trade and Co-operation Agreement between the EU and Albania
<b>1997</b>	Regional Approach. The EU Council of Ministers establishes political and economic conditionality for the development of bilateral relations
<b>1999</b>	The EU proposes the new Stabilization and Association Process (SAP) for five countries of South-Eastern Europe, including Albania.
<b>1999</b>	Albania benefits from Autonomous Trade Preferences with the EU.
<b>2000</b>	Extension of duty-free access to EU market for products from Albania.
<b>June 2000</b>	Feira European Council states that all the SAP countries are "potential candidates" for EU membership.
<b>November 2000</b>	Zagreb Summit launches the Stabilization and Association Process (SAP) for five countries of South-Eastern Europe, including Albania
<b>2001</b>	First year of the Community Assistance for Reconstruction, Development and Stabilization (CARDS) programme specifically designed for the Stabilization and Association Process countries
<b>2001</b>	The Commission recommends the undertaking of negotiations on SAA with Albania. The Goeteborg European Council invites the Commission to present draft negotiating directives for the negotiation of a SAA.
<b>October 2002</b>	Negotiating Directives for the negotiation of a SAA with Albania are adopted in October.
<b>January 2003</b>	Commission President Prodi officially launches the negotiations for a SAA between the EU and Albania.
<b>June 2003</b>	at Thessaloniki European Council the Stabilization and Association Process (SAP) is confirmed as the EU policy for the Western Balkans. The EU perspective for these countries is confirmed (countries participating in the SAP are eligible for EU accession and may join the EU once they are ready).
<b>June 2004</b>	Council decision on a first European Partnership for Albania
<b>January 2006</b>	Council decision on a revised European Partnership for Albania
<b>May 2006</b>	Entry into force of the EC-Albania readmission agreement
<b>June 2006</b>	Signature of the Stabilization and Association Agreement (SAA) at the General Affairs and External Relations Council in Luxembourg
<b>December 2006</b>	Entry into force of the Interim Agreement
<b>January 2007</b>	Entry into force of the new instrument for Pre-Accession Assistance (IPA)
<b>May 2007</b>	Adoption of the Multi-Annual Indicative Planning Document (MIPD) 2007-2009 for Albania under the IPA
<b>September 2007</b>	Signature of a visa facilitation agreement between Albania and the EU
<b>18 October 2007</b>	Albania signs the IPA Framework Agreement
<b>January 2008</b>	The visa facilitation agreement enters into force
<b>22 January 2008</b>	Albania and the EC sign the Financing Agreement for the instrument for Pre-Accession Assistance (IPA) 2007 National Programme
<b>18 February 2008</b>	Council decision on a revised European partnership for Albania
<b>March 2008</b>	Visa liberalization dialogue launched
<b>June 2008</b>	The European Commission presents a road map identifying specific requirements for visa liberalization with Albania.
<b>1 April 2009</b>	Entry into force of the Stabilization and Association Agreement (SAA)
<b>28 April 2009</b>	Albania submits its application for EU membership
<b>8 November 2010</b>	Visa Liberalization for Albania

**Table 2: Conclusion of Albania's Path toward the EU**

<sup>74</sup> [http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu\\_albania\\_relations\\_en.htm](http://ec.europa.eu/enlargement/potential-candidate-countries/albania/eu_albania_relations_en.htm)

## ASSEMBLY OF THE REPUBLIC OF MACEDONIA



Figure 8: Assembly of the Republic of Macedonia<sup>75</sup>

FYROM (Former Yugoslav Republic of Macedonia) declared independence from Yugoslavia on September 8, 1991. Republic of Macedonia has a very good geographical position bordered by the Republic of Kosovo, Serbia, Bulgaria, Greece and Albania. Macedonia is a parliamentary democracy composed of executive government, an independent judicial branch and a constitutional court.

The Assembly of Macedonia (Sobranie) is state's legislative body (Fig.7). The organization and functioning of the Assembly are regulated by the Constitution, Rules of Procedure.<sup>76</sup> The Assembly of Macedonia has a determinant power that exercises the duties within its sphere of competence. The Assembly adopts decisions, declarations, resolutions, recommendation and conclusions.<sup>77</sup> The Assembly of the Republic of Macedonia lies under the below mention competencies:

- adopts and alters the Constitution of the Republic of Macedonia;
- adopts laws and gives authentic interpretations of laws;
- determines the public procurements;
- adopts the Republic budget and the budget annual accounts;
- adopts the spatial plan of the Republic;

<sup>75</sup> <http://www.katastar.gov.mk/en/Def.aspx?Id=376>

<sup>76</sup> Constitution of the Republic of Macedonia. Chapter III. Article 61.

<sup>77</sup> <http://www.sobranie.mk/en/default-en.asp?ItemID=BA4786DF75B0EA4BA8D71680F85A237D>

- ratifies international agreements;
- decides on war and peace;
- makes decisions concerning any changes of borders in the Republic;
- makes decisions on acceding to or resigning from a union or community with other states;
- issues a notice for a referendum;
- makes decisions concerning the reserves of the Republic;
- sets up councils;
- elects the Government of the Republic of Macedonia;
- elects judges to the Constitutional Court of the Republic of Macedonia;
- elects, appoints and dismisses other holders of public and other offices determined by the Constitution and law;
- exercises political control and supervision over the Government and other holders of public office responsible to the Assembly;
- proclaims amnesties and
- exercises other activities stipulated by the Constitution.

The Assembly of the Republic of Macedonia is composed of 120 to 140 Members of Parliaments (representative of the people). The MP's are elected at general, direct and free elections and by secret ballot.<sup>78</sup> The MP's are elected in a four year term and they enjoy immunity. Assembly of Macedonia is composed of twenty one Assembly Committees (working bodies). Those working bodies are set up to consider proposals for adoption laws, draft-laws, to follow the implementation of parliamentary acts, and to study and consider other issues within its sphere of competencies.

1. Committee on Constitutional Issues
2. Legislative Committee
3. Committee on Defense and Security
4. Committee on Political System and Inter-Ethnic Relation
5. Foreign Policy Committee
6. Committee on European Issues

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<sup>78</sup> Constitution of the Republic of Macedonia. Chapter III. Article 62.

7. Committee on Election and Appointment Issues
8. Standing Inquiry Committee for Protection of Civil Freedoms and Rights
9. Committee for the Supervising the Work of the Security and Counter-Intelligence Directorate and the Intelligent Agency
10. Committee for the Supervision of the Application of the Communication Interception Techniques by the Ministry of the Interior and the Ministry of Defence
11. Finance and Budget Committee
12. Committee on Economy
13. Committee on Agriculture, Forestry and Water Resources Management
14. Committee on Transport, Communication and Environment
15. Committee on Education, Science and Sport
16. Committee on Culture
17. Committee on Health Care
18. Committee on Labor and Social Policy
19. Committee on Equal Opportunities for Women and Men
20. Committee on Rules of Procedures, and Mandatory-Immunity Issues
21. Committee on Local Self-Government.<sup>79</sup>

#### **4.1 Membership of Macedonia in International Organization**

Macedonia is a member of the United Nation (UN), Organization for Security and Cooperation in Europe (OSCE), Council of Europe, World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Criminal Police Organization (INTERPOL), International Monetary Fund (IMF), International Organization for Standardization (ISO), World Bank (WB), World Trade Organization (WTO), etc.<sup>80</sup> The Assembly of Macedonia is a member of the Inter-parliamentary Union (IPU); therefore it is a participant in international parliamentary meetings around the world organized by IPU. This helped Macedonia in developing parliamentary international Relations.

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<sup>79</sup> <http://www.sobranie.mk/en/default-en.asp?ItemID=F165BA648603D041B6A1C333BDE77284>

<sup>80</sup> <http://www.mfa.gov.mk/default1.aspx?ItemID=314>

## **4.2 Macedonia toward EU Integration**

Being part of the European Union has been a strategic interest of the Republic of Macedonia ever since the independence from Yugoslavia. As of the establishment of diplomatic relations with the EU in December 1995, the Republic of Macedonia has ascertained itself as a reliable partner and a genuine ally of European Union, not bypassing any of the institutional stages of the rapprochement with the Union-starting with the conclusion of the Cooperation Agreement, over to the Stabilization and Association Agreement and acquiring EU membership candidate status.<sup>81</sup> In December 2005 the Republic of Macedonia acquired the EU membership candidate toward EU integration process.<sup>82</sup> The goal of the Republic of Macedonia is to fulfill all European standards pertaining to functional democracy and prosperous market economy of assuming EU membership obligation.<sup>83</sup> The Republic of Macedonia together with Montenegro and Serbia gained the privilege to travel around Europe without visa, considered as a big day for the people of Macedonia. The European Commission approved on July 15, 2009 a decision to allow citizen of Macedonia, Montenegro and Serbia entry to Schengen countries visa free from January 1, 2010.<sup>84</sup> However this was a privilege for the people of Macedonia because it gives the opportunity to travel, work and have closer relation with European Countries. Moreover, regional cooperation is very important step toward a full EU integration, therefore “the Republic of Macedonia will consistently continue to implement and develop the regional cooperation policy by creating an environment for more intensive economic integration, strengthening of the political cooperation and cooperation in all other sectors particularly in the implementation of the joint projects within the EU integration process of the counties in the region”.<sup>85</sup>

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<sup>81</sup> <http://www.mfa.gov.mk/default1.aspx?ItemID=314>

<sup>82</sup> <http://www.mfa.gov.mk/default1.aspx?ItemID=312>

<sup>83</sup> <http://www.mfa.gov.mk/default1.aspx?ItemID=312>

<sup>84</sup> [http://sofiaecho.com/2009/07/15/755688\\_eu-gives-serbia-montenegro-and-macedonia-visa-free-travel-from-january-2010](http://sofiaecho.com/2009/07/15/755688_eu-gives-serbia-montenegro-and-macedonia-visa-free-travel-from-january-2010)

<sup>85</sup> <http://www.mfa.gov.mk/Upload%5CContentManagement%5CFiles%5CMFA%20-%20National%20strategy.pdf>

### 4.3 The Role of Parliament toward EU Integration

The Parliament of the Republic of Macedonia is the highest legislative authority and has the highest representative body of the citizens of the Republic of Macedonia, and as such it plays a vital role in the process of EU Integration. The Assembly plays a substantive role in the implementation of the Strategy especially in the law approximation process and in defining specific state policies in different sectors of the EU integration process.<sup>86</sup>

As being the highest representative body the Parliament receives information about the operational steps that Government of the Republic of Macedonia takes toward EU integration, through the plenary sessions and meetings.

