



**REPUBLIC OF SERBIA
GOVERNMENT**

**OFFICE FOR KOSOVO AND METOHIJA
AND
OFFICE FOR THE COORDINATION OF AFFAIRS
IN THE PROCESS OF NEGOTIATION WITH THE PROVISIONAL
INSTITUTIONS OF SELF-GOVERNMENT IN PRIŠTINA**

**PROGRESS REPORT ON THE DIALOGUE
BETWEEN BELGRADE AND PRIŠTINA
(Covering the period from January 1, 2021, to June 30, 2021)**

July 15, 2021

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Introduction

This reporting period on the Belgrade-Pristina Dialogue stands out by the fact that, for the first time, Pristina officially challenged both the continuity of the process of negotiation and its format, which had been determined in terms of international law under the relevant UN General Assembly Resolution of 9 September 2010. The resolution mandates the European Union to facilitate the Dialogue between the two sides, and defines the Dialogue as a factor of “peace, security and stability in the region”, welcoming it as an instrument for promoting cooperation and progress towards the EU accession and improving people’s lives. Contrary to this framework, the new Pristina authorities made it clear immediately upon taking office that, basically, Dialogue was not on their list of priorities, and openly expressed their intention to challenge the whole process - announcing that all hitherto reached agreements would be revised within the normative framework of the supreme legal act of the PISG in Pristina.

Pristina’s revisionist attitude towards the Dialogue took final official shape in late February 2021, when the PISG in Pristina Prime Minister Albin Kurti outlined his so-called four principles for continuing the Dialogue. The obvious objective behind these “principles” was to disrupt the negotiations by imposing on Belgrade a paradoxical ultimatum, according to which the Serbian side should fully, formally and legally accept an outcome of the Dialogue before any further talks took place – the said outcome fully serving Pristina’s interests and demands. Specifically, as their “asking price” for its consent to take part in further Dialogue, Pristina demanded that Belgrade previously recognize the so-called independence of the fake “state of Kosovo”, and plead guilty for the alleged genocide and crimes committed by the Serbian state in the Province during the 1999 conflict. In addition, Pristina demanded that the process of negotiations be conducted according to the “principles of reciprocity”, going forward - whereby an imitation state should be deemed an equal participant in negotiations in terms of international law, to be treated on a par with the sovereign and internationally recognized state of Serbia, a member of the United Nations.

Persevering in their rigid position, which Belgrade resolutely denounced, the Pristina side went on to even publicly reject the invitation of the EU facilitator to the first high-level meeting that was to be held on May 11, 2021. Although once again, Pristina was indulged and suffered no consequences for such a reckless behavior, we do note that shortly afterward the facilitators and their international partners took decisive and public action making it clear to Pristina that Dialogue had no alternative, that there will be no “other Dialogue”, and that all solutions defining relations Belgrade and Pristina must be sought within the existing format.

Following that, Pristina ostensibly stopped blockading the negotiations, and accepted to first “just come and sit” at the negotiating table. Not only that but they next endorsed all the obligations that previous Pristina authorities had undertaken with the signatures of their officials. Nevertheless, the first and only meeting held within the Dialogue during this reporting period was at the high political level and took place on 15 June, and it confirmed that Pristina’s approach to continuation of the Dialogue had been hypocritical. More specifically, Pristina’s aggressive and deconstructive attitude exhibited at said meeting, but also at the subsequent meetings held outside the time frame covered by this report (on July 7, 2021), revealed beyond any doubt that Pristina was in fact only simulating negotiations with the sole aim of shirking international pressure.

Such developments once again pushed to the surface the deep structural shortcomings of the Dialogue, the same ones that the Serbian side has been pointing out for years. First, that the negotiation process cannot lack the capacity to ensure serious progress - without firstly and urgently implementing all agreements concluded several years ago within this negotiating framework. Second, without ensuring a swift implementation of agreements prescribing Pristina's obligation to set up the CSM within the provincial system, as the mechanism protecting the collective rights of the Serbian people in the Province, the only signal that Pristina keeps getting are the repeated rewards for its repeated refusals to implement the agreed. Therefore, it is not surprising that the incumbent, same as all previous, Pristina authorities are convinced of their moral credibility to dictate conditions for proceeding with the process of the Dialogue, in terms of format, content, dynamics, etc., despite the many years of refusing to comply with their own obligation to set up the CSM and follow through on the numerous other agreements in the fields of justice, energy, freedom of movement, etc.

Although the Serbian side kept bringing this fact to the EU's attention during this reporting period, the CSM issue ended up being wiped off the agenda once again, owing to Pristina's refusal to discuss it. Instead, at the above-mentioned meeting, Pristina raised the status issues, which absolutely fall outside the Dialogue. Among other, these included a request to transform CEFTA, a tried and tested cooperation mechanism that enables free trade and visibly contributes to improving economic opportunities and people's lives in the region. It thus becomes obvious that Pristina's actions in the Dialogue during the reporting period were reduced to attempts to get an alibi for their lack of constructiveness, and possibly force Belgrade into walking away from that meeting and the entire negotiation process.

That these conclusions of the Serbian side are not overblown was convincingly demonstrated by the developments on the sole specific issue on which the parties managed to exchange views at the mentioned meeting, to a degree. This is the issue of missing persons, one of purely humanitarian character and whose resolution had already been overall agreed during the previous reporting period. Despite that, and despite the fact that the Serbian side proposed that this issue be resolved promptly according to the "everything for everyone" principle - i.e. that the Pristina side gets the right of access and excavation at any location in the central part of the Republic of Serbia with suspected remains of missing persons, as well as to relevant archives, but that the Serbian side gets the same right as well for the Province and archives of the terrorist KLA - the Pristina side simply refused. Instead of presenting concrete modalities for solving this problem - for whose persistence Pristina brazenly and openly accuses Belgrade - Pristina made irrational requests: that the Serbian side "face the past" and replace Mr. Veljko Odalović from the position of the head of the Commission for Missing Persons.

Reacting to that, Belgrade pointed out to the EU facilitators, but also to the general public, that Pristina's accusations are entirely unfounded. Even before 2021, Belgrade never set special conditions and allowed access to all 21 locations of potential mass graves to the Pristina side, the inspection of which Pristina requested. As a result, a total of 907 identified bodies or body parts of missing persons have been handed over to the families of missing persons of Albanian nationality so far. Also, Belgrade reminded the EU facilitators that the Serbian side demonstrated goodwill on this issue in the renewed Dialogue back in 2020, and agreed to open it even though Belgrade's request - to give priority consideration to ensuring implementation of the agreements

on CSM - had not been met. Furthermore, it was Belgrade – as also confirmed by the facilitators - that insisted in the preparation correspondence ahead of the meetings that the issue of the missing be resolved comprehensively. Specifically, Belgrade proposed that it be resolved under a special agreement, concluded immediately and determining the following elements in detail: 1) clear definition of who can access which archives, under what conditions and how; 2) effective operational and professional competencies and obligations of the bodies dealing with the implementation of the agreement on missing persons, and 3) clear and binding start and end deadlines for implementing the agreed.

By contrast, throughout the talks on the missing, Pristina continued to completely overlook the fact that its authorities, unlike Belgrade, responded positively to only one out of 10 requests sent by the Serbian side asking for access to potential locations of mass graves in Kosovo and Metohija. Also, during the reporting period, Pristina openly showed that it does not care about the facts when it comes to the missing persons, and proceeded to openly paddle untruths such as that there is no archive of the terrorist KLA – even after its representatives were presented on site with books written by the KLA terrorist themselves, referencing specific parts of that archive as their source.

Against such background, the position of Serbs in the Province deteriorated once again, with anti-Serb intoned provocations abounding in political and social life, this time coming directly from the top provincial officials. Even though the aggressive campaign conducted against Serbs in Kosovo and Metohija on the eve of elections met with “understanding” from the international factor as something of a “rule”, which fact in itself is regrettable, it was for the first time that the anti-Serb sentiment continued to gain volume even after the elections ended. As a result, the number of ethnically motivated attacks on Serbs and their property, as well as on the Serbian Orthodox Church and Serbian cultural heritage sites, peaked in the last 10 years, with 82 incidents taking place during this reporting period.

Furthermore, attacks on Serbs during this reporting period predominantly targeted children, women and the elderly, as well as the small returnee population. The political extremism generated by the current Pristina leadership ensured persistent and stepped up institutional and non-institutional pressures that, among other, endanger both the monastic life in the Visoki Decani Monastery, and the facility itself, which is listed as the UNESCO World Heritage Site. This fact in itself is extremely disturbing because it clearly shows the degree of (un)safety of all other buildings and facilities of the Serbian Orthodox Church, which are not guarded by the armed KFOR soldiers and included on the world heritage sites list.

In such a political environment, it is only natural that no progress could be made in implementing the agreements reached so far in the Dialogue. Pristina’s persistent refusal to follow through on the agreed is especially dangerous when it comes to justice, as the judiciary agreements were put in place precisely in order to provide at least a minimum of conditions for ensuring equal rights for Serbs and respect for the principles of the rule of law. Pristina continues to violate Article 10 of the First Agreement on the composition of adjudicating panels, and on the exclusive jurisdiction of the Mitrovica Appellate Department of the Court of Appeals as the sole second instance in all cases coming from ten Serb-majority municipalities in Kosovo and Metohija, as well as on ethnic composition of panels of the Special Department of the Court of Appeals in

Pristina when adjudicating cases coming from ten Serb-majority municipalities. Along the same lines, Pristina still refuses to recognize and enforce all decisions of Serbian courts that used to function in Kosovo and Metohija until September 16, 2017, although it is obligated to do so by the Validity Appeal agreement from July 2013.

In addition, Pristina is yet to fulfill its obligations under the agreements governing electricity industry, and grant appropriate licenses to Serbian energy companies in the north of Kosovo and Metohija. Almost daily, Belgrade cautioned the facilitator and other international actors of the huge destabilizing potential of this problem, demanding that these licenses be granted as soon as possible - in order to make sure to completely eliminate the latent risk of a humanitarian catastrophe in the north of Kosovo and Metohija.

During this reporting period, the Pristina side further downgraded implementation of the Agreement on Visits of Officials, banning numerous Serbian officials from entering the territory of the Province without providing a valid rationale for the ban. The very visits of the Director of the Office for Kosovo and Metohija of the Government of the Republic of Serbia were banned trice, in a stark breach of the Agreement. Being the head negotiator at the technical level, he does not need any approval to visit the Province. His visits are only announced as a courtesy and in order to ensure logistical and other conditions for a smooth conduct of the visit.

Pristina kept grossly violating relevant agreements in the field of freedom of movement by invoking non-existent provisions of the Agreement on Official Visits. It banned assistants and deputy directors of the Office for Kosovo and Metohija, as well as numerous pilgrims and ordinary citizens from entering Kosovo and Metohija, under the explanation that their visits had not been announced - although none of these persons falls under the categories requiring approval to visit the Province.

The state of affairs in implementing the rest of the agreements was no more favorable, as will be presented in detail below. The present report, as usual, is structured in three thematically grouped categories of issues. The first group are the issues and processes resulting from the political segment of the Dialogue, pertaining to the First Agreement on Principles Governing the Normalization of Relations, and the related documents. The second group are issues arising from the so-called technical agreements reached with the EU facilitation. The third group are issues arising from the arrangements made in order to address and handle other matters, by no means less significant, which objectively hinder further normalization of relations.