The Parliament of the Republic of Macedonia has two parliamentary commissions that play an active role toward EU integration: Committee on European Integration and the Committee on Foreign Policy. “The Parliamentary Commissions have a mandate to: inform the Parliament on all issues related to European integration; deal with issues related to the conformity of proposed laws with the legislation of the EU; monitor and encourage the harmonization of Macedonian legislation with that of the EU; propose measures for improving the harmonized process; comment on and propose activities of the Parliamentary working bodies dealing with EU; cooperate with relevant Parliamentary Commissions in other countries;<sup>87</sup> foreign policy of the Republic of Macedonia and its relations with other states and international organizations; policy which provides care for the situation and the rights of the Macedonian population in the neighboring countries and for the Macedonian expatriates, as well as for the cultural, economic and social rights of its citizens abroad; joining or resigning from alliances or communities with other states; joining or resigning from membership in international organizations; need for starting negotiations for reaching bilateral and multilateral international agreements of the Republic of Macedonia, i.e. for platforms of these negotiations; ratification of international agreements; international regulation concerning human and civil rights and freedoms and documents of the international organizations and associations; establishment of parliamentary cooperation of the State with other

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<sup>86</sup> <http://www.mfa.gov.mk/Upload%5CContentManagement%5CFiles%5CMFA%20-%20National%20strategy.pdf>

<sup>87</sup> <http://www.mfa.gov.mk/Upload%5CContentManagement%5CFiles%5CMFA%20-%20National%20strategy.pdf>

states and international organizations; establishment of cooperation with the respective foreign policy committees of the parliaments of other states; initiatives and proposals for defining the foreign policy strategy of the Republic of Macedonia; and other questions regarding the foreign policy of the Republic of Macedonia.”<sup>88</sup>

The Parliament of the Republic of Macedonia has had annual meetings with the European Parliament ever since the SAA (Stabilization and Association Agreement) agreement has been approved. The Parliament has been represented by a Parliamentary Committee on Stabilization and Association that is responsible for being part of the European Parliamentary meetings. The Parliament of Macedonia is playing a crucial role toward EU integration and regional cooperation by signing and approving many resolutions and declaration that are guiding the state in a right path.

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<sup>88</sup> <http://www.sobranie.mk/en/default-en.asp?ItemID=3F41E1EE92603143A9D02FC823CA31E5>



<b>ACTIVITIES</b>	<b>OF THE ASSEMBLY TOWARD EU INEGRATION <sup>89</sup></b>
<b>1990</b>	Dialogue between the Assembly of Rep. of Macedonia and EU Parliament started
<b>17 November 1994</b>	The European Parliament constituted a Delegation for relations with South-East Europe.
<b>17 July 1996</b>	A separate Group of the Assembly of the Republic of Macedonia for cooperation with the European Parliament.
<b>April 1997</b>	The Cooperation Agreement between the Republic of Macedonia and the European Communities was signed, and entered into force in January 1998.
<b>1998</b>	The Assembly of the Republic of Macedonia adopted a Declaration on the Development of Relations between the Republic of Macedonia and the European Union,
<b>2000</b>	Declaration on Upgrading the Level of Relations with the European Union
<b>9 April 2001</b>	The Stabilization and Association Agreement (SAA) with the European Union was signed, which the European Parliament approved on 3 May 2001, and the Assembly of the Republic of Macedonia ratified on 12 April 2001.
<b>18 April 2003</b>	The Assembly of the Republic of Macedonia set up the Committee on European Affairs, as a working body authorized for examining the issues relevant for the process of the European integration of the Republic of Macedonia and giving opinions on the draft acts harmonizing our legislation with the acquis.
<b>22 March 2004</b>	Republic of Macedonia submitted an application for EU membership to the Irish Presidency of the Council
<b>1 April 2004</b>	The SAA between the EU and its Member States and Republic of Macedonia entered into force.
<b>June 11, 2003</b>	The Assembly of the Republic of Macedonia adopted a Declaration on the Role of the Assembly of the Republic of Macedonia in the Parliamentary Dimension of the Stabilization and Association Process.
<b>17 December 2005</b>	The Republic of Macedonia acquired a candidate status for European Union membership.
<b>19 November 2007</b>	The Assembly of the Republic of Macedonia passed a Decision for setting up a National European Integration Council which is the sole body in the country bringing together parliamentary, governmental and non-governmental officials.
<b>27 November 2007</b>	The Assembly of the Republic of Macedonia adopted a Resolution on the Priorities for the Accession of the Republic of Macedonia in the European Union and Opening of Negotiations for EU Membership.
<b>15 December 2008</b>	The Assembly of the Republic of Macedonia adopted a Resolution on the Priorities in 2009 for the Accession of the Republic of Macedonia in the European Union,
<b>1 March 2010</b>	The Assembly of the Rep of Macedonia Adopted Resolution on Climate Change.
<b>1 January 2010</b>	Visa Liberalization entered into force

**Table 3: Conclusion of Macedonia's path toward the EU**

<sup>89</sup> <http://www.sobranie.mk/en/default-en.asp?ItemID=CA5B52AE314C5346ABF44EEFBC8B2571>

## NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA



Figure 9: Assembly of the Republic of Serbia<sup>90</sup>

The National Assembly of the Republic of Serbia as in the regional countries is the supreme representative body and the holder of constitutional and legislative power<sup>91</sup>(Fig.

8). The Assembly is responsible for:

- adopts and amends the Constitution;
- decides on changes concerning the borders of the Republic of Serbia;
- calls for the Republic referendum;
- ratifies international contracts when the obligation of their ratification is stipulated by the Law;
- decides on war and peace and declares state of war or emergency;
- supervises the work of security services;
- enacts laws and other general acts within the competence of the Republic of Serbia;
- gives prior consent to the Statute of the autonomous province;
- adopts defense strategy;

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<sup>90</sup> <http://www.parlament.rs/national-assembly.467.html>

<sup>91</sup> <http://www.parlament.gov.rs/national-assembly/role-and-mode-of-operation/jurisdiction.501.html>

- adopts development plan and spatial plan;
- adopts the budget and end-of-year balance of the Republic of Serbia, at the Government's proposal;
- grants amnesty for criminal offenses<sup>92</sup>

The Assembly is composed of a speaker of the National Assembly, deputy, deputy speaker, collegiums, parliamentary groups, working bodies, two hundred and fifty members of the parliament (MP) that is the highest in the SEE countries.

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<sup>92</sup> <http://www.parlament.gov.rs/national-assembly/role-and-mode-of-operation/jurisdiction.501.html>

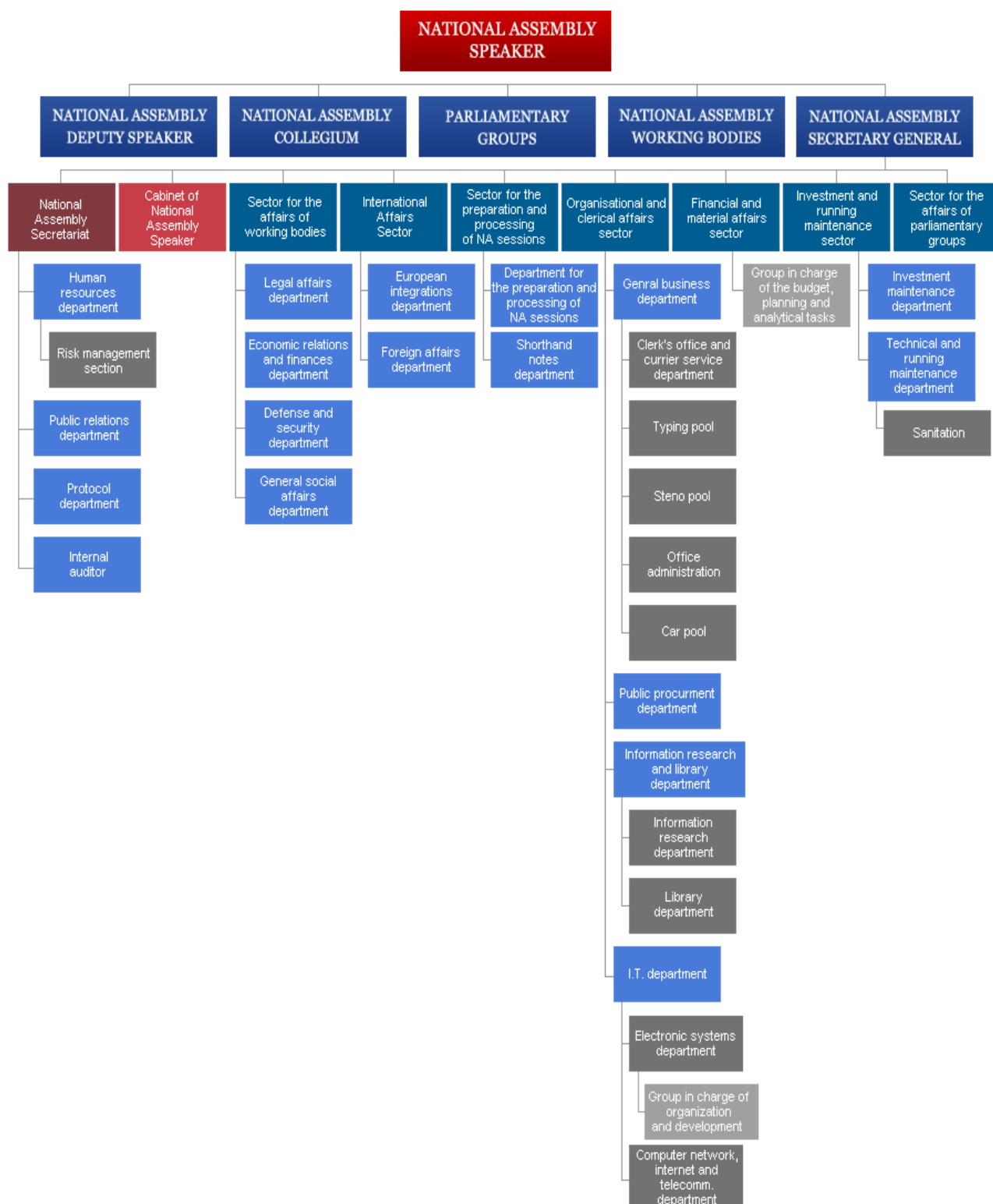


Figure 10: Organization and Support Service<sup>93</sup>

<sup>93</sup> <http://www.parlament.gov.rs/national-assembly/organisation-and-support-service.508.html>

The assembly is composed of thirty (30) committees or working bodies and it has the highest number in the region (Fig.9).

1. Constitutional Issues Committee,
2. Legislative Committee,
3. Committee on Defense and Security,
4. Foreign Affairs Committee,
5. Justice and Administration Committee,
6. Committee on Inter-Ethnic Relations,  
Sub-Committee on issues concerning the improvement of the position of Roma  
and implementation of the Decade of Roma,
7. Committee on Relations with Serbs Living Outside Serbia,  
Sub-Committee for Status Issues of the Diaspora,  
Sub-Committee for Economic Issues of the Diaspora,  
Sub-Committee for Educational and Scientific cooperation of the motherland and  
the Diaspora,  
Sub-Committee for Cultural and Sporting cooperation of the motherland and the  
Diaspora,  
Task Group for the Drafting of the Bill on the Serbian Immigrant Society,
8. Committee on Development and International Economic Relations,
9. Finance Committee,
10. Industry Committee,
11. Committee on Transportation and Communications,
12. Committee on Urban Planning and Construction,
13. Agriculture Committee,
14. Committee on Trade and Tourism,
15. Privatization Committee,
16. Committee on Kosovo,
17. Committee on Health and the Family,
18. Environmental Protection Committee,
19. Education Committee,

20. Youth and Sports Committee,
21. Culture and Information Committee,
22. Committee on Science and Technological Development,
23. Committee on Labor, Ex-Servicemen's and Social Issues,
24. Committee on Petitions and Proposals,
25. Economic Reforms Committee,\*
26. European Integrations Committee,
27. Poverty Reduction Committee,
28. Gender Equality Committee, Children's Rights Working Group,
29. Local Self-Government Committee, and
30. Administrative Committee.<sup>94</sup>

Working bodies are established to:

- consider bills and other documents submitted to the National Assembly,
- review the policies pursued by the Government,
- supervise the Government's and other state authorities' execution of laws and other general acts, and
- consider other matters falling within the competence of the National Assembly.<sup>95</sup>

A committee shall, within its competencies, supervise the work of the Government and other bodies and institutions whose work shall be overseen by the National Assembly in accordance with the Constitution and the law.<sup>96</sup>

### **5.1 Membership of Serbia in International Organizations**

Being part of the international organizations for the Rep. of Serbia is very important because it signifies a broad integration into international community and reinforces the peace and security, and increases the engagement in international cooperation. Republic of Serbia is a member of the following international organizations: Council of Europe (CE), Euro-Atlantic Partnership Council (EAPC), United Nation (UN), Organization for

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<sup>94</sup><http://www.parlament.gov.rs/national-assembly/organisation-and-support-service/national-assembly-working-bodies.514.html>

<sup>95</sup> <http://www.parlament.gov.rs/national-assembly/organisation-and-support-service/national-assembly-working-bodies.514.html>

<sup>96</sup>[http://www.parlament.gov.rs/upload/documents/The%20Law%20on%20the%20National%20Assembly.p  
df](http://www.parlament.gov.rs/upload/documents/The%20Law%20on%20the%20National%20Assembly.pdf)

Security and Cooperation in Europe (OSCE), Inter-Parliamentary Union (IPU), World Bank (WB), International Organization for Standardization (ISO)<sup>97</sup>; moreover being involved in those important international organizations has helped Serbia in the field of international relations.

## **5.2 Serbia toward EU Integration**

The dream for the future of Serbia is the same as the one with all South-East Europe (SEE) states: being part of the European Union. The priority of Serbia's foreign policy is the development of its relations with the European Union.<sup>98</sup> Very first steps for Serbia's EU integration started in 2000 initiated at the Zagreb Summit of the countries of EU and the Western Balkans for becoming "potential candidates for EU membership"<sup>99</sup> As taking the first imports step toward EU membership is the signing of Stabilization and Association Agreement (SAA) and as such the republic of Serbia signed the agreement on 29 of April 2004.<sup>100</sup> This was a great hope for Serbia to have an EU future. However: It seems as the Republic of Serbia has forgot about all the genocide that has been developed in the last decade and especially the last war with the Republic of Kosova. Therefore the ratification of the SAA occurred only after the EU Council of Ministers found Serbia to be fully co-operating with the International Criminal Tribunal for the former Yugoslav.<sup>101</sup> The tribunal wanted Serbia to extradite wartime commanders that led to crime against humanity Ratko Mladic and the leader in wartime Radovan Karadzic.<sup>102</sup> Having in consideration the pressure for finding the criminals, Serbia arrested the war criminal Ratko Mladic. The arrest of the criminal Mladic, was seen as "one more step toward Serbia's integration into the European Union" by President of France Nicolas Sarkozy who mentioned this at the Group of 8 (G8) summit meeting in Deauville, France.<sup>103</sup> On the other hand: Serbia needs to fulfill the Copenhagen criteria that involve the political, economic and legislative stability. Serbia is living on dreams considering the Republic of Kosovo as being part of Serbia. Even though the government of Serbia knows the fact

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<sup>97</sup> <http://www.balkananalysis.com/serbia/international-organizations/>

<sup>98</sup> <http://www.mfa.gov.rs/Foreinframe.htm>

<sup>99</sup> <http://www.mfa.gov.rs/Foreinframe.htm>

<sup>100</sup> [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2008/04/30/feature-01](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/04/30/feature-01)

<sup>101</sup> [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2008/04/30/feature-01](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/04/30/feature-01)

<sup>102</sup> [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2008/04/30/feature-01](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2008/04/30/feature-01)

<sup>103</sup> [http://www.nytimes.com/2011/05/27/world/europe/27union.html?\\_r=1](http://www.nytimes.com/2011/05/27/world/europe/27union.html?_r=1)

that Kosova declared independence on February 17, 2008 and it is recognized as an independent state by 22 EU member states. In order to convince the Republic of Serbia that Kosovo's independence is legal in July 22, 2010 the International Court of Justice (ICJ) declared that Kosovo's independence did not violate the international law and that it is legal. The ICJ president Hisashi Owada said "Accordingly, (the court) concludes that the declaration of independence on 17 February 2008 did not violate general international law"<sup>104</sup> On September 9, 2010 the UN General Assembly adopted a joint resolution table by Serbia co-sponsored by the EU as a follow-up to the ICJ advisory opinion on Kosovo.<sup>105</sup> This resolution facilitated a process of dialogue between the two parties The Republic of Serbia and the Republic of Kosovo known as technical dialogue between the Republic of Kosovo-Republic of Serbia. The process of dialogue is a factor for peace, security and stability in the region, and the dialogue would promote cooperation, achieve progress on the path to the European Union.<sup>106</sup>

Still the Republic of Serbia does not recognize the Republic of Kosovo as an independent state even though it has been recognized by 76 states around the world including: USA, UK, Europe, Africa, etc.<sup>107</sup> On the conference that was held on Brussels on November 9, 2010 on Enlargement and Neighborhood Policy regarding Serbia Mr. Štefan Füle-European Commissioner for Enlargement and neighborhood Policy said "'Serbia is well placed to fulfill the requirements under Stabilization and Association Agreement ... and ... has continued its cooperation with the International Criminal Tribunal for the former Yugoslavia." This cooperation remains "an essential condition for membership of the EU".<sup>108</sup> Moreover on the meeting the Commission has concluded that "Serbia has taken important steps towards reconciliation in the region", we also urge "Serbia to demonstrate a more constructive attitude towards Kosovo's participation in regional trade and cooperation."<sup>109</sup>

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<sup>104</sup> <http://www.bbc.co.uk/news/world-europe-10730573>

<sup>105</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/sr\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/sr_rapport_2010_en.pdf)

<sup>106</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/sr\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/sr_rapport_2010_en.pdf)

<sup>107</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/sr\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/sr_rapport_2010_en.pdf)

<sup>108</sup> <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/639&format=HTML&aged=0&language=EN&guiLanguage=en>