A) Socio-political situation in Kosovo and Metohija

The overall socio-political situation in the Province was relatively stable during this reporting period. The Self-Determination Movement, as the absolute winner of February elections, managed to constitute the Provincial Assembly and the Government in a relatively short period of time, and also additionally consolidated power by ensuring election of its key ally, Vjosa Osmani, as the PISG in Pristina President. The process of electing the president created the greatest political instability in the Province during this reporting period, given that a possible failure to fill it could have led directly to another round of early elections. Despite the overwhelming victory in the elections just two months earlier, the possibility of having to hold new elections posed a certain risk to both the provincial prime minister and his party, but even more so to the key opposition parties in the Albanian corps.

In such a seemingly simple political mathematics, neither side was inclined to cooperate automatically in order to avert a new political crisis. The gap in the objective interest of the government and the opposition to avoid new elections was caused by the peaking of the sharp polarization in the political system imposed by the Self-Determination over the recent years – a divide between the “establishment/corrupt” parties (which governed the province since 1999), and so-called “anti-establishment” forces, fighting for the good of ordinary people and against political corruption (and consequently personified by Albin Kurti and his political allies). As a result, almost all parties, whether in power or in opposition, invested every effort during the process of electing the provincial president, to avoid being perceived as “fickle” by voters, and seeking to preserve and/or improve their position for the October local elections.

One prominent problem in this regard was the procedural requirement that at least a qualified two-thirds majority (80 of the 120 members of the Assembly) must vote for the PISG in Pristina President in the first two rounds. This specifically meant that, in addition to Self-Determination and its allies in the PISG in Pristina government, it was necessary to secure attendance of at least 13 opposition MPs for the first two rounds of voting - in order to reach the third round, where was procedurally possible to elect among the candidates with the so-called simple majority of MP votes supporting the government led by the Self-Determination Movement.

Despite the described problems in the strategic positioning of opposition parties ahead of the October local elections, the election procedure was finally completed in the “last minute” before the deadline that would have automatically triggered calling of new elections - by the election of Self-Determination candidate Vjosa Osmani made possible by the votes of the opposition LDK MPs. This political “assist” by the LDK seems logical enough, because that party was undoubtedly the biggest loser in the previous elections and would probably suffer a major blow in case of new elections, had the president not been elected. It turned out that Kurti correctly estimated that he would prevail if he insisted on the election of Osmani at all costs, probably because he saw that the opposition’s fear of new elections was greater than the fear of exhibiting weakness and “inconsistency” in electing the PISG President. In this way, a new great political crisis was avoided, and Kurti, with his firm stance on the first big test, preserved the image of a “consistent” and uncompromising politician - which had largely enabled him to increase his popularity throughout 2020, as well as win the most recent election.

However, election of Osmani represented a degree of challenge for the provincial prime minister, because she is the only person whose “consistency” and “determination” can match Kurti’s in the eyes of the majority of Albanian citizens. As a reminder, their alliance was formed amid Osmani’s withdrawal from the LDK (as a former senior LDK official and the former party candidate for PISG prime minister in the 2020 elections), and her siding with Kurti’s bloc in the very the context that it was the LDK that had toppled Kurti’s first government – which had included LDK – responding to international pressure over the issue of relations with Belgrade. Back then, she obviously assessed well that this outcome enabled Kurti to consolidate his political credibility as a protector of the interests of ordinary citizens in Kosovo and Metohija, but also a person who, despite external pressure, would not compromise on vital “national” interests and issues related to social justice.

In that sense, the PISG President Osmani represents a latent threat to Kurti’s domination, which is all the more immediate because her former party, LDK, was taken over by the leadership whose views on the party’s general course are close to those held by Osmani before leaving the LDK. This fact, as well as that her election to the position of PISG in Pristina President was made possible by the presence of LDK deputies in the Assembly, indicate that there is a complementarity of interests and political rationale between the new LDK leadership and the provincial president. In the long run, it could encourage them to forge a stronger alliance towards “nuzzling” and possibly weakening Kurti’s position.

As for the rest of the opposition parties, they neither have nor are they likely to develop the capacity to independently endanger the position of Kurti and Self-Determination in a longer run. Once the strongest party within the Albanian corps, the LDK just underwent the process of internal defragmentation and consolidation, election of a new leadership, and this is coupled with the heavy ballast of accusations that its former leaders carry for building a systemic corruption network in the Province – while also being on trial for war crimes during the 1999 conflict. Therefore, it is unlikely that the party would be manage to forge a new and sufficiently credible political course in this short period of time and under the existing circumstances, which could enable it to regain its old positions and act independently as an alternative to the current authorities.

Even more unfavorable are the positions of the parties of Ramush Haradinaj and Fatmir Ljimaj, which in the future can count on the possible strengthening of their positions primarily in relation to Kurti’s attitude towards key “national” issues: relations with Belgrade, the Serbs and the SOC in Kosovo and Metohija, as well as towards the Albanian factor in the region. Kurti’s confrontation with the current Albanian Prime Minister Edi Rama in the last elections in Albania, as well as his open attack on Rama regarding the strengthening of the so-called Mini Schengen project (i.e. the Open Balkans), could be used by these parties as a leverage to create a broader “Pan-Albanian” alliance against Kurti - with Albanian parties in Albania and North Macedonia not looking favorably on the PISG Prime Minister’s undisguised ambitions of becoming the pan-Albanian leader in the region. In any case, cooperation with the Albanian parties from the countries in the region could help ABK and NISMA in their efforts to reclaim some of their voters, who now represent a good portion of the right-wing Self-Determination voters in the last election.

However, the fact is that all political actors of the government and opposition are unlikely to have any serious space for making a more noticeable initiative before the October local

elections, given that the entire political dynamics until that period will be determined almost exclusively by the decisions and moves made by the PISG Prime Minister. His dizzying rise in the past year is paradoxically his weakest point, at the moment, because the described process created huge expectations among voters, primarily concerning the fight against corruption. Kurti's government did initiate that process, but even its noticeable successes so far does not objectively correspond to the huge expectations of the majority of the public, which Kurti had generated with his unrealistic pre-election promises. Therefore, at this moment, it is difficult to predict the outcome of the upcoming elections, especially due to the fact that, serious "cracks" have already appeared in some local committees of Self-Determination, due to the struggle for influence amid the conditions existing when that party took power.

At the same time, the pre-election anti-Dialogue and anti-negotiations rhetoric, but also the decade-long concrete actions taken in that direction, will certainly challenge Kurti's position and affect the chances of Self-Determination repeating their February 2021 success in the upcoming local elections. Over the past months, Kurti's image as an uncompromising "national" hero was at least partially damaged by his deviating from previously firm views that the Dialogue cannot continue in the format in which it began in 2011 - because according to him, the so-called Kosovo is the subject matter rather than a participant in that process - and that he would only agree to initiating a new process, with a pre-defined goal for Belgrade to recognize the so-called imitation state of Kosovo. Thus, his subsequent consent to take part in the continuation of the EU-facilitated talks with Belgrade within the Dialogue, and to accept the legitimacy of all agreements reached so far, must inevitably affect his rating. Although Kurti was obviously trying to be as uncompromising as possible at these meetings for the sake of the upcoming local election campaign, his very appearance in that format called into question his "halo of purity" among the right-wing share of his electorate.

Given that the election of a new government did not in itself eliminate the deep social and economic crisis, and that Kurti's government objectively had neither the time nor the space to pursue more serious measures to improve standard of living during this reporting period, it is logical to expect in the coming period that the Pristina authorities will strive to redirect long-term social tensions towards their external "enemy" - Serbia.

In any case, the trend of stabilization in the political situation in the Province is likely to continue in the next few months. Its durability will crucially depend on the outcome of the upcoming local elections to be held on October 17, in which a significantly worse result of the Self-Determination than the one in the February elections would most likely encourage the opposition to join forces in their fight for new elections. By contrast, should the Self-Determination reassert its dominance, political situation in the Province will probably gradually stabilize, and this process will most likely take on a longer-term character.

B) Security situation in Kosovo and Metohija

Security situation in Kosovo and Metohija during this reporting period can be described as only relatively stable. The stabilized political situation, compared to the previous period, however, did not impact positively on the security situation. On the contrary, the enthronement of a new dominant ruling structure, with their clearly and publicly expressed anti-Serbian sentiment, as well

as a distinctly negative portrayal of Belgrade and the Serbian factor being the main “threat” to the so-called Kosovo, coupled with its determination to strengthen the role and capacity of the illegal paramilitary forces of the Kosovo-Metohija Albanians, was directly reflected in the grave deterioration of the position of the Serbian people and the Serbian Orthodox Church in the Province. This is patently visible in the number of ethnically motivated attacks on Serbs, of which there were 82 incident in this reporting six-month period. This number is already higher than the total number of such attacks reported during the entire 2020 (71 incidents).

At the same time, the increased frequency of violence exercised against Serbs escalated in bestiality and brutality. Thus, it was the Serbian children, the elderly and the small returnee community that featured as targets of ethnically motivated hatred in the Province, to a much greater extent than previously. The case of Ms. Dragica Gašić, the first Serb returnee to the city of Đakovica, who found herself the target of well-organized and coordinated violence only because she dared to return to her home from which she was expelled two decades ago, is particularly painful and disturbing. Even though she is a helpless person, with seriously impaired health, extremists almost constantly threaten her with death, pelting stones and looting her apartment. Her case is a most vivid portrayal of the security situation that the Serbs find themselves in, with the competent authorities not only failing to take action against thugs and protect the life and property of Ms. Gašić as a returnee, but they are acting in such absurd manner that it best showcases the structural and institutional violence present in the Province.

Suffice to say that the Kosovo Police prevented this Serbian returnee from replacing the outside door to her apartment, and requested that she procure a permit from the municipal authorities for this. Finally, the Kosovo Police seized the door. To make this case even more absurdly illustrative in the context of security, the municipality of Đakovica filed a lawsuit against Ms. Gašić, and 11 local civil society organizations publicly spoke against her return to Đakovica, demanding that Ms. Gašić be exiled.

Apart from Ms. Gašić, many other Serbs in the Province were targets of terror just because of their ethnicity. Among them is 81-year-old Radoje Pumpalović, a returnee to the village of Dubrava near Istok, who was attacked by the Albanian extremists in late May and severely injured. Mr. Pumpalović and his family have been the target of threats, pressure and assaults for quite some time now, as illustrated by the fact that the most recent instance is only the last in a series of five attacks on this family over the past 12 months.

The worrying upsurge of ethnically motivated violence during this reporting period did not leave out the clergy, monks, facilities and temples of the Serbian Orthodox Church as targets. Particularly worrying in this context are the actions taken by the incumbent PISG in Pristina authorities. The prayer service held the Holy Liturgy in the Church of Christ the Savior in Pristina was blatantly described as a “provocation”, which is a practical encouragement for any subsequent desecration of this church, already sprayed with hate graffiti against the Serbs and Serbian Church. During this reporting period violations of security of the Serbian Orthodox Church, unfortunately, took the shape of widespread thefts and burglaries of the buildings and temples of the Serbian Orthodox Church, but also through very worrying public incitement of hatred targeting the monastics and clergy of the Diocese of Raska-Prizren and Kosovo-Metohija. An example of this are the accusations of alleged war crimes against the Abbot of the Visoki Decani Monastery, Father

Sava Janjić, which were “spontaneously” spread across the Albanian media in the Province, and to which the provincial authorities remained conspicuously silent.