<sup>109</sup> <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/10/639&format=HTML&aged=0&language=EN&guiLanguage=en>



On this issue the deputies from the German Bundestag said “If the Republic of Serbia does not recognize the Independence of Kosovo the German Bundestag will not support Serbia’s integration in European Union”.<sup>110</sup>

After the declaration from the German Bundestag the chief of Belgrade’s negotiation team in a dialogue with Pristina Mr. Borislav Stefanovic told to a Serbian news agency called Tanjug that ‘none of us do not seek, nor will we do it ‘ simply does not exist way to Serbia to force it’’.<sup>111</sup>

### **5.3 The role of Parliament toward EU integration**

International cooperation of the National Assembly of the Republic of Serbia are realized through the participation of the Assembly in the work and activities of international parliamentary institutions through: cooperation with representative bodies of other countries by visits of delegation, MPs, study groups, committees, through the forwarding or exchange of individual acts or messages; exchange of documentation and informative materials and publications with representative bodies of other countries.<sup>112</sup> Other from the Western Balkan states in the Assembly of Serbia the Foreign Affairs committee has more power when it comes to the representative bodies. The Foreign Affairs Committee decides on initiatives relating to visits and determines composition of delegation to participate in talks with representatives of representative bodies and institution of other countries.<sup>113</sup> In cases when the foreign affairs committee is unable to make the decision, it is made by the Speaker of the National Assembly. In order to have a better control of the international cooperation from the Assembly, each delegation has to submit a conclusion of the visit to the Foreign Affairs Committee within a period of fifteen days. Overall, the Foreign Affairs Committee at the end of each year must submit a report to the National Assembly a report that explains in details the cooperation realized during the previous year.<sup>114</sup>

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<sup>110</sup> Express Newspaper. June 23, 2011. Page 4.

<sup>111</sup> <http://translate.google.com/translate?hl=en&sl=sr&u=http://www.blic.rs/Vesti/Politika&ei=5SMdTpiNMoqaOtnLsdwN&sa=X&oi=translate&ct=result&resnum=1&ved=0CBwQ7gEwAA&prev=/search%3Fq%3DRoderik%2BKizeveter%2BSerbia%2BJune%2B22%2B2011%26hl%3Den%26biw%3D1184%26bih%3D513%26prmd%3Divns>

<sup>112</sup> <http://www.parlament.rs/activities/international-cooperation.596.html>

<sup>113</sup> <http://www.parlament.rs/activities/international-cooperation.596.html>

<sup>114</sup> <http://www.parlament.rs/activities/international-cooperation.596.html>

EU integration from the view of the Assembly is seen as a road toward modern society, a stable democracy with a developed economy. The requirement from the European Union assumes success in relation for development and stability, peaceful and democratic European territory.<sup>115</sup> Assembly in 2004 the National Assembly adopted the resolution on Accession to the European Union. The Stabilization and Accession Agreement (SAA) and Transitional Commercial Agreement were signed on 2008<sup>116</sup> and were ratified by National Assembly. In December 2010, the President of the Rep. of Serbia submitted the request for membership at the European Union, while the ratification of the SAA from the European Parliament (EP) took place in January 2011.

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<sup>115</sup> <http://www.parlament.rs/activities/european-integration.606.html>

<sup>116</sup> <http://www.parlament.rs/activities/european-integration.606.html>

<b>ACTIVITIES</b>	<b>OF THE ASSEMBLY TOWARD EU INEGRATION <sup>117</sup></b>
<b>1997</b>	The EU Council of Ministers establishes political and economic conditionality for the development of bilateral relations.
<b>1999</b>	The EU proposes the new Stabilization and Association Process (SAP) for five countries of South-Eastern Europe, including Serbia.
<b>November 2000</b>	Zagreb Summit launches the Stabilization and Association Process (SAP) for five countries of South-Eastern Europe.
<b>2001</b>	The process for EU integration began.
<b>June 2003</b>	Thessaloniki European Council, the Stabilization and Association Process (SAP) is confirmed as the EU policy for the Western Balkans. The EU perspective for these countries is confirmed.
<b>October 13, 2004</b>	National Assembly adopted the Resolution on Accession to the European Union.
<b>October 2005</b>	Launch of the negotiations for a Stabilization and Association Agreement.
<b>3 May 2006</b>	SAA negotiations called off due to lack of progress on Serbia's co-operation with the ICTY.
<b>13 June 2007</b>	SAA negotiations with Serbia resumed, following a clear commitment by the country to achieve full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), and concrete actions undertaken by the country that have matched this commitment.
<b>7 November 2007</b>	The SAA with Serbia is initiated.
<b>1 January 2008</b>	Entry into force of the Visa Facilitation and Readmission Agreement between Serbia and the EU.
<b>18 February 2008</b>	Council adopts the revised European partnership for Serbia.
<b>29 April 2008</b>	The Stabilization and Association Agreement (SAA) and the Interim Agreement on Trade and Trade-related issues between Serbia and the EU is signed in Luxembourg.
<b>7 May 2008</b>	Commission hands over to the Serbian government the Road map on Visa liberalization, set up with the aim of achieving a visa free regime for Serbian citizens wishing to travel to Schengen countries.
<b>7 July 2008</b>	Following 11 May parliamentary elections, formation of a new government; European integration set as a key priority.
<b>15 July 2009</b>	European Commission proposes to grant Serbia visa liberalization.
<b>1 January 2010</b>	Visa Liberalization entered into force
<b>December 2010</b>	President of the Republic of Serbia submitted the request for membership at the European Union

**Table 4: Conclusion of Serbia's path toward the EU integration**

<sup>117</sup> [http://ec.europa.eu/enlargement/potential-candidate-countries/serbia/eu\\_serbia\\_relations\\_en.htm](http://ec.europa.eu/enlargement/potential-candidate-countries/serbia/eu_serbia_relations_en.htm)

## KOSOVO FULFILLING ITS EUROPEAN PRESPECTIVE

The Republic of Kosovo is willing to be part of the European community; and the European Union has shown its willingness to assist economic and political development in Kosovo through a clear European perspective, in line with the European perspective of the region.<sup>118</sup>

In 2005 the EU Commission issued a communication with the purpose of identifying the challenges on Kosovo's road to Europe, confirming the measures it should take to address these challenges, and propose Community instruments to help Kosovo further its political and socio-economic development.<sup>119</sup> Out of 27 EU member states Kosovo has been recognized by twenty two, and yet five of the European member states did not recognize. However this fact does not prevent the EU from substantial engagement with Kosovo. The European Union had been an integral part of the international effort to build a new future for Kosovo since 1999 and it plays a prominent role in the reconstruction and development of Kosovo.<sup>120</sup> The EU is by far the single largest donor providing assistance to Kosovo and the South Eastern Europe region as a whole.<sup>121</sup> The European Union is present in Kosovo through:

- ❖ The European Commission Liaison Office in Kosovo
- ❖ European Union Special Representative
- ❖ The European Union Rule of Law Mission in Kosovo (EULEX)
- ❖ The EU Member State representation (Embassies and Liaison Offices)<sup>122</sup>

Kosovo is a part of the Stabilization and Association Process<sup>123</sup> the stabilization and association process dialogue (SAPD) was launched in January and the first cycle of meetings was completed in July. The progress involves the first instance to the adaptation of legislation to European standards and the establishment of a viable fiscal framework; however major challenges that Kosovo still faces remain including: political, economic and social levels.<sup>124</sup> The EU provides technical and financial assistance to

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<sup>118</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/kosovo\\_study\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/kosovo_study_en.pdf)

<sup>119</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/kosovo\\_study\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/kosovo_study_en.pdf)

<sup>120</sup> [http://www.eeas.europa.eu/delegations/kosovo/eu\\_kosovo/political\\_relations/index\\_en.htm](http://www.eeas.europa.eu/delegations/kosovo/eu_kosovo/political_relations/index_en.htm)

<sup>121</sup> [http://eeas.europa.eu/delegations/kosovo/eu\\_kosovo/political\\_relations/index\\_en.htm](http://eeas.europa.eu/delegations/kosovo/eu_kosovo/political_relations/index_en.htm)

<sup>122</sup> [http://eeas.europa.eu/delegations/kosovo/eu\\_kosovo/political\\_relations/index\\_en.htm](http://eeas.europa.eu/delegations/kosovo/eu_kosovo/political_relations/index_en.htm)

<sup>123</sup> [http://eeas.europa.eu/delegations/kosovo/documents/eu\\_kosovo/progress\\_report\\_2010\\_en.pdf](http://eeas.europa.eu/delegations/kosovo/documents/eu_kosovo/progress_report_2010_en.pdf)

<sup>124</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

support the reforms, and of course Kosovo benefits from the Instrument for Pre-accession Assistance, the CARDS programme and the instrument for Stability.<sup>125</sup>

	1999-2006	2007	2008	2009	2010	2011	2007-2011	Total
<b>INSTITUTION BUILDING AND SOCIO-ECONOMIC SUPPORT</b>								
Macro-Financial Assistance*	65	50	-	(50)	(50)	-	150	215
CARDS/IPA**	1165	68.3	184.7	106.1	67.3	68.7	495.1	1660.1
Stability Instrument	-	-	5+p.m.***	-	-	-	5	5
ECHO	443	-	-	-	-	-	-	443
EIDHR	-	0.9	0.9	0.9	-	-	2.7	2.7
Pilot actions	-	-	1.5	-	-	-	1.5	1.5
<b>Subtotal</b>	<b>1673</b>	<b>119.2</b>	<b>192.1</b>	<b>157</b>	<b>117.3</b>	<b>68.7</b>	<b>654.3</b>	<b>2327.3*</b>
<b>INTERNATIONAL PRESENCE</b>								
UNMIK****	126	22	9	-	-	-	31	157
ICO*****	1	14	10	10	10	10	54	55
EULEX*****	13	66	140	118	160	160	644	657
<b>Subtotal</b>	<b>140</b>	<b>102</b>	<b>159</b>	<b>128</b>	<b>170</b>	<b>170</b>	<b>729</b>	<b>869</b>
<b>TOTAL</b>	<b>1813</b>	<b>221.2</b>	<b>351.1</b>	<b>285</b>	<b>187.3</b>	<b>238.7</b>	<b>1383.3</b>	<b>3196.3*</b>

Table 5: EU assistance to Kosovo (1999-2011) in Euro million<sup>126</sup>

As a summary from the EU legislation regarding the reforms that are intended to improve by the Republic of Kosovo toward EU integration consider:

## 6.1 Reforms

- Functioning of the State, the judiciary and public administration;
- Fiscal policy and economic stability;
- Public procurement and the business environment;
- The fight against corruption, money laundering and organized crime;
- Social cohesion;

<sup>125</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

<sup>126</sup> PowerPoint Presentation from Mr. Khaldoun SINNO-Acting Head of Office, Head of Political, Economic and EU Integration Section.

- The protection of minorities, and reconciliation between the communities.<sup>127</sup>

## **6.2 Free movement of persons**

The citizens of the Republic of Kosovo are the only one that needs a visa in order to travel abroad the country. There are some specific arrangements that need to be fulfilled so that the people of Kosovo will be released a visa-free liberalization:

- readmission arrangements for Kosovo citizens,
- The fight against organized crime,
- The security of identity documents,
- The monitoring of migration and border security.<sup>128</sup>

European Union continuously supports the Republic of Kosovo in sectors including: trade, economical stability, private sector, social policies, employment, education, training and research, culture and civil life. Moreover the Republic of Kosovo is required to be extended to new sectors such as energy (privatize the sector, increase energy efficiency and the use of renewable energies); transport (to improve the rail and road infrastructure, with regard to Kosovo's participation in the European Common Aviation Area) and environment (protect public health such as drink water, air quality, and to implement European legislation effectively).<sup>129</sup>

Regarding the evaluations of the Progress Report from EU in 2010, the Parliament has some progress on institution-building and incorporating the agenda for European integration in its work. The legislative framework has been strengthened, and the public account was established. However there are many fields that the Parliament needs to be improved such as: Assembly's capacity remains weak, effective management of human resources, executive oversight, and the quality of electoral system in regard to ensure quality and to be strengthened (EU-Progress Report for Kosovo 2011).

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<sup>127</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

<sup>128</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

<sup>129</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

In order to move forward to European integration as one of the Copenhagen Criteria the regional cooperation is very important for the Republic of Kosovo to move on and especially with Serbia because the EU is not interested to have inside states that have problems with free movement, border security, customs, transport, rail transportation, air transport, energy, exports.. Kosovo's cooperation with the other countries of Southern Europe is essential for its commercial development, economic growth and political stability.<sup>130</sup>

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<sup>130</sup> [http://europa.eu/legislation\\_summaries/enlargement/western\\_balkans/el0003\\_en.htm](http://europa.eu/legislation_summaries/enlargement/western_balkans/el0003_en.htm)

ACTIVITIES	KOSOVO TOWARD EU INEGRATION <sup>131</sup>
February 1999	The Contact Group convenes peace talks at Rambouillet. Yugoslavia rejects the proposed Interim Agreement for Peace and Self-Government in Kosovo and talks break down on 19 March.
March-June 1999	NATO bombing campaign against Yugoslav military and security targets in Kosovo and Yugoslavia proper ('Operation Allied Force').
May 1999	The EU proposes the new Stabilization and Association Process (SAP) for five countries of South-Eastern Europe.
June 1999	United Nations Security Council Resolution 1244 establishes the United Nations Interim Administration Mission in Kosovo (UNMIK).
June 1999	NATO-led KFOR enters Kosovo.
November 2000	Zagreb Summit launches the Stabilization and Association Process (SAP) for five countries of South-Eastern Europe.
November 2001	Kosovo holds general elections.
February 2002	The Provisional Institutions for Self-government are established (a President, a government with a Prime Minister and ministers and an Assembly)
April 2005	The Commission adopts the Communication to the Council and the European Parliament on "A European Future for Kosovo".
November 2005	<b>The UN Security Council endorses the appointment of Martti Ahtisaari by the UN Secretary General as Special Envoy for the future status process for Kosovo.</b>
February 2006	Status negotiations commence under the auspices of the UN Special Envoy for the future status process.
26 March 2007	UN Secretary General Ban Ki-moon forwards to the UN Security Council the Comprehensive Proposal for the Kosovo Status Settlement prepared by his Special Envoy Martti Ahtisaari.
05 November 2007	The European Commission publishes its third progress report for Kosovo
14 December 2007	The EU underlines its readiness to play a leading role in implementing a settlement defining Kosovo's future status and to assist Kosovo in the path towards stability, including by an ESDP mission and a contribution to an international civilian office as part of the international presences.
17 February 2008	The Kosovo Assembly adopts a resolution which declares Kosovo to be independent.
18 February 2008	The Council of the European Union takes note of Kosovo's declaration of independence resolution and notes that member states will decide, in accordance with national practice and international law, on their relations with Kosovo. It underlines EU's conviction that Kosovo constitutes a <i>sui generis</i> case.
15 June 2008	The Constitution of Kosovo enters into force.
19/20 June 2008	The European Council recalls EU's 'willingness to assist the economic and political development of Kosovo through a clear European perspective, in line with the European perspective of the region'.
20 June 2008	In a report to the UN Security Council, the UN Secretary General <b>acknowledges the need for the UN to reconfigure the international presence in Kosovo and the EU decision to deploy a European Security and Defense Policy (ESDP) rule of law mission.</b>
May 8, 2009	The Republic of Kosovo becomes a member of International Monetary Fund (IMF)
20 June 2008	The Republic of Kosovo becomes a member of World Bank (WB)
22 July 2010	International Court of Justice (ICJ) PROVED that Kosovo's Declaration of Independence is Legal

Table 6: Conclusion of Kosovo's path toward the EU integration

<sup>131</sup> [http://ec.europa.eu/enlargement/potential-candidates/kosovo/relation/index\\_en.htm](http://ec.europa.eu/enlargement/potential-candidates/kosovo/relation/index_en.htm)



## INTERSTATE DIALOGUE BETWEEN THE REPUBLIC OF KOSOVO AND THE REPUBLIC OF SERBIA

Based on the Resolution of the ICJ (International Court of Justice) A/RES/64/289 of 9 September 2010, the government of the Republic of Kosovo has accepted the international obligation to go in a technical dialogue between the Republic of Kosovo and the Republic of Serbia in accordance with the Constitutional authority to exercise state sovereignty in the country's foreign affairs.<sup>132</sup> The technical dialogue was launched on in March 2011, and it represents a good opportunity to solve problems between the Republic of Kosovo and Rep. of Serbia. The process of technical dialogue is a factor for peace, security and stability in the region, and the dialogue would promote cooperation, achieve progress on the path to the European Union.<sup>133</sup>

The government of the Republic of Kosovo has entered the technical dialogue with a clear platform of principles on the preservation and protection of national interest, and to promote national interests in foreign policy.<sup>134</sup> Government of Kosovo considers the technical dialogue as an opportunity for Kosovo to be closer to European Union, to promote a greater regional cooperation and to strengthen the functionality of the Republic of Kosovo. The main purpose of the dialogue is to solve technical issues that have aggravated relations between Kosovo and Serbia since the war.

Solutions to technical dialogue issues contribute toward improving the lives of citizens in both countries and the Republic of Kosovo is committed to find solutions that are advanced and strongly supported to Euro-Atlantic principles.<sup>135</sup> On the other hand, finding solutions to the technical issues between Kosovo and Serbia will accelerate the realization of the goals to fulfill the European Integration standards and would lead toward strengthening neighborly relations, strengthening regional cooperation that are considered as fundamental preconditions for stability, economic development and EU

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<sup>132</sup> Constitution of the Republic of Kosovo. Chapter VI. Article 93.

<sup>133</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/sr\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/sr_rapport_2010_en.pdf)

<sup>134</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia.

<sup>135</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia.

Integration.<sup>136</sup> Based on the platform of the Government of the Republic of Kosovo the technical dialogue between the Republic of Kosovo and the Republic of Serbia contains a policy framework, agenda, and potential benefits from the dialogue.



Figure 11: Heads of the dialogue between Rep. of Kosovo and the Rep. of Serbia<sup>137</sup>

## 7.1 Policy Framework

As a sovereign state the Republic of Kosovo has set the red line how far the technical dialogue may go and what may be discussed based on the Constitution and the Resolution from the Parliament of the Republic of Kosovo. The technical dialogue provides an opportunity for Republic of Kosovo and for the Republic of Serbia to implement institutional and legal reforms in line with EU legislation and will enable both countries to be in greater harmony with the norms and EU standards. Based on point six (6) of the platform for technical dialogue, the Republic of Kosovo goes into the technical dialogue to increase regional cooperation, good neighborly relations as a key to stability, economic development and conditions for EU integration.

## 7.2 Principles of the dialogue

Based on the platform for technical dialogue from the government of the Republic of Kosovo, the technical dialogue is between two independent and sovereign states and will

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<sup>136</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia.