We emphasize that the wave of violence against the Serbian Orthodox Church and people in Kosovo and Metohija coincides with the revived surge of preposterous claims made by certain quasi-scientific and also some political circles of Kosovo-Metohija Albanians that there is no Serbian cultural and spiritual heritage in Kosovo and Metohija at all, and that these facilities belong to Albanian cultural heritage that had been “usurped and appropriated by Serbs”. From all the above, it is more than clear that the political exploitation of anti-Serbian and anti-Christian Orthodox sentiment in the Province has an organized character and that it genuinely reached critical proportions.

As to the other aspects of security, the most direct threat to stability in the Province is still the determination of the secessionist authorities to transform the existing Kosovo Security Forces (KSF) into the so-called Kosovo Armed Forces, and to equip them with capacities of the classic armed forces. The new Pristina authorities show even less consideration than their predecessors for the fact that the existence of such a paramilitary structure in the Province is illegal and contrary to the Constitution of the Republic of Serbia, UN Security Council Resolution 1244, UNMIK Provisional Constitutional Framework for Kosovo, and Kumanovo Military Technical Agreement. Shortly after taking office, the new Pristina authorities secured an increase in the budgets for these illegal forces, and were intensively engaged in equipping them. The Pristina authorities contracted several procurements of weapons and military equipment for the KSF during this reporting period, including the purchase of 4 drones with partners from the United States, as well as the purchase of 14 armored vehicles such as the “Vuran” and “Kirpi” from Turkey. Furthermore, Pristina publicly announced that it intends to build a base camp on the dominant elevation of the Crnuša Hill in the north of Kosovo and Metohija for the KSF needs, with the apparent motivation to intimidate the local population in the four Serb-majority municipalities in the north of Kosovo and Metohija.

Furthermore, Pristina’s allies are endeavoring to include these illegal forces in the multilateral frameworks as much as possible. Thus, in the past reporting period, the KSF took part in an international peacekeeping mission for the first time - through a contingent of the Iowa National Guard, stationed in Kuwait. Not only that but they took part in the “Defender-Europe 21” exercise, whose segments took place in the Province - in contravention to UN Security Council Resolution 1244 and without the approval of the Republic of Serbia. It is especially worrying that the solidifying of this illegal formation of Kosovo-Metohija Albanians on the ground is strongly supported by certain actors in the region, which directly violates UN Security Council Resolution 1244, threatens the sovereignty of the Republic of Serbia and compromises efforts to stabilize the region.

The threat of radical Islamic extremism continues to be present in the Province. The threat of isolated attacks, and of a sudden and swift radicalization of a large number of Moslems in Kosovo and Metohija will remain in the coming period. In the conditions of a complex and tense socio-economic situation, possible influx of “immigrants” of various kinds, as well as in the context of the continued return of residents of Kosovo and Metohija who are adherents of Islam and who participated in religiously motivated wars which are simmering on the fringes of Eurasia and Africa (primarily in Syria and Iraq), could rapidly pull numerous marginalized members of society

in Kosovo and Metohija under the influence of this dangerous fundamentalist ideology. This is especially prominent in light of the delicate developments of situation in today's Afghanistan, and the increasingly intensified conflicts between the Taliban and central authorities, which may trigger a larger influx of refugees from that country.

Against the above background, the security of the Serb population in the Province was at its lowest point for the past several years. It bears repeating that a total of 82 ethnically motivated assaults on Serbs¹ were registered in the reporting period from January 1 to June 30, 2021, the vast majority of which were not processed and clarified. In addition to the incidents already described, below we highlight only the most characteristic incidents, as in every previous report:

January:

- On January 20, an inspection of the so-called the Ministry of Health of the PISG in Pristina searched the premises of the Health Center in Štrpce, looking for anti-COVID-19 vaccines. The search included the Vaccination Department, the Surgery Department, and the COVID emergency room. The vaccines were not found, and the Director of the Health Center was warned that possession of illegally acquired vaccines is a criminal offense.

February:

- On February 2, two persons of Albanian nationality from the village of Turićevac, the municipality of Srbica, came to the restaurant "Bela Vista" that is located in Laplje Selo, in the municipality of Gracanica, and owned by a Serb. The owner of the restaurant asked the mentioned persons to leave the restaurant since the facility open hours of were limited to the period from 19:00 to 22:00 due to the COVID curfew restrictions. The guests ignored the owner's request and one of them pulled out a gun and shot the owner. In addition to the owner of the restaurant, another person of Albanian nationality was hit, also present at the restaurant at that time. After the shooting, the attackers fled, and both injured people were hospitalized in the KBC Pristina in Gracanica, at the surgical ward, and their lives were not endangered.
- On February 4, four Albanians stole archeological artifacts from the great Serbian shrine of the Hermitage of St. Peter Koriški near Prizren. The perpetrators stole seven lead plates, which hold archeological value, but were caught at the scene and then detained. Of the four people arrested, one managed to escape while being transported to the police station.
- An Albanian person attacked a Serb from the north of Kosovska Mitrovica. The assault took place on February 27, in the northern part of Kosovska Mitrovica, at the intersection of Kneza Miloša Street and Lola Ribara Street, near the "Mihajlo Petrović Alas" technical school. On that occasion, the victim received a cut in the face, inflicted with a knife. Immediately afterward, the injured person was transferred to the hospital center in Kosovska Mitrovica, where several minor bodily injuries were noted, and members of the Kosovo police arrested the attacker. According to the information from the investigation, the motive of the attacker was his desire to join the Islamic organization "ISIS".

March:

- On March 7, in the predominantly Serbian village of Šilovo, in the municipality of Gnjilane, a shooting occurred in a restaurant owned by two Serbs from Bujanovac and Niš. The attack was carried out by an Albanian nationality from Preševo. The owner of a catering facility suffered

¹ According to the official data available to the Office for Kosovo and Metohija.

a leg injury, and received medical assistance in the ambulance in the village of Pasjane, after which he was released for home treatment. The Albanian shooter fled the scene. The case had an epilogue the next day, on March 8, when a person of Serbian nationality from Bujanovac reported to the PTO Departments of the Health Center in Vranje, with a gunshot wound to the foot, most likely from a pistol bullet. The person also stated that he had been injured in his restaurant in the village of Šilovo, municipality of Gnjilane, and that an Albanian shot at him.

- On March 12, officers of the KP “NJSI” special unit searched the premises of the municipality building of Klokot in the early morning hours on March 12. They also searched the family house of a Serbian mayor of Klokot, located in the Serbian village of Grnčar, in the municipality of Vitina. After the search, this person was arrested and taken to Gnjilane, where competent prosecutor’s office ordered his detention for 48 hours. Another Serbian person from the town of Klokot was arrested, the director of the Department of Urbanism of the municipality of Klokot.
- On March 30, officers of the Kosovo Police arrested a female person of Serbian nationality, originally from the village of Novake, in the municipality of Prizren, and residing in Lapovo, at the administrative crossing point CCP “Merdare”, in the municipality of Podujevo. The reason for the arrest was the alleged falsification of apartment documents, which she inherited from her late father, and which he got from PE Elektrokosmet, where he used to work. She was detained at the Suva Reka Police Station until March 31, when she was taken to the Prizren Public Prosecutor’s Office. After the hearing, she presented the original documents, allegedly disputable, after which she was acquitted and released. Meanwhile, her apartment in Suva Reka was usurped by a person of Albanian nationality. Competent international institutions were informed of this case on several occasions.

April:

- On April 10, three Albanians attacked two Serbs in the northern part of Kosovska Mitrovica for no reason and started hitting them with glass bottles, and swearing at them in Albanian. On that occasion, one person suffered a hematoma in the frontal area of the head, while the other suffered an injury above the right eyelid. After receiving medical assistance at the KBC in Kosovska Mitrovica, these persons were released.
- On April 13, several Albanians attacked and beat a Serb, who was returning home with his sister and girlfriend, outside of the NGO Civic Energy Center (CEC) in Gračanica. The attackers then blocked the way of the mentioned person outside the gate of his family house, insulted and swore at him, and then physically attacked him. Members of the KP in Gračanica were informed about the attack. The attackers were apprehended and then released after the statements were taken.
- On April 26, five Albanians from the village of Karače attacked Serb in the village of Gojbulja, in the municipality of Vučitrn, while he was working in his garden with his mother and two minor children. The attack was carried out with wooden poles. The victim started fleeing with his mother and children to a nearby church in order to protect themselves, and on that occasion, the mother fell and suffered light bodily injuries. Members of the Kosovo Police were informed, and the injured person was given medical assistance at the KBC in Kosovska Mitrovica.

May:

- On May 5, in the village of Velika Hoča, in the municipality of Orahovac, three persons of Albanian nationality physically attacked a person of Serbian nationality, who suffered severe bodily injuries, a broken nasal bone and several bruises on his body. The incident was reported to the KP officers, who took one of the attackers to the police station.
- In the village of Donja Šipašnica, in the municipality of Kosovska Kamenica, on May 24, the front door of the church “Sveta Petka” was broken into, the place was looted, and the holy chalice, plate, communion dish and money were stolen.
- In Đakovica, on May 28, members of the “Association for War Crimes” put up posters at several locations in the city with photos and personal data of Serbs, who are wanted for allegedly committed war crimes. The president of the Association stated that about 250 such posters will be placed, except on private property and Serbian religious buildings.

June:

- On June 10, the occasion of the Christian holiday Ascension of Christ, a holy hierarchal liturgy was held in the Church of Christ the Savior in Pristina. “Jesus hates Serbs” graffiti in English was sprayed on the temple soon after the liturgy.
- On June 28, the occasion of marking the St. Vidus Day (Vidovdan), a large number of KP officers and members of the special unit “NJSI” were deployed in several places around Pristina. Along the road to Gazimestan, they stopped vehicles with license plates from the area of central Serbia, intimidated visitors, searching and confiscating flags, T-shirts and any banners with inscriptions in Serbian and/or the coat of arms of the Republic of Serbia. A citizen of the Republic of Montenegro was arrested without any real basis. He merely protested against the inappropriate behavior of the police exercised towards the nun of the Serbian Orthodox Church. Shortly afterward, the person was remanded in custody for 30 days.
- On June 28, the flag of the Serbian Orthodox Church was torn down and taken away from the front door of the Monastery Gračanica in Gračanica.
- On June 30, an inspection deployed by the Municipality of Đakovica seized an armored door that a Serbian returnee received from the Office for Kosovo and Metohija.

C) Obligations arising from the First Agreement

1. Community of Serbian Municipalities

This was yet another reporting period during which no progress was made on implementing agreements regulating the establishment of the Community of Serbian Municipalities (CSM) – albeit this is the pivotal part of the First Agreement on Normalization of Relations, vital for the survival of the Serbian people in Kosovo and Metohija, and that **over 3,000 days** have passed since the agreement was reached. Moreover, Pristina has not only failed to meet its commitments on this issue, but its key political actors continued to openly pursue the practice of disabling the establishment of the CSM, denying their obligation to establish it at the preparatory meetings for the Dialogue and at the High-Level Meeting held on June 15, but also linking that issue with various daily political topics.

Although Belgrade continued to insist with the EU facilitator that decisive actions be taken towards the rapid formation of the CSM at all sessions held within the Dialogue during this reporting period, not even a meeting of the two-party implementation committees, provided for in the Implementation Plan on CSM, has been organized to date, enabling presentation of the Draft Statute of the CSM. We recall that, on August 9, 2018, the Management Team for the Establishment of the CSM (MT)² finished the Draft Statute and officially notified the EU facilitators thereof. Due to the failure to hold the implementation committees meeting, there were no conditions for the proper organization of the follow-up thematic Dialogue at a high political level, at which, according to the Implementation Plan, the Draft Statute is to be presented.