<sup>137</sup> <http://english.albeu.com/albania-news/eu-optimistic-about-the-dialogue-between-kosovo-and-serbia/40335/>

cover technical issues that have a common interest, without affecting in any case sovereignty of Kosovo, independence, territorial integrity, regulation of domestic constitution of Kosovo. As known the technical dialogue is mediated by the European Union which is leading the dialogue and offering solution that are for the better of people's life. The dialogue is led from both government representatives. Appointed from the Prime Minister of the Republic of Kosovo as the head of the delegation is Ms. Edita Tahiri (Deputy Prime Minister), and appointed from the Republic of Serbia as the head of the dialogue is Mr. Borislav Stefanovic (Political Director in Serbia's Foreign Ministry). The head of the dialogue from the Republic of Kosovo is responsible to offer reports, to inform the Commission on Foreign Affairs of the Assembly of the Republic of Kosovo, and is responsible for giving a report in a plenary session in the Assembly of the Republic of Kosovo.<sup>138</sup> The agreements reached from the dialogue between the Rep. of Kosovo and the Rep. of Serbia are to be ratified in the Assembly of the Rep. of Kosovo, considered as international agreements between two states and have treaty obligations, and signed by the Government of the Republic of Kosovo.<sup>139</sup>

Based on the platform of the dialogue has four main non-negotiable principles that may not be discussed in any time under any circumstances:

1. The status of the Republic of Kosovo
2. Sovereignty and territorial integrity of the Republic of Kosovo is non-negotiable, indivisible and inalienable
3. Internal cases of the state are regulated by the constitution of the Republic of Kosovo and for solving those issues is a responsibility of the institutions of the state of Kosovo
4. The Ahtisaari plan is the platform for the regulation of rights guaranteed for the communities that is also integrated in the Constitution of the Republic of Kosovo.

### **7.3 Agenda of the dialogue**

The dialogue is focused on the problems created since Serbia occupied Kosovo and got worse especially during the war and after the war and these problems actually reflect on

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<sup>138</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia. Page 5.

<sup>139</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia. Page 5.

the Rep. of Kosovo as Serbia's illegal intervention in different fields of life in Kosovo and virtually makes it impossible for the government of Kosovo to stretch out on services of sovereignty in some parts of the state. Those problems identified during the war and after the war in the Republic of Kosovo involve:

- ❖ Return of documents taken by Serbia (cadastral records, civil records, etc)
- ❖ Issues of Serbia's illegal intervention in the field of energy, telecommunication, etc.
- ❖ Return of exhibits of cultural heritage taken/borrowed from Serbia;  
Protection of cultural and religious heritage in Kosovo
- ❖ Finding the missing people from the war period
- ❖ Return of displaced persons to their homes and properties
- ❖ Issue on pension fund returns for citizens of Kosovo
- ❖ Trade relations between Kosovo and Serbia (the recognition of custom currencies, normalization of export and import of goods between two countries)
- ❖ Indemnification for damages of war by the Serbia
- ❖ Issues related to the succession on the former Yugoslavia
- ❖ Demarcation of the border between Kosovo and Serbia in close cooperation with NATO and CAMKFOR.<sup>140</sup>

#### **7.4 Potential benefits from the technical dialogue**

The technical dialogue between the Republic of Kosovo and the Republic of Serbia up to now has had five rounds that have hit some of the above mentioned topics. It is known by now that by solving those issues the Republic of Serbia will gain the green line for being part of the EU family and maybe Kosovo would gain visa-liberalization and EU integration. Moreover; improving the lives of the people is very important, therefore as benefits are considered:

- ❖ Improving the lives of citizen in the socio-economic field
- ❖ Strengthening the state of Kosovo
- ❖ Advance the European agenda for Kosovo

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<sup>140</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia. Page 6

- ❖ Promotion of Euro-Atlantic agenda
- ❖ Harmonization of regional practices, norms and laws, in admission to aquis communautaire of EU
- ❖ Improve regional cooperation
- ❖ Affirmation of the independence and sovereignty of Kosovo to international community, which will lead to increase number of recognition and membership in the organization of the United Nations and other international institutions
- ❖ Normalization of the relations between Kosovo and Serbia, including the recognition Kosovo's independence from Serbia.<sup>141</sup>

Therefore both states will win from the dialogue. EU implicitly has made clear the statement that it will not allow the admission of states within her family, countries that have problems. No matter that Serbia is making media marketing that it is being an EU candidate, it still has unresolved problems with Kosovo neighborhood. While Kosovo as a new state must comply with EU standards should be part of international obligations, defend the state and national interest, and should advance the country.

## **7.5 Agreed Conclusions**

The last meeting known as “fifth round” of dialogue between the Republic of Kosovo and the Republic of Serbia took place on July 2, 2011. In this meeting were reached the conclusions on:

- ✓ Freedom of movement across the border,
- ✓ Herd books (civil registries), and
- ✓ Recognizing education diplomas

Those “conclusions” were not agreements and therefore were not ratified in the Assembly of the Republic of Kosovo.

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<sup>141</sup> Platform of government of the Republic of Kosovo technical dialogue on border between Republic of Kosovo and the Republic of Serbia. Page 8

## **7.6 The importance of ratifying the agreements from the dialogue between the Republic of Kosovo and the Republic of Serbia in the Parliament of the Republic of Kosovo**

The Parliament of the Republic of Kosovo in respect of the Resolution for Kosovo made by the General Assembly of the United Nation on 9<sup>th</sup> of September 2010, based on Article 65.1 of the Constitution of the Republic of Kosovo and Article 6.1 of the Rule of Procedure of the Assembly, the plenary meeting was held on 10<sup>th</sup> of March 2011 in support of the dialogue between the Republic of Kosovo and the Republic of Serbia. By this resolution the Parliament supports the dialogue as it will lead both states toward EU integration, regional stability and better life for the people. However the Parliament makes it clear that the following points must be met in order for the MP's to be informed regarding the agreements and to make it clear that the agreements are ratified and implemented:

5. "The Government of the Republic of Kosovo is obliged to present to the Assembly of the Republic of Kosovo basic documents of the dialogue within a legal term"
6. "The person appointed by the Prime Minister as a head of Republic of Kosovo for dialogue with Republic of Serbia should inform regular basis the Committee on Foreign Policy and other representative committees of the Assembly of Kosovo and should, also, report during plenary sessions of the Assembly of Kosovo"
9. "The Assembly of the Republic of Kosovo reconfirms the constitutional right for ratification of international agreement signed by the Government of Republic of Kosovo"

On the meeting of the technical dialogue on July 2, 2011 the name was changed from 'agreements' to 'conclusion'. In the meeting were reached the following conditions:

- ✓ Freedom of movement across the border,
- ✓ Herd books (civil registries), and
- ✓ Recognizing education diplomas

The MP's continuously were not satisfied with the transparence from the Government of the Republic of Kosovo to the Assembly regarding the technical dialogue. In order to get more information on the topics of the technical dialogue the Committee on Foreign

Affairs required the Head of the negotiations from the Republic of Kosovo Ms. Edita Tahiri to report on the process of the technical dialogue. Ms. Tahiri did report without hesitation and also mentioned that she is ready to report any time the Committee invites her. In this meeting she was asked many questions regarding the dialogue and how far did it go, the answers were clear; however there was not much space that she could explain since most of the diplomatic dialogues are kept confidential to a certain point. Moreover the important point is that the committee got some information on how far the dialogue went. The President of the Assembly was not informed for the dialogue and he mentioned it many times in the media that as a head of the Assembly he had no information on the topics of the dialogue and how far did it go because he did not have the platform or any other official document that would report to him according to the Resolution for the technical dialogue.

Therefore, the Assembly considered as not correct the way the Government was behaving throughout the way. After the 'conclusions' were reached the parliamentary groups were very unhappy and decided to invite the head of the delegation to report in the Assembly on 14<sup>th</sup> of July 2011. The request for the extraordinary plenary session was done by the opposition parties Democratic League of Kosovo (LDK), Vetëvendosje (VV), and Alliance for Future of Kosovo (AAK) to discuss on dialogue and the agreements reached.

## FINAL DISCUSSIONS AND RECOMMENDATIONS

### 8.1. Final Discussions

Based on the research study done on the states of the South East Europe (Albania, Kosovo, Macedonia and Serbia), was found that these states have a clear future in the Europe. However the European Union has set standards that need to be fulfilled by the states that want to be integrated.

According to the research study Albania holds the best position toward EU integration. Even though Albania is a free-visa liberalization country the political instability is the one that holds back from EU membership, and especially the last municipal election hold in 2011. Macedonia is the second one for EU membership; however political instability and minority rights remain as an obstacle. Macedonia is a free visa liberalization state, so that citizens of Macedonia may move freely within Europe. Serbia is the third one in the list. Serbia is the most developed states compare to Albania, Macedonia and Kosovo-economically and politically. Serbia is also a visa-free country, but one of the problems that remain for Serbia toward EU is the relations with Kosovo. Serbia does not recognize the independence of Kosovo, but it considers Kosovo as being part of her. That is not the reality because the independence of Kosovo was approved by International Court of Justice on July 22, 2010.

The process of dialogue between Rep. of Kosovo and the Rep. of Serbia is a factor for peace, security and stability in the region, and the dialogue would promote cooperation, achieve progress on the path to the European Union. On the fifth round July 2, 2011 the first 'conclusions' were reached between the Republic of Kosovo and the Republic of Serbia on : free movement, herd book (civil registry) and recognition of education diplomas.

However; the name was changed from agreements to conclusions that did not have to be ratified in the Assembly. Therefore in the extraordinary plenary session the members of parliament had the chance to give their parliamentary group opinions of why they think this is not right. If the agreements are not signed that means there is no legal obligation to implement them. Only the signed agreements create rights and obligations.



From the finding of the project the result was that 44% of the opposition parties did not support the dialogue with conclusions because from the conclusions there may be caused unforeseeable consequences. Based on the research study, members of the parliament were informed that some agreements were almost finished and the results would be seen on the 2<sup>nd</sup> of July: However the Assembly was not officially informed what was achieved, an agreement, a conclusion, or something else.

Being the highest legislative body has the highest responsibility for implementing the content of the agreements. Moreover: the Republic of Kosovo should have in consideration the fact that we are a sovereign state and we should not agree on anything that will have to do with the sovereignty of our state but should pay very close attention to the points that would lead toward good relations with the Republic of Serbia that lead us closer to EU.

Based on the research of the project: Regarding the first conclusion on freedom of movement across the borders it is treated as if we are talking about movements inside one state because with ID cards in Southeast Europe one may travel only inside its own state and there is no way one may travel into a different state with an ID. Therefore if there is an agreement that is considered between two independent states then those two countries should have an international agreement which solves this issue and allows people to cross borders with passports. The other issue is that in this conclusion it is referred as “administrative border” and with this statement the Republic of Serbia is becoming more powerful and is not recognizing the border and the passports of the Republic of Kosovo. Point 6 of this conclusion talks about keeping the KS (Kosovo) license plates for five more years then it should be re-talked by both parties. Those transitional arrangements mean devaluation or not respecting the decision of the government of Kosovo for the change of UNMIK license plates to RKS (Republic of Kosovo).

From the finding of the project: The second conclusion on herd books (civil registries) regarding the content the Republic of Serbia is playing the role of a master over the Republic of Kosovo. It is normal that the institution which issues the document keeps the original, but in this case the civil registries document belong to the Republic of Kosovo an independent state and has to have the original. Herd books were stolen by Serbia, and those belong to Kosovo. Therefore the Republic of Kosovo in this technical dialogue

should not accept the copies but has to ask for the original documents because are considered to be a property of the Republic of Kosovo. As stated in point 1 of the conclusion on civil registries “parties will establish a reliable civil registry in Kosovo,” this is no sense because it means that Kosovo and Serbia should work together in order to be agreed in an issue that is considered to be an internal issue for the Republic of Kosovo. From the result of the project findings: The third conclusion on recognizing education diplomas it is profitable for the people of both states and especially for the people of Preshevë having in consideration that a large number of Albanian communities studied in the University of Pristine. This means that both governments would recognize each other diplomas and those people that live in Serbia will be able to use their diplomas toward getting advanced in their career. Regarding the 3 point that this conclusion will be finalized in the next round of the dialogue is because the European Union has not yet identified which international organization is taking over the verification of a certificate or diploma.

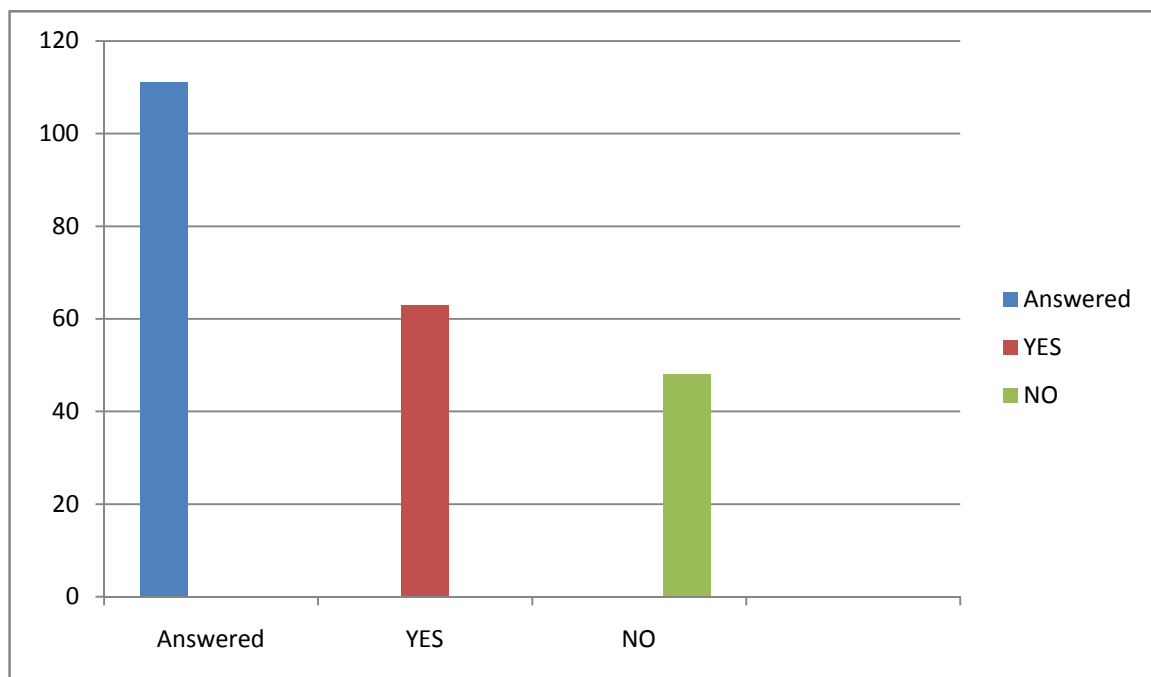


Figure 12: Survey #1 (111 participants) 63 YES/48 NO

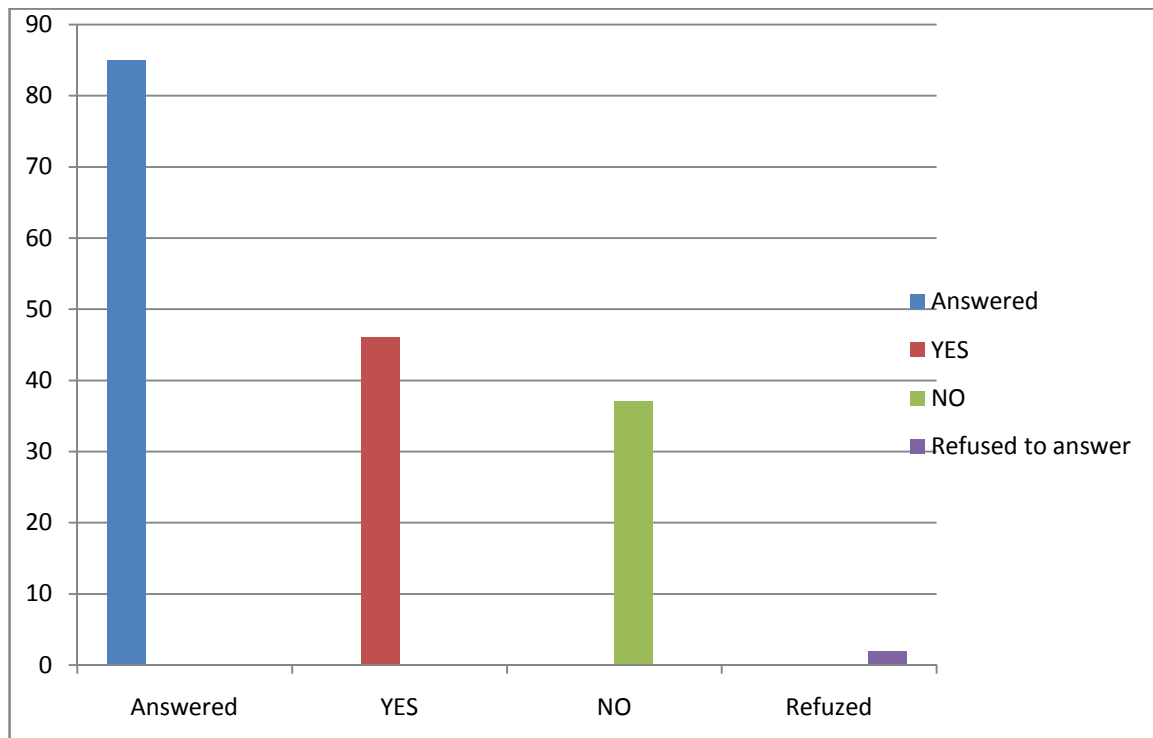


Figure 13: Survey#2 (85 participants) 46 YES/37NO/2 REFUSED

## 8.1 Recommendations

Based on the research study on South East Europe (Albania, Kosovo, Macedonia and Serbia) the main problem identified is the neighborhood relation between Kosovo and Serbia. The problems between the Republic of Kosovo and the Republic of Serbia according to the Resolution adopted by United Nation General Assembly that will facilitate a process of dialogue between two parties. The process of dialogue is considered to be a factor for peace, security and stability in the region. It will promote cooperation, achieve progress on the path toward European Integration.

Based the results from the research study the technical dialogue between Republic of Kosovo and the Republic of Serbia will continue. However, considering the fact that 44 % of the deputies were not in support of the dialogue the first recommendation will be:

- *Form three groups of experts specialized in the fields in which conclusions were reached.* Those three groups will prepare another optional version for the conclusions reached which will include changes that will reformulate the conclusions and to be re-talked again in the next round of the technical dialog.
- *Create an ad-hoc parliamentary committee on technical dialogue between Rep. of Kosovo and Rep. of Serbia.* This dialogue will hold regular meeting with the head of the technical dialogue from Kosovo side. In support from the experts of the specific field, each topic that will be talked in the meetings with Serbia the parliamentary committee will continuously provide recommendation.
- *Invite specialist in the field of international law* to consult with deputies of the Assembly and prove why ‘conclusion’ should be international agreements between two independent and sovereign states.