Despite such developments, the MT continued to work, taking steps envisaged by the provisions of the Scope and Mandate of the MT for the Establishment of CSM, in order to create all the necessary preconditions for the successful setting up the CSM. Accordingly, the Serbian side formally initiated the procedure of replacing the two members of the MT and, in accordance with the already established practice, submitted its proposed candidates to the EU facilitators. After that, Pristina elected two new MT members, Danijela Vujičić (also appointed as the MT Coordinator) and Jelena Belović, from the list of proposed candidates.³

Having in mind the overall situation and the deadlock that Pristina imposes on this issue, Belgrade will continue to insist with EU facilitators to organize a meeting as soon as possible, where MT members will present the Draft Statute of the CSM to the implementation committees of the two sides, and afterward to the high-level dialogue. Despite the unacceptable, eight-year-long procrastination in setting up the CSM, Belgrade will not give up on the requirement that

² The MT started working in early April 2018, when it received a mandate from the EU. The Draft Statute of the CSM was drafted in full accordance with the agreements reached. Working on Draft Statute of the CSM, the members of the MT held a series of meetings with relevant representatives of administrative structures from Kosovo and Metohija. Meetings were held with mayors and presidents of Serb-majority municipal assemblies, Serb representatives in the PISG in Pristina (Minister of Local Government Administration, and Minister for Communities and Returns), local lawyers, deans and faculty experts at the University of Pristina with temporary headquarters in Kosovska Mitrovica (UPKM), experts in the field of law, economy, health, social protection, education, culture, sports, spatial planning, cadastre services, representatives of the OSCE Mission to Pristina, as well as other relevant institutions from Kosovo and Metohija.

³ The remaining two MT members are Igor Kalamar and Dejan Radojković, who were elected in 2013.

Pristina consistently fulfill all its obligations from the First and all other agreements that clearly and precisely regulate this issue.

Given that Pristina keeps making public claims that it is not able to set up the CSM in accordance with the undertaken commitments because its normative framework does not allow it, Belgrade will continue to insist that the EU together with Pristina find a solution to adjust the provincial legal framework in the next period. This request is fully in line with what was agreed in the Dialogue. It is an unequivocal obligation of Pristina prescribed by Article 1 of the Implementation Plan, which is harmonized and formulated exclusively so that the CSM can be incorporated in its full capacity into the PISG in Pristina legal system. Any action contrary to the provisions of these agreements is and will remain absolutely unacceptable for the Serbian side, just as any revision of the harmonized provisions of the General Principles is unacceptable and legally irrelevant, regardless of whether Pristina tries to do so through the decisions of its so-called Constitutional Court of Kosovo, or any other entity.

The Serbian side believes that implementation of agreements on the CSM is, by its nature, of first-class and primary importance for further progress in the entire process of negotiation. In fact, it is beyond doubt that the success in implementing the agreements on this pivotal issue hugely determines the feasibility of resolving many other issues that are already clearly determined by the agreements concluded within the Dialogue. Also, setting up of the CSM is necessary so that legally valid and coherent possible agreements can be made on issues that have only just been opened, or would be opened sometime in the future, such as property, economic development, education and urban and rural planning, etc. In accordance with that, Belgrade continued to use every opportunity during this reporting period to point out to the EU facilitators and other relevant international entities the outstanding importance of establishing the CSM.

2. Police

During this reporting period, there were no changes on implementing the part of the First Agreement governing the issue of the police. Pristina continued to openly and directly violate Article 7 of the First Agreement, stipulating integration of all former members of the Ministry of Internal Affairs of Serbia in the north of the province into the provincial police structures. Thus, the issue of integrating remaining 72 former members of the Ministry of Interior of the Republic of Serbia is still pending (34 firefighters, 15 members of the Food and Accommodation Administration, as well as 23 former police officers). Previous Pristina authorities never formally disputed their obligation to integrate 34 firefighters but kept giving different reasons for refusing to integrate the other two categories of persons. The new Pristina authorities did not comment on this issue at the few meetings held in the Dialogue during this reporting period, although the Serbian side reiterated the importance of resolving it and indicated that Belgrade would not give up insisting on Pristina fulfilling its obligation.

Similarly, no progress was made in regards to Pristina's fulfilling its obligations under Article 9 of the First Agreement. Appointment of the Regional Commander of the KP Regional Directorate - North (RDN) is still pending because the Community of Serbian Municipalities, the institutional mechanism necessary to initiate the procedure for appointing a regional commander, has not yet been set up. Hence, the person occupying that position is still in the acting status, and

the new Pristina authorities continued to exercise all sorts of pressure on the RDN leadership during the reporting period.

Given the absence of any substantive negotiations in the Dialogue on this issue, it is no wonder that the problem of failing to harmonize the ethnic structure of the police with the local ethnic structure of population in the north of Kosovo and Metohija continued during this reporting period as well. This is an explicit obligation of Pristina according to Article 9 of the First Agreement, which prescribes that “composition of the KP in the north will reflect the ethnic composition of the population of the four Serbian municipalities in the north of Kosovo.”⁴ Therefore, the Serbian side will continue to view the issues of police as a priority in the continuation of the Dialogue and insist on Pristina’s consistent compliance with all their obligations on this issue.

3. Judiciary

During this reporting period, Belgrade kept taking active steps towards resolving the ongoing problems in the field of justice. The EU facilitators were specifically required to ensure that Pristina maintain continuity of the process, and announce competitions to fill in the vacancies for judges, prosecutors, administrative staff and prosecutorial trainees (which positions belong to Serbs as per the Agreement on Justice), along with vacancy competitions for Serbian lay judges, court experts and bailiffs. The Serbian side expressed identical demands regarding the need to appoint the acting supervisory judges in the court units in Štrpce and Novo Brdo. Accordingly, during March 2021, a competition was posted for two vacancies for judges of the Mitrovica Appellate Department of the Court of Appeals. These appointments are expected in the upcoming period, thus ensuring continuity in filling vacancies for Serbian judges as per the Agreement on Justice.

At the same time, Belgrade emphatically insisted on appointing notaries from among the members of the Serbian community in Kosovo and Metohija, given that none of the eight shortlisted candidates have been appointed since their job interviews took place back in August 2019.

In addition, Belgrade repeatedly demanded urgent engagement on the part of the EU facilitators towards tackling vacancies competition for Serbian judges for the first instance courts in Kosovo and Metohija. Namely, due to Pristina’s prolongations, the concluding phase of this competition, first posted in late 2018, took place only now, in early 2021. Even then, only two Serbian candidates were appointed, instead of four, while appointments of the remaining two candidates have been postponed without an adequate rationale being provided. Despite Belgrade’s numerous protests with the EU facilitators, appointments of the two remaining Serbian candidates for the courts of first instance in Kosovo and Metohija are still pending.

Meanwhile, Belgrade’s resoluteness lead to some progress, after the PISG in Pristina announced a competition for the election of one Serb member of the so-called Kosovo Judicial

⁴ Ethnic composition of the police in the north of Kosovo and Metohija does not correspond to the ethnic structure of that part of the Province, where Serbs make up over 95% of population.

Council (KJC)⁵ in May 2021, as well as one for administrative staff in the first and second instances courts. In the coming period, the appointment of adequate candidates is expected, which would ensure continuity in filling the agreed judiciary positions in Kosovo and Metohija.

However, despite the mentioned progress, the crucial problem plaguing consistent application of Point 10 of the First Agreement remains unresolved. Point 10 clearly stipulates that the Department of the Court of Appeals in Mitrovica is exclusively competent to act as a second instance body in all cases coming from the first instance courts in all majority Serbian municipalities in Kosovo and Metohija, and that the adjudicating panels for these cases must comprise majority of Serbian judges. However, Pristina persisted in limiting second-instance jurisdiction of the Mitrovica Appellate Department of the Court of Appeals only to cases coming from the first-instance courts in four Serb-majority municipalities in the north of Kosovo and Metohija. At the same time, the panel of the Court of Appeals in Pristina, composed exclusively of Albanian judges, i.e. judges outside the Mitrovica Appellate Department of the Court of Appeals, continued to adjudicate in cases coming from Serbian majority municipalities south of the Ibar. In doing so, Pristina persist in diminishing the special and clearly regulated position of the Mitrovica Appellate Department of the Court of Appeals within the provincial system.

In the meantime, other problems concerning non-compliance of Point 10 of the First Agreement exacerbated further. The president of the Court of Appeals in Pristina persists in his practice of forming exclusively Albanian majority adjudicating panels within the Special Department of the Court of Appeals in Pristina, for cases coming from ten majority Serb municipalities in Kosovo and Metohija. Not only that, but he also exerts pressure on the Serbian judges who might refuse to participate in panels comprising majority of Albanian judges citing violation of Article 10 of the First Agreement⁶, by threatening to initiate disciplinary proceedings against them. Belgrade repeatedly brought attention of the EU facilitators to this manner of violating Point 10 of the FA, demanding their urgent engagement in solving this problem.

Also, Serbian side continued to insist on the timely resolution of other important issues that are crucial for the proper functioning of the judiciary in the Province, regarding relocation and removal of integrated Serb prosecutors from the prosecutor's offices south of the Ibar⁷, as well as the elimination of obvious disparities in the numbers of members of Serbian and Albanian administrative staff. The most glaring example of this practice can be found in the so-called The Office of the Basic Prosecutor's Office in Mitrovica, where intensive hiring of a large number of Albanians, lead to chronic and exaggerated disturbance in the agreed number of administrative staff of Albanian and Serbian nationality (59 Albanians to 22 Serbs). Still, the Serbian side continued to insist with the EU facilitator that the allocation of cases to prosecutors be executed

⁵ According to Pristina regulations, two KJC seats are allocated to members of the Serb community. One mandate of a KJC member of Serbian nationality expired in June 2021, creating a vacancy to be filled by an ethnically adequate candidate.

⁶ Article 10 of the First Agreement stipulates that in cases coming from with a majority Serbian municipalities in Kosovo and Metohija, the acting panel must be composed of a majority of Serb judges from the Department of the Court of Appeals in Mitrovica.

⁷ Such behavior on the part of Pristina is hardly good practice since it creates a feeling of legal uncertainty among the Serbs and calls into question the objectivity and professionalism of the actions taken by Albanian prosecutors in cases involving Serbian parties.

consistently in accordance with Article 7 of the Agreement on Justice, assigning the integrated prosecutors only the court cases in Serbian language.

At the preparatory meetings held with EU facilitators ahead of continuing the Dialogue, Belgrade also raised the issue of validating and enforcing the decisions passed by the Serbian courts that functioned in Kosovo and Metohija, in accordance with the document “Validity appeal” from July 2013. However, Pristina is yet to adopt the adequate document that would define the procedure for validating and enforcing all decisions passed by Serbian judicial bodies that used to function in Kosovo and Metohija by September 16, 2017.

Going forward, Belgrade will continue to insist with the EU facilitators on the timely handling of all disputed issues that are vital for the proper functioning of the judiciary. Belgrade will not tolerate Pristina’s unilateral actions and the repeated exclusion of Serbian judicial representatives from the functioning of the judicial system in Kosovo and Metohija, and shall continue to seek consistent implementation of the relevant agreements concluded within the Dialogue – in the manner prescribed by those agreements, instead of according to Pristina’s flawed interpretations. This is the only way to support and preserve the results achieved so far in this field and reduce the risk of collapsing the entire process of judicial integration in Kosovo and Metohija.

4. Energy

This reporting period saw several activities related to the implementation of the Energy Arrangement of 8 September 2013 (“Arrangement”) and the Conclusions of the EU Facilitator on the implementation of the Energy Arrangement from 25 August 2015 (“Conclusions”).