The technical dialogue between the Republic of Kosovo and the Republic of Serbia should continue to solve the technical issues which if not solved makes it harder for both states to follow the path toward European Integration. The citizens of the Republic of Kosovo are fed up with wars and they truly believe that dialogue is the way to overcome the obstacles. However: none of citizen of the Republic of Kosovo would allow anyone not treating Kosovo as a sovereign state. Therefore it is not that those “conclusions” are not important but the point is why are they not called international agreements since we

are talking about two different states and why are not ratified in the Assembly of the Republic of Kosovo, as the highest legislative body.

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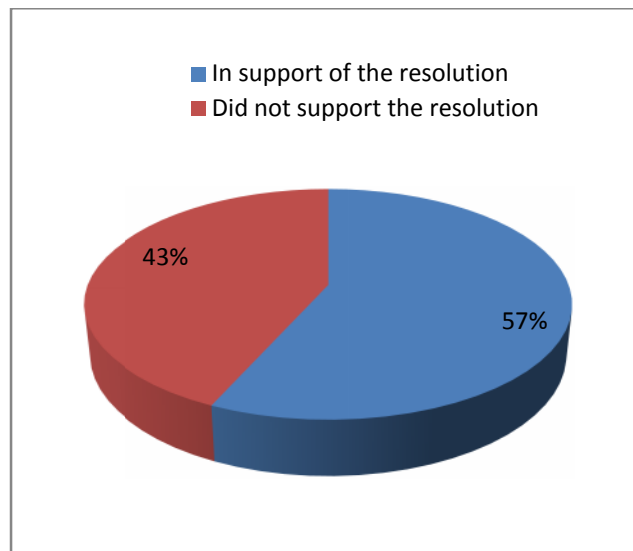
## APPENDIX

### Survey #1

1. Do you support the Resolution No.04-R-001 for the dialogue between the Republic of Serbia and the Republic of Kosovo:

a. YES

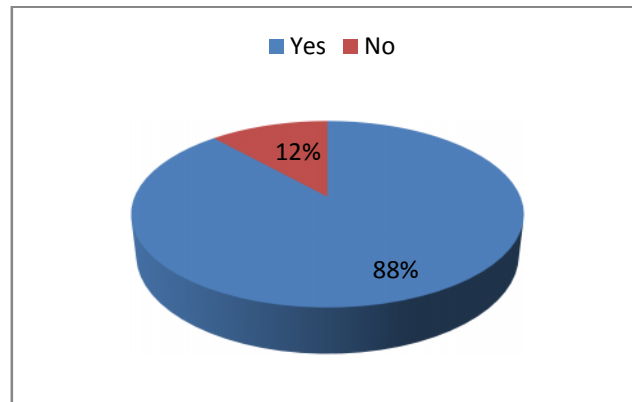
b. NO



2. Do you value the dialogue as a tool for improving regional cooperation between Republic of Kosovo and the Republic of Serbia?

a. YES

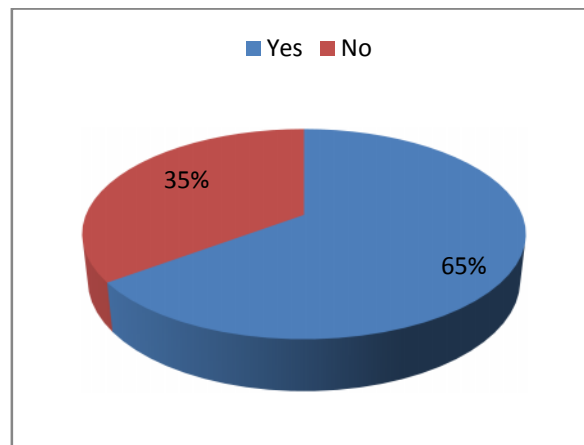
b. NO



3. Do you think that agreements should be ratified in the Assembly?

a. YES

b. NO

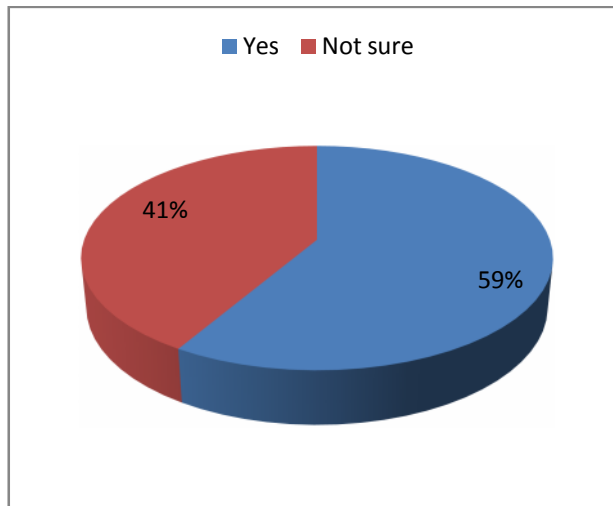




4. Does the Republic of Kosovo gain from the dialogue between the Republic of Kosovo and the Republic of Serbia?

a. YES

b. NO (Not sure)



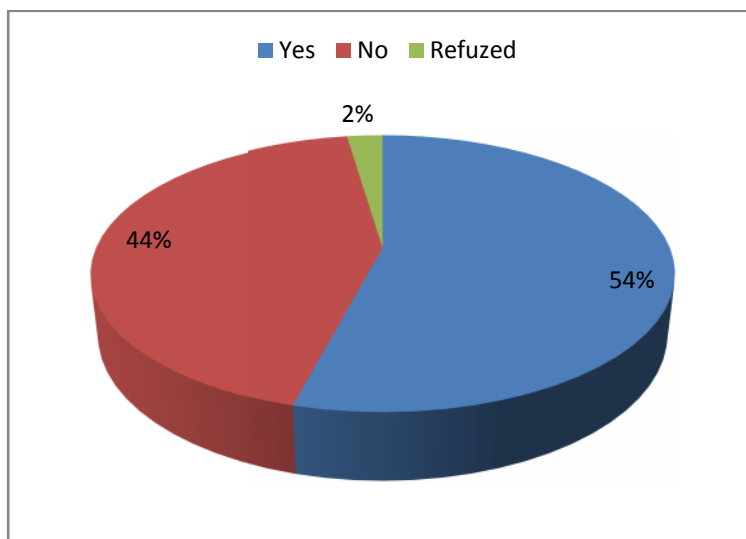
*In the survey #1 - 111 participants.*

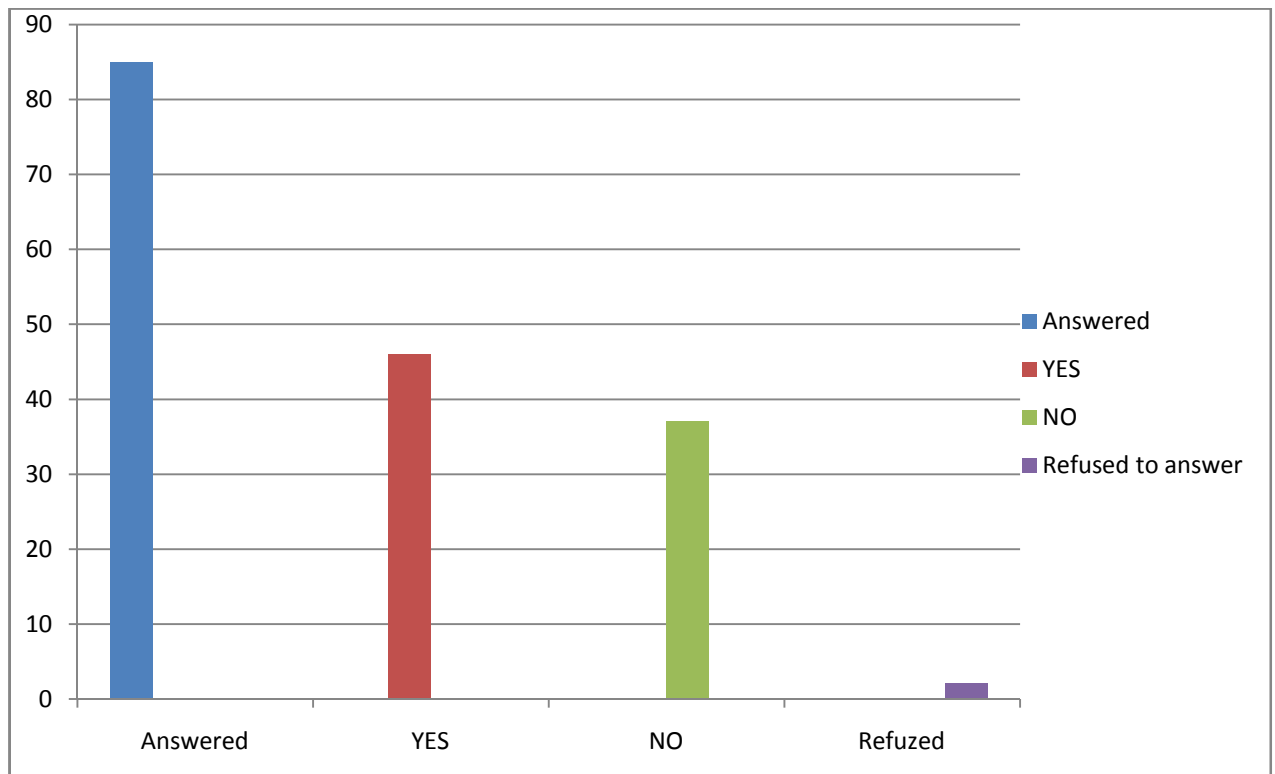
## SURVEY #2

1. Should the dialogue between the Republic of Kosovo and the Republic of Serbia continue?

a. YES

b. NO





*Out of 85 (Eighty five) participants: 46 (forty six) were for YES and 37 (Thirty seven) were for NO and 2 (two) Refused.*