We recall that the Arrangement and the Conclusions stipulate that the Serbian transmission system operator (“Elektromreža Srbije - EMS”) shall support the so-called Kosovo Transmission System Operator and Market (KOSTT) in becoming a separate control area and a member of the European Network of Transmission System Operators for Electricity (ENTSO-E). On the other hand, Pristina undertook to enable the establishment of two Serbian energy companies in Kosovo and Metohija - “EPS Trade”, handling electricity trade, and “Elektrosever”, handling the supply and distribution services (billing and collection, grid maintenance and physically connecting new consumers).

The Serbian side fulfilled all our obligations arising from the 2015 Arrangement, having signed several both technical agreements and the Connection Agreement (CA) with the KOSTT, which “led” to KOSTT becoming a separate control area, and achieving a future ENTSO-E membership. By contrast, Pristina withheld compliance with its obligations which were to enable incorporation of two Serbian energy companies in the north of Kosovo and Metohija.

Seeking to evade its obligations stipulated under Article 16.1.b SA, which directly link the establishment, licensing and commencement of operations of the Serbian energy company Elektroserver with the possibility of KOSTT becoming a separate control area, since June 2016 Pristina, bolstered by the strong support of the EU and the Energy Community, engaged in various activities towards creating a pressure to have the energy issues removed outside the framework of the Dialogue.

The Serbian side managed to thwart several of these attempts by Pristina. However, in 2019 it became certain that the existing CA would be replaced by a new CA agreement within the ENTSO-E, in order to have it harmonized with the so-called SAFA agreement (Synchronous Area Framework Agreement). As a result, the new CA would no longer contain a conditional clause related to the licensing and operation of the Serbian electricity supply company “Elektrosever”.

In line with these changes within ENTSO-E, the new CA became effective on 29 October 2020, after which KOSTT began to function as a separate control area on 14 December 2020. Thus, Pristina achieved its interests arising from the energy agreements reached within the Dialogue - without complying with its share of obligations stipulated under the same agreements.

As for the obligation of Pristina to register and license two Serbian energy companies, Pristina finally retroactively registered the company “Elektrosever” on November 7, 2018 – all for the purpose of ensuring amendments to the CA within the ENTSO-E.

In late 2020, the Serbian side resubmitted documentation for two Serbian energy companies to the Kosovo Business Registration Agency (“KARB”): primarily application to register the “EPS Trade” company, and secondly, a request to supplement the registration of the company “Elektrosever” with the electricity distribution among business activities. However, on December 23, 2020, KARB refused to both register the “EPS Trade” and supplement registration of the company “Elektrosever”. Therefore, these companies filed lawsuits before the court in Pristina in March 2021. The rationale stated for refusal was that the request for registration was incomplete, that the name of the company and the business activity code “are not in keeping with the Brussels Agreement”, that the decision on establishing the company “EPS Trade” is missing, and that the company’s statute is not based on the so-called Pristina Business Law. Representatives of EPS prepared and submitted an appeal against the mentioned decision of KARB. When it comes to the request for supplementing the registration of the company “Elektrosever”, which was also submitted to KARB, the Serbian side has not yet received a response to this request.

At the same time, the director of “Elektrosever”, submitted a request to the so-called Pristina Energy Regulator (“ERO”) for the issuance of two licenses on December 28, 2020 - one for the supply and the other for the distribution of electricity. Regarding the supply license, ERO informed the director of the company “Elektrosever” that they would consider the submitted request and respond within the set deadline, while KARB pointed out that the distribution license would not be considered at all, since ERO had already issued a distribution system operator license for the entire territory of Kosovo and Metohija on behalf of the PISG in Pristina.

As for the supply license, the ERO requested that the “Elektrosever” make certain alterations in their license application, which “Elektrosever” completed on time, and proceeded to submit corrected documents on March 8, 2021. However, the Pristina side unnecessarily delayed the licensing process once, insisting on reasons that are not legally grounded and contravene the PISG regulations on licensing of in the field of energy. In the continuation of the licensing procedure, on April 7, 2021, the ERO again requested that the “Elektrosever” make more changes and additions to the license application, which the “Elektrosever” completed in time and submitted on 08 April 2021.

The ERO then requested a proof of payment of the initial licensing fee (which the Elektrosever promptly supplied), and that the license applications be published in the online editions of Kosovo newspapers (by two publishers) with details outlining the crux of application. After that, on April 26, 2021, the “Elektrosever” director was informed that the ERO Board still does not have a quorum in order to cast a decision, that its new members are yet to be elected by the PISG in Pristina Assembly, and that information on further steps regarding the granting of license would be supplied.

In early May 2021, the KOSTT sent a Letter of Notice to EMS employees in TS Valaç, in which it claims that TS Valaç is part of its property, which prejudices the issue of property in a broader context, yet to be resolved in the Dialogue process. In addition, the Pristina side referred to the Connection Agreement from July 2020, stating that would establish employment relations with the staff working in Substation Valac at the beginning of its implementation on December 14, 2020, KOSTT. This directly infringes on the employment rights of employees in SS Valaç, and was never provided for under any agreement.

As a result, Belgrade has been persistently emphasizing to the EU facilitators and all other relevant entities that any arbitrary actions taken by Pristina may jeopardize regular supply of electricity in the north of Kosovo and Metohija. This would obviously lead to drastic and direct violation of the security of the local population, which could, in turn, generate potentially unforeseeable political, security and humanitarian consequences.

Meanwhile, it has been a while since the decision of Pristina regarding the changes made by the Serbian side when it comes to the supply license has been pending, along with decisions on lawsuits filed by the “Elektrosever” and “EPS Trgovina” companies - which Pristina has delayed under various excuses. After the formation of the new PISG in Pristina Government, new members of the ERO Board must be elected in the PISG in Pristina Assembly, since it is only ERO that can make a final decision on the supply license.

However, recent decision of the PISG in Pristina Assembly to allocate 11 million EUR for the payment of electricity in the north of Kosovo and Metohija, and whereby the PISG in Pristina government is in charge of introducing electricity billing in the north of the province within six months, does not indicate that Pristina wants to solve licensing problems in the near future.

Still, on June 9, the director of the “Elektrosever” sent an emergency request to the Pristina energy regulator (ERO) asking for urgent resolution to the request for issuing a supply license, to which no response arrived. The deadline for ERO to decide on the request was June 25, 2021.

A repeated request for the issuance of a license was submitted on July 6 by Elektrosever, to which ERO replied on July 8, informing that no new members of the ERO Board had been appointed and that they were expected to be elected in July, following which the board would be completed and ready to decide. It was emphasized that the first point on their agenda would be decision on the supply license for the “Elektrosever” company.

In order to legally protect itself, as the only remaining legal remedy, the company “Elektrosever” will eventually file a lawsuit before the Basic Court in Pristina in July 2021, citing administrative silence, i.e. failure to make a final decision on the supply license.

Mindful of all of the above, the Serbian side repeated our request to the EU facilitators to take the necessary measures to ensure implementation of all provisions of the Arrangement and Conclusions, primarily those related to registration, establishment and licensing of Serbian energy companies for activities agreed in the Dialogue. This is a key condition for maintaining the security of electricity supply in the north of Kosovo and Metohija, after KOSTT became a separate control area, and Belgrade intends to resolutely continue to insist on that in the coming period.

5. Telecommunications

The first phase of negotiations between Belgrade and Pristina in the field of telecommunications ended with the incorporation of the “mts” d.o.o. company, to which all assets were transferred, along with licenses for fixed and mobile telephony, and 30 base stations locations.

Accordingly, as of July 26, 2019, the company “mts” d.o.o. put into operation all 30 base stations agreed by the Arrangement and Conclusions in the field of telecommunications, thus completing the process of establishing base stations, while also enhancing quality of the mobile telecommunications network in Kosovo and Metohija.

Seeking to establish itself as a functional and successful telecommunications company, “mts” d.o.o. continued its efforts towards raising the quality of telecommunications services to customers in Kosovo and Metohija.

Despite the fact that most of the agreements in the field of telecommunications have been implemented, there are still outstanding issues that should be resolved, as per the Action Plan. These are, primarily, harmonization of spectrum for mobile telephony and television signal, and normalization of postal services, as well as the issue of entering the accurate and full data on the ownership of the company “mts” d.o.o. in the cadastre operating within the PISG in Pristina.

In the following period, i.e. in the continuation of the Dialogue, talks on the second phase of implementation of negotiations in the field of telecommunications are expected to start, pertaining to the harmonization of spectrum for mobile telephony and television signal, as well as normalization of postal services, but also other problems which the Serbian side pointed out to the EU facilitators.

6. European integrations

During this reporting period, European Union failed to open any new chapters in the Republic of Serbia’s accession negotiations, despite Belgrade’s unbroken commitment and high level of resolve demonstrated in the process of normalizing relations with Priština, and meeting the transitional benchmarks contained in Chapter 35.

In the meantime, at the Intergovernmental Conference held in Luxembourg on June 22, 2021, the EU reviewed the state of relations between the Republic of Serbia and the EU, and presented the new methodology of EU enlargement policy, which act formally started the process of its implementation, and marked the launch of negotiating Cluster 1 - Basics.

In addition, all necessary activities were carried out in order for the Republic of Serbia to make available to the European Commission the negotiating positions covered by Cluster 3 - Competitiveness and Inclusive Growth, and Cluster 4 - Green Agenda, Digitalization and Sustainable Connectivity. Consequently, in May 2021, the Government of the Republic of Serbia adopted negotiating positions for Chapter 10 - Information Society and Media, Chapter 16 - Taxation and Chapter 19 - Social Policy and Employment.

New EU accession negotiation methodology has introduced the so-called clusters, grouping together negotiating chapters, instead of working with individual chapters, as has been the case so far. The plan is for the clusters to be operationally monitored on the basis of topics that will be discussed within the subcommittees monitoring implementation of the Stabilization and Association Agreement (SAA), and Chapter 35 will not be included in these clusters. However, given that the importance of regional cooperation and good neighborly relations, through reaching the so-called “comprehensive agreement on normalization of relations between Belgrade and Pristina”, is especially noted in the context of “strengthening the credibility of the process”, the conclusion is that the “Rule of Law” cluster would implicitly imply meeting the criteria contained in Chapter 35, and this can also put the negotiation process between the Republic of Serbia and the EU on hold, as per the EU negotiating framework.

Concerning the reporting on the fulfillment of the transitional criteria contained in the negotiating Chapter 35, the EU Special Representative for Dialogue, Miroslav Lajčák established the practice of presenting reports on the Dialogue (in addition to EC’s obligation of reporting to the EU Member States to report twice a year) after taking his office on 3 April 2020, in order to raise the issue of Dialogue to a higher political level within the European Commission. Thus, on February 4, 2021, he presented his progress report before the Political and Security Committee of the European Commission and the Working Party of the European Commission for the Western Balkans (CoWEB), the bodies of the European Commission tasked with reviewing issues in the fields of the EU Common Foreign and Security Policy, and the EU Common Security and Defense Policy.

Then, on 22 June 2021, at the EU Council, the EU High Representative for Foreign Affairs and Security Policy, Josep Borell, briefly presented an oral report to the EU Member States on the dialogue and fulfillment of the transitional criteria, emphasizing that the next regular EEAS report can be expected in the second half of 2021, ahead of the next Intergovernmental Conference, which is to be organized during the Presidency of the Republic of Slovenia over the Council of the EU.

Obligations arising from the technical agreements

1. Cadastre

Although the matter of implementing the Cadastre Agreement was re-launched within the Dialogue in late 2020, no progress was made on this issue during the first half of 2021.

The reason is that Pristina and the EU continue to maintain the position that all bodies provided for in the Cadastre Agreement, except for the Tripartite Implementation Group, must function within the so-called Kosovo legal system. Accordingly, Pristina continues to advocate the implementation of the Agreement through the so-called Law on the Kosovo Property Comparison and Verification Agency (KPCVA), which was unilaterally drafted in 2016 with the help of the EU and adopted despite the opposition of Belgrade and the Serbian List.

Belgrade resolutely rejects such a unilateral solution which runs contrary to the Agreement, among other things because its eventual implementation would, highly controversially, entrust decision-making on the property rights of citizens of the Republic of Serbia and the Serbian Orthodox Church to bodies not provided for in the Agreement and which include no representatives of Serbs. Should this happen, it would be possible to legalize the seizure and usurpation of private property owned by Serbs and the Serbian Orthodox Church in Kosovo and Metohija, which is absolutely unacceptable for the Serbian side. Although the fact that he mentioned Pristina “law” is completely contrary to the Agreement has been brought to the attention of the EU facilitators countless times, nothing has been done yet towards its withdrawal.

We also recall that the EU remained passive even when Naser Shala, former commander of the so-called Kosovo Liberation Army (KLA/UCK), was appointed president of the so-called secretariat of the KPCVA in March 2019. Pristina executed the appointment, even though the “diplomatic core” in Pristina strongly protested against Shala’s appointment, claiming that he did not hold adequate qualifications to perform the said function. Shala’s appointment as president of KPCVA resulted in the withdrawal of first, the UK representative and then the US representative from the agency’s supervisory board, which fact is an indisputable indication that such actions by Pristina are widely recognized as a means of pursuing personal and political interests rather than upholding property rights and interests of the people of Kosovo and Metohija.

On the other hand, Belgrade took a constructive approach in preparing proposals for a consistent implementation of the Agreement, and on September 17, 2020, presented its material detailing the structure and principles for resolving private property issues at a meeting in Brussels, as well as proposals for methodology and the manner of operation, establishment and functioning, structure and seat of all bodies provided for in the Agreement. At the end of 2020, two more meetings were held within the Dialogue to discuss the implementation of the Agreement, after which no negotiations were held on this issue until the end of this reporting period.

The Serbian side will continue to strongly advocate in favor of implementing the Agreement as agreed and not submit the scanned cadastral documentation to Pristina until then. This will be possible only when all three parties reach an agreement that would enable consistent implementation of the Agreement. Only a responsible approach to resolving this issue, while

ensuring adequate participation of Serbs in the work of the Technical Agency, the Tripartite Implementation Group and the Commission, can enable consistent implementation of the Cadastre Agreement. This would comprehensively resolve this vital issue for Serbs in Kosovo and Metohija.

2. Registry books

During this reporting period again no progress in resolving the problems related to the implementation of the Registry Agreement. Pristina still refuses to submit the registry books (or their copies) containing the personal data of citizens from the northern part of Kosovska Mitrovica to the competent services of the Municipality of Mitrovica North. As a result, these persons, mostly Serbs, are prevented from obtaining personal documents from the competent registry office in the Mitrovica North and were forced to continue to get them in the southern part of that city.

Such a situation is adversely affecting the work of 39 former member of administrative staff of the Ministry of Internal Affairs of the Republic of Serbia, who after integration are working on issuing personal documents of persons, which should include documents from the registry office in four municipalities in the north of Kosovo and Metohija.

Belgrade is constantly reminding the EU facilitators that a successful implementation of the Agreement requires joint efforts, not just the goodwill of the Serbian to comply with the obligations arising from it, but that Pristina too must act in the same way, and not discriminate against citizens of north part of Kosovska Mitrovica but instead enable them to exercise their rights in the competent registry offices of their municipalities.

3. Customs stamp

The Serbian side fully implements the Agreement on Customs Stamp. Solutions from this Agreement are used in all documents related to trade in goods (phytosanitary certificate, veterinary certificates, pharmaceutical certificate, etc.).

On the other hand, Pristina continued to violate Article 1 of this agreement, which states that the parties will ensure the free movement of goods in accordance with the CEFTA agreement. In connection with that, problems occurred with the traffic of water boilers from central Serbia to Kosovo and Metohija on CCP Rudnica / Jarinje and CCP Brnjak / Tabalije in March 2021, because they also had the label “AAA” in addition to the conformity assessment “SE” (which is acceptable for Pristina). The explanation offered by the Pristina customs is that the products have a mark of conformity of the Republic of Serbia with which Pristina has not reached an agreement on the recognition of the mark and documentation on conformity. The Belgrade side believes that the return of these water boilers was unreasonable, given that the “AAA” mark is in accordance with EU standards, and also that water boilers carry other conformity assessment marks, e.g. for the Russian market. The problem was solved by sticking a sticker over the “AAA” conformity assessment mark so that only the “SE” conformity assessment could be seen on the boilers.

4. University diplomas

Pristina failed to apply the provisions of the Agreement on Mutual Recognition of Diplomas from 2011 and the provisions of the Conclusions and Operational Conclusions from 2016 during this reporting period.

In particular, Pristina continues to refuse to recognize diplomas issued by accredited universities in the Republic of Serbia and does not accept the list of accredited universities operating within the higher education system of the Republic of Serbia. Moreover, Pristina institutions, even ten years after reaching the first agreement regulating this area, have not recognized any diplomas from universities accredited in the system of the Republic of Serbia.

Such a situation is further aggravated by the fact that, after the expiration of the contract that the NGO SPARK, as implementing partner for certification and administration services, had with the EU, as well as due to lack of funds, there is no possibility to implement the obligations defined by the Operational Conclusions. Thus, the implementation of the agreement on the recognition of diplomas at all levels is completely blocked and can only be resolved within the framework of the Dialogue, which was finally resumed in June with the mediation of the EU.

In addition, during the reporting period, Pristina continued its efforts to move the issue of diploma recognition from the Dialogue to regional initiatives and organizations, primarily those under the auspices of the Regional Cooperation Council and CEFTA.

In the coming period, the Serbian side will insist that the issue of diplomas can be resolved only in accordance with the agreements reached in the Dialogue and will insist that the European Union select implementing partners and provide funds for their work - to create technical conditions for continuing recognition of diplomas as per the Agreement. From there, Belgrade specifically expects the EU facilitator to finally ensure that Pristina starts consistently implementing all agreements reached on this issue in the Dialogue, ie to finally start recognizing diplomas of all educational institutions accredited in the system of the Republic of Serbia.

5. Freedom of movement

The regime of freedom of movement is based on the Agreement on Freedom of Movement from 2011, the Final Operational Conclusions of the Implementation Group on Freedom of Movement of 2011 (“Final Operational Conclusions”), the Agreements on finalizing the implementation of the Agreement on Freedom of Movement of 14 September 2016 (“Arrangements”) and the Conclusions of 19 October 2016, which followed after said agreements.

Accordingly, the regime of freedom of movement is applied across the administrative line at six common crossing points (CCP): CCP Tabalije / Brnjak, CCP Depce / Mučibaba, CCP Mutivode / Mutivode, CCP Merdare / Merdare, CCP Končulj / Bela Zemlja, and CCP Rudnica / Jarinje.⁸

Although Belgrade fulfilled its share of the obligations arising from the Agreement and Conclusions by mid-November 2016, implementation of the reached solutions is lagging behind due to Priština’s unwillingness to comply with their undertaken obligations within the agreed deadlines. As a result, the application of the “sticker”⁹ regime and the re-registration of all vehicles to the registration plates issued by the PISG in Priština have been delayed.

An additional problem in that sense was generated by the decision of the PISG in Priština from September 17, 2020, which annulled the Administrative Instruction on Vehicle Registration with Status-Neutral KS License Plates from 2018. Pursuant said instruction, a notification was circulated that it was no longer possible to register vehicles to the neutral KS plates and that, accordingly, owners of such vehicles must replace their existing plates with the “RKS” ones when extending registration. This Priština act violated Point 5 of the September 2016 Agreement, which extended that the validity of “KS” plates for a period of five years, after which the two sides are to look into this issue again, with the EU facilitation.

After Belgrade’s harsh protests, the EU informed the parties that all KS license plates would be valid until September 2021. However, to date, Priština never actually revoked the disputed decision. Therefore, the EU is expected to organize a meeting before September 2021 within the framework of the Dialogue, with this matter on the agenda.

During the reporting period, no intensified measures and bans were put in effect at the administrative crossings against the spread of COVID-19. As a result, the Serbian side resumed the regular procedures for the control of vehicles, persons and luggage.

By contrast, during this period, Priština changed the scope of measures to restrict the movement of residents in Kosovo and Metohija on several occasions, both in terms of the time

⁸ In addition to the common crossing points, the regime of freedom of movement is applied at six border crossings: Batrovci-Bajakovo and Šid-Tovarnik (towards the Republic of Croatia), Horgoš-Reske and Kelebija-Tompa (towards Hungary), Gradina-Kalotina (towards the Republic of Bulgaria), Preševo-Tabanovce (towards the Republic of North Macedonia), as well as at Nikola Tesla Airport in Belgrade and Constantine the Great Airport in Nis.

⁹ The sticker regime entails that the relevant parts of the license plates (status symbols) on the vehicles of both sides, will be covered with two white stickers when crossing the administrative line, thus replacing the previous practice of issuing the “PROBA” license plates, which Belgrade used to apply to vehicles with “RKS” license plates crossing the administrative line.

period during which movement is allowed, and in terms of the categories of persons to whom these measures apply. The most recent measures were adopted on June 22, 2021, after the improvement of the epidemiological situation, allowing indoor gatherings (meetings, seminars, trainings) until 00:00 and organization of parties (weddings, celebrations and family gatherings) until 23:00, exclusively with the use of 30% of the capacity of the facility and not more than 200 people (with a mandatory distance of 1.5 m and 3 m, respectively). In the period from 00:00 to 05:00, it is still forbidden to gather more than 10 people. On the other hand, the measures related to the protection of citizens from the COVID-19 pandemic have remained the same, and when entering the territory of Kosovo and Metohija, a negative PCR test is still required for persons residing outside Kosovo and Metohija (these measures do not apply to persons arriving from central Serbia).

Aside from the measures introduced to combat the COVID-19 pandemic, Priština continued to apply unilateral measures that jeopardize the implementation of the Agreement on Freedom of Movement, relating to: ban on the use of ID cards issued by the police directorates MoI of the Republic of Serbia relocated from Kosovo and Metohija; ban on crossing border crossings with North Macedonia and Montenegro to persons holding passports issued by the Coordination Directorate of the Ministry of the Interior of the Republic of Serbia¹⁰; a request for additional personal data when announcing visits by IDPs and pilgrims wishing to come to Kosovo and Metohija, which is not set out in any agreement; as well as special check-ups and measures exercised at the CCP against Belgrade officials and other persons coming from central Serbia.¹¹

Therefore, the Serbian side repeatedly pointed out to the EU facilitators that implementation of all the above-mentioned measures on the part of Priština is a gross violation of the Agreement on Freedom of Movement, and that unilateral handling of issues which are of importance to both parties is unacceptable.

In addition, under the pretext of seeking “smuggled” vaccines against the COVID-19 virus, in February Pristina began to apply measures at the CCPs of halting and thoroughly searching every vehicle coming from the direction of central Serbia, causing delays on both sides of the administrative line. Representatives of Pristina decided to take this step, although the Serbian side provided guarantees to EU representatives that vaccination of citizens residing in the territory of Kosovo and Metohija will be carried out exclusively in central Serbia, which has been successfully implemented for more than a month.¹²

¹⁰ Pristina implements these measures despite the fact that the Agreement on Freedom of Movement, like any other document, does not limit the right of displaced PU MUP of the Republic of Serbia to issue ID cards, and the use and validity of passports issued by the Coordination Administration is not an issue defined by the Agreement on Freedom of Movement. The parties discussed this issue in the Dialogue in general. During the reporting period, the Pristina side did not allow 61 persons to enter the territory of Kosovo and Metohija, who identified themselves with the travel document of the Republic of Serbia when crossing the administrative line.

¹¹ During the reporting period, the Pristina side prevented persons from entry into the territory of AP Kosovo and Metohija on 11 occasions, starting from official representatives of the Republic of Serbia, via sports clubs to organized groups of pilgrims and others from central Serbia, citing as reasons security or untimely announcement.

¹² Vaccination of citizens of the Republic of Serbia from Kosovo and Metohija is carried out at three separate points: in Raska (for citizens from four municipalities in northern Kosovo and Metohija), Kursumlija (for citizens from central Kosovo and Metohija) and in Bujanovac (for citizens of Kosovo Pomoravlje).

The Serbian side informed the representatives of the EU delegation in Belgrade about this problem and asked them to influence Pristina to suspend the implementation of the mentioned measures because they unreasonably hinder the free flow of people and vehicles.

As for the abuse of the right to freedom of movement, a total of 140 persons from the AP of Kosovo and Metohija were registered during the reporting period and were prevented from trying to cross the administrative line illegally, while 116 persons who possessed documents were so-called Kosovo tried to cross the state border of the Republic of Serbia by using someone else's or forged document, as well as by avoiding border control.

Understanding the daily need for freedom of movement across the administrative line, the Serbian side believes that the existing problems will be solved in the coming period and that Pristina will desist from unilateral measures that violate the Agreement on Freedom of Movement.

6. Integrated management of common crossing points (IBM)

The Republic of Serbia fully observes the agreed Conclusions on IBM and Technical Protocol on IBM Implementation.

Operation of all six common crossing points (CCPs) is successfully underway, and Belgrade is taking all necessary measures to ensure functionality of all crossing points and increase operability of the services available there.

Although a session of the High-Level Dialogue between Belgrade and Pristina took place during this reporting period, EU facilitators are yet to organized an IBM Implementation Group¹³ meeting, or a meeting at central, regional and local levels¹⁴. Nevertheless, the Belgrade side is working on resolving the technical problems at the CCPs that are under its jurisdiction, in order to ensure adequate work conditions for all officers at the crossings. Below is a selection of key developments concerning the functioning of CCPs during this reporting period:

- **The harmonized phytosanitary certificate** is functioning smoothly. However, Pristina is yet to resolve the import of vine planting material from central Serbia, and the registration and distribution of plant protection products that are produced in Central Serbia and distributed in Kosovo and Metohija.
- **The harmonized veterinary certificates** are functioning smoothly. During this reporting period, no progress was made towards harmonizing Certificate for Milk and Dairy Products, and the Certificate for Meat (Pork and Poultry) and Meat Products, which were submitted to Pristina on November 27, 2015, and should have become operational in 2016.
- **The harmonized pharmaceutical certificate** has been functioning smoothly at the common crossing points where commercial traffic takes place.
- **The SEED Technical Group**, mediated by EULEX, remains inoperative.

¹³ The last meeting of the Implementation Group was held in Brussels on March 12, 2018

¹⁴ There have been no meetings at the central, regional and local levels since April 16, 2018

- **Work on setting up new and reconstructing the existing crossing points** placed under Belgrade jurisdiction has been suspended until Priština has complied with the provisions stipulated under the First Agreement.
- **CCP Merdare remains within in the system of the so-called “Green Corridors”**, set up within the European Union to facilitate faster and more efficient servicing of basic human needs in terms of ensuring supply of primary goods, i.e. food and medical supplies during the COVID-19 pandemic.

7. Regional presentation

During this reporting period, Belgrade remained committed to making progress in all forms of regional cooperation and networking in the Western Balkans. In this spirit, the Republic of Serbia strictly observed provisions of the Agreement on Regional Representation and Cooperation.

Bearing in mind that special epidemiological measures were in effect in almost all **countries** of the region and Europe during this reporting period, most of the meetings of the international and regional organizations and initiatives were held as online video conferences again.

During this reporting period, Pristina repeatedly refused to sign declarative documents composed by regional initiatives and organizations. Furthermore, at every gathering which the PISG Prime Minister attended, he demanded that the PISG be denominated with the phrase “Republic of Kosovo”. Pristina repeatedly made requests of this nature at regional gatherings organized in other formats as well, thus openly violating the Agreement on Regional Representation and Cooperation.

Despite these problems, Belgrade will remain committed to the inclusive cooperation in the region, as a key mechanism for preserving regional stability. To that end, as every time so far, Belgrade will continue to strongly insist on strict adherence to all agreements reached.

8. Official visits and liaison officers

During the previous reporting period, Pristina continued its long-standing practice of violating the Agreement on Official Visits. Pristina continues to make it difficult for Serbian officials to visit, mostly by unreasonably detaining them at the administrative crossing points or refusing them entry to Kosovo and Metohija without providing any explanation, even though these visits had been duly and timely announced per the provisions of the Agreement. In addition, Prstina continued to ban the entry of certain Serbian **senior** officials into the Province.

In the previous reporting period, bans on entering the Province were unreasonably issued to the Director of the Office for Kosovo and Metohija, Mr. Petar Petković; the Minister of Labor, Veterans and Social Affairs, Ms. Darija Kisić-Tepavčević; and the Minister of Youth and Sports, Mr. Vanja Udovicic.

Since the beginning of 2021, the Director of the Office for Kosovo and Metohija was twice prevented from entering the territory of the Province, once in January and the other time in April 2021. This ban prevented him from visiting Serbs affected by the floods in January, as well as administering aid to the endangered population. Pristina justified this by claiming that the Director

of the Office for Kosovo and Metohija would endanger the health and safety of the inhabitants of the Province with these visits in the conditions of a pandemic.

However, Ms. Kisić-Tepavčević was prevented from entering during June 2021, despite the orderly and timely announcement of her visit, even though she was to visit the Province in her capacity as a professor at the Medical Faculty in Kosovska Mitrovica. Thus, an unreasonable ban was utilized against Minister and Professor Kisić-Tepavčević to prevent her from doing her academic work, which is in service of public health.

The PISG in Pristina also banned the Serbian Minister of Youth and Sports from entering in June 2021, although, as in the above instances, his visit had been duly announced to the liaison officer, in accordance with the Agreement reached.

Still, it should be noted that during the reporting period, three successful visits to the Province were made by the Director of the Office for Kosovo and Metohija - during March, May, and June.

In March, Mr. Petković paid a two-day visit to the municipalities of Kosovska Mitrovica and Zubin Potok. The second two-day visit of Mr. Petković also involved the Director of the Office for Coordination Affairs in the Process of Negotiation with the PISG in Pristina, Mr. Miloje Zdravković, and was carried out on the occasion of the Orthodox Easter, in May. The directors of both offices celebrated Easter at the Gracanica Monastery at the midnight liturgy. The third two-day visit of the director of the Office for Kosovo and Metohija was carried out, again together with the director of the Office for Coordination Affairs in the Process of Negotiation with the PISG in Pristina, on the occasion of the pan-Serbian national holiday St. Vidus Day (*Vidovdan*), on June 27 and 28.

E) Other topics

1. Collection of customs duties

Acting in keeping with the Agreement on Customs, Belgrade complies with all its undertaken obligations and collects all duties.

By contrast, during this reporting period, Priština continued to determine the customs value of goods at CCP Rudnica/Jarinje and CCP Brnjak/Tabalije centrally and only during daylight. The office hours of the Pristina customs service have not changed yet, although three and a half years have passed since the meeting of the Implementation Group held in Brussels on March 20, 2018, when the Serbian side requested for the customs clearance of goods at mentioned crossing points to be performed until 20:00 (not only in daylight), for goods that do not require too many tariff headings and/or do not require additional phytosanitary or veterinary inspections. This requirement is in full compliance with the Technical Protocol on the Implementation of the IBM Conclusions, which also sets out that the Customs Service must operate 24/7.

2. Development fund for so-called North of Kosovo

Although the new PISG Government in Pristina was constituted in March 2021, and the new elections for the PISG in Pristina President ended in April 2021, no meeting of the Kosovo Development Fund of the Autonomous Province of Kosovo and Metohija (Fund) was held during the reporting period. The last meeting was held on November 6, 2020, when a large project for the

construction of the Cultural Center in the municipality of North Mitrovica worth 3.5 million EUR was approved, and solutions for the existing approved projects were also discussed, but their implementation has not started yet, and also discussed were projects encountering problems in their implementation.

In the past period, the project of building an indoor swimming pool in the municipality of Zubin Potok and the project of reconstruction of Karadjordjeva Street in the municipality of Zvečan were completed, while the project of building a drinking water tank in the municipality of Zvečan is currently ongoing.

The next meeting of the Fund is expected to discuss all the projects that have been approved, but whose implementation has not yet started, such as the construction of the Cultural Center in the municipality of Kosovska Mitrovica and the establishment of the “Institute for Cultural Heritage” in the municipality of Kosovska Mitrovica which was approved back in 2016. The agenda is also expected to include the projects in all four municipalities in the north of Kosovo and Metohija whose implementation is encountering problems. These are the projects that were discussed in our previous six-monthly reports: 1) electricity supply to the Savina Stena regional landfill in the municipality of Zvečan, 3) construction of the Kovače-Previja road, 4) construction of a sports and recreational zone in the municipality of Zubin Potok, 5) subsidies for raspberry growing in Leposavić, 6) reconstruction of the Primary School in the municipality of Zubin Potok, 6) preparation of municipal planning and project documentation for the construction of roads in the municipality of Leposavić.

As to the amount of funds in the Fund, after the lifting of Pristina’s “reciprocal measures”, the trading of products through CCP located in the north of Kosovo and Metohija (CCP Rudnica / Jarinje and CCP Brnjak / Tabalije) resumed, owing to which customs and excise revenues were collected, as well as VAT revenues, in the amount of EUR 2.4 million.¹⁵

3. Vehicle insurance

Although the Memorandum of Understanding signed in the field of vehicle insurance was generally implemented relatively successfully during this reporting period, certain problems occasionally did occur. Specifically, sometimes a person who suffered damage from the owner of a vehicle with registration plates KS and “RKS” filled in the so-called European Accident Report for Motor Vehicles at the urging of officials of the Ministry of Internal Affairs of the Republic of Serbia. The injured party then approached the competent insurance company requesting insurance compensation for damage and enclosed as evidence a filled-in European Accident Report for Motor Vehicles. However, under Article 6, Part III of the Memorandum, said report is not admissible as evidence of an accident. The only suitable form is the official motor vehicle accident report made on site.

To preclude repetition of this problem, the UOS (Association of Insurers of Serbia) addressed the Ministry of Interior of the Republic of Serbia as the competent institution, requesting that they inform all their competent officers that they are obliged to file an appropriate official document (Motor Vehicle Accident Record), under the provisions of the Memorandum of Understanding, in case of traffic accidents involving vehicle with the “RKS” or KS registration plates. This should

¹⁵ At the end of the previous reporting period, the Fund had EUR 1.5 million.

be done regardless of the estimated amount of damage or any other element that could be the basis for a police officer to refer participants to conclude a liability agreement - the European Accident Report. The Association of Insurers of Serbia received a verbal promise from the authorities from the Ministry of the Interior that all competent persons would act in accordance with the provisions of the MoU, to fully implement it and in the interest of Serbian citizens.

Although there is direct cooperation between the insurance companies of the two parties, to fully implement the agreed and signed in the Memorandum in the field of vehicle insurance in the coming period, it is necessary to establish a system of electronic verification of vehicle insurance policies so as to reduce the possibility of smuggling vehicles and ensure greater safety for persons and entities requesting damage compensation. Mindful of the importance of establishing a system of electronic verification of insurance policies, the Serbian side will insist on its establishment in the coming period as well.

4. Free trade

Free trade between Belgrade and Pristina takes place in accordance with the Central European Free Trade Agreement (CEFTA). This area is to some extent regulated by both the Customs Stamp Agreement and the IBM Technical Implementation Protocol, which was also used as the framework for the Agreement on Customs Stamp.

Pristina continued to directly or indirectly hinder the placement of Serbian goods in the Province throughout this reporting period, when practically the entire trade of Serbian goods to Kosovo and Metohija was functioning in conditions which are more complex than usually due to the COVID-19 pandemic.

Thus, in March 2021, Pristina prevented the entry of water boilers from central Serbia to Kosovo and Metohija via CCP Rudnica / Jarinje and CCP Brnjak / Tabalije, because in addition to the conformity assessment “SE” (which is acceptable for Pristina) they also had the mark “AAA” (which is not acceptable for Pristina but is in line with the EU standards).

In addition, the PISG in Pristina continued to violate the provisions of the CEFTA agreement by applying non-tariff barriers to the placement of goods from central Serbia in Kosovo and Metohija. Specifically, they installed the negative practice of calculating transport costs of block goods (masonry gutter blocks, measuring 25x19x19 and 25x19x12, as well as fert-mont blocks used for mezzanine structures) by applying higher bases than the real ones for calculating VAT, as well as the decision from 2016 to come for building blocks from central Serbia charges an additional fee of 2 cents per block. Also, the Pristina’s decision from October 19, 2017, imposing a non-tariff barrier in the form of a special duty on flour originating from central Serbia in the amount of 40 euros per ton, is still in force.

Significant problems were generated by the entry into force of the KOSTT Connection Agreement, once the Pristina transmission system operator started operating on 14 December 2020 as a separate control area. After that, trading in electricity between energy companies from central Serbia and energy companies from Kosovo and Metohija was interrupted. Serbian energy companies are also prevented from using the provincial power network for electricity sale to third

partners. The solution to this problem cannot be reached without full implementation of the agreement in the field of energy, because the PISG in Pristina do not recognize the electricity trade licenses of the companies that operate in the system of the Republic of Serbia. The problem is that at the same time Pristina is delaying and/or not intending to issue licenses for trade, supply and distribution of electricity to two energy companies “EPS Trade” and “Electrosever”, as stipulated under the arrangements in the field of energy.

The bulk of products traded from central Serbia to Kosovo and Metohija are food products and beverages, chemicals and chemical products, agricultural products and oil derivatives, while it is the basic metals, recycling, food products and beverages that come to central Serbia from Kosovo and Metohija most.

5. Bridge and Peace Park in Kosovska Mitrovica

Although all reconstruction works on the main bridge over the Ibar river, as well as those on the pedestrian zone in Kralja Petra Street were completed in August 2018, simultaneous opening of these facilities did not take place during yet another reporting period.

In order for both to be commissioned simultaneously, per the Agreement, it is necessary that Pristina, in keeping with the original Conclusions of the Working Group on Freedom of Movement / Bridge, effect the administrative delineation between Mitrovica North and South in the area of Suvi Do. Only after that, would it be possible for the Serbian side to agree with the EU facilitators on the date of the simultaneous opening of the main bridge on the Ibar, as well as the pedestrian zone in King Peter Street, as per the Arrangement.

Belgrade has been insisting for years that this administrative delineation be carried out so that the Albanian part of the current cadastral zone Suvi Do remain under the administrative jurisdiction of Mitrovica South and be named Suvi Do, while the Serbian part of the current cadastral zone Suvi Do remain, as before, in the administrative jurisdiction of Mitrovica North - with the proviso that this part would be added to the existing cadastral zone of North Mitrovica called Donji Suvi Do.

Pristina refuses to fulfill its part of the obligations and claims that the issue has already been resolved, even though it has in fact already made such a division. Namely, Serbs from the Serbian part of Suvi Do, by the decisions of the PISG institutions in Pristina, voted for councilors of the Municipal Assembly of North Mitrovica in the local provincial elections years ago, although Pristina considers them residents of the cadastral zone belonging to South Mitrovica. Therefore, the Serbian side demands from the EU facilitator that Pristina only legalize the existing situation. Belgrade will raise this issue again at the meetings to be held in the continuation of the Dialogue.

Going forward, the Serbian side will continue to insist on full compliance with all provisions of the Agreement concluded on the main bridge on the Ibar river in Mitrovica.

6. Civil protection

Implementation of the Agreement on the Civil Protection Integration (CP) continues to be hindered as Pristina continues to refuse to comply with its commitments.

Namely, despite the long-standing insistence of the Serbian side that EU facilitators should ensure that Pristina disburse salaries to all integrated members of the former CP and provides them with work facilities, 164 people (out of a total of 483, or 33.95%) still did not receive one or more salaries since the start of their integration in 2015. Four persons who did not receive any earnings are in the most difficult position. Also, about 300 integrated persons (almost 65%) do not have secured work premises in the north of Kosovo and Metohija, which is explicitly prescribed under Article 2 of the Agreement.

Previously, Pristina used lack of premises for work as a reason to deploy the integrated persons of the former Civil Protection to work posts south of the Ibar river, which is contrary to the agreement, and blackmailed those who were not ready to agree to that by terminating their employment contracts. This eventually resulted in terminating engagements of six people.

The practice of intimidating persons whom Pristina left without workspace especially intensified in the second half of 2019 and during 2020. Although the Serbian side kept intervening with the EU facilitators, the problems in this area remain. Still, Serbian side expects that the EU facilitators will ensure consistent implementation of the Agreement going forward.

7. Agreements and dialogue between chambers of commerce

The cooperation between the two chambers is based on the Memorandum of Understanding between the Serbian Chamber of Commerce (SCC) and the Kosovo* Chamber of Commerce (KCC) of July 24, 2013, as well as annexes on arbitration in case of disputes and institutional capacity building.

During the reporting period, there was a progress in the cooperation between the chambers within the Western Balkans process (WB), through joint activities of the Western Balkans Chamber of Investment Forum (WBCIF). A meeting of the WBCIF Management Board was held in Belgrade on February 3, 2021, and members of this forum agreed that it is necessary to urgently remove all barriers that limit the business of economic entities in the region. Accordingly, WBCIF members asked the European Union to approve visa liberalization for Kosovo and Metohija, while Bosnia and Herzegovina asked to abolish visas and all kinds of restrictions on the freedom of movement of citizens coming from Kosovo and Metohija, including reaching an agreement on vehicle insurance, recognition of license plates and other documents that would allow complete freedom of movement.

In addition, as part of the initiative of free vaccination of businessmen from the region in Serbia, organized by the Chamber Investment Forum in the second half of March, about 7,500 businessmen from the Western Balkans were vaccinated. However, the Kosovo Chamber of Commerce rejected the invitation to include its members, i.e. businessmen from Kosovo and

Metohija. Despite that, several hundred businessmen from Kosovo and Metohija responded to this invitation, thus supporting the initiative of the Republic of Serbia.

Later, on June 10, 2021, on the margins of the Summit of the Western Balkans, a “Business Forum” was held, which brought together representatives of business associations, chambers of commerce of the region, and ministers of economy of the Government of the Western Balkans. The forum, hosted by Peter Altmaier, German Minister of Economy and Energy, emphasized the importance of WBCIF for improving the business environment in the region. It was noted that WBCIF helped to significantly improve the free movement of goods at crossing points, but that it is still necessary to solve the problem that exists with non-tariff barriers, administration and procedures.

Seeking to further improve the business environment in the region, the European Commission and WBCIF launched a joint WB-EU business platform, bringing together businessmen from the region and EU representatives. Its objective is to enhance dialogue and support the Western Balkan economies in overcoming challenges and preparing for integration into the common EU market.

Conclusion

It is rather unusual to produce a report on a period within the Dialogue, where both the introductory and concluding chapter refer to the matter of discussed at the sole meeting held between the two sides. However, given that Pristina refused to look into the ongoing, actual and hands-on problems at said meeting, and instead issued an ultimatum that the Serbian side “must face up to the past”, it is obvious that Belgrade’s earlier concerns regarding the prospects of the Dialogue were proven justified. Such a discourse, where Pristina’s vision of the only possible outcome are their own interpretations of the past, predominantly colored the impression of the Dialogue during this reporting period. Given the overall context of the relations between Belgrade and Pristina, following the change of government in Pristina, it is not an exaggeration to say that Pristina’s unconstructive attitude in the upcoming period would likely present an ever-mounting obstacle to any efforts to advance the negotiation process and produce more significant results.

Rational analysis is powerless to explain and describing the reasons why Pristina refuses to accept even the solutions it previously offered in the negotiations itself. In particular, as a sign of goodwill at the high-level meeting on June 15, Belgrade agreed to discuss the fate of missing persons, which was requested by Pristina and whose resolution was one of the key election promises made by the current PISG in Pristina authorities during their election campaigns. The Serbian side accepted this request, although an overall agreement on that issue had already been reached with the previous PISG in Pristina government during the renewed Dialogue 2020.

Despite this, and even though Belgrade accepted each and every of the 21 requests sent by Pristina over the recent years, asking for verification and access to potential gravesites containing the remains of missing persons in the central part of the Republic of Serbia, and that Belgrade agreed that the issue of the missing should be resolved by granting unconditional access to all potential gravesites of the missing, still, it was the Serbian side that was accused of obstructing resolution of this problem “for years on end”. It seems that Pristina simply chooses to ignore the reality that Belgrade so far enabled excavations at all of the 21 locations and that a total of 907 bodies of missing Albanians were found at 4 out of 21 locations, all of whom were then duly identified and handed over to their families. By contrast, Pristina does not see any issue with the fact that it responded positively to only one request out of a total of 10 made by the Serbian side, and that as a result only 7 remains of missing Serbs were found - at the location “Bunker in Dakovica”.

Hence, it is only natural to wonder if any progress is possible amid such circumstances in the very Dialogue that the UN General Assembly defined as a mechanism whose objective is to improving people’s lives, and a factor consolidating stability and cooperation in the region. The Serbian side believes that no answer to this question would be possible before tackling the “prior matter” of trust between the parties. Mindful of the course of the talks so far, it is obvious that - for a plethora of reasons - elementary trust between the parties is missing and that is why this fundamental and central pillar should be built and bolstered first, before any attempt at a “major breakthrough” in the Dialogue.

Ergo, Belgrade is firmly convinced that to have any result in the Dialogue, even to attempt to build a modicum of trust between the two sides, the focus must be on the need for urgent

implementation of what was signed and agreed in the Dialogue over the past decade. The Serbian side reiterated its request to the facilitator side to take stronger action and, primarily, strengthen the foundations of the Dialogue, which were politically and structurally laid down by the First Agreement made in 2013. It is important to note that during this reporting period, facilitators were positively engaged in building trust, as the EU Special Representative Mr. Lajcak specifically pointed out several times, underlining that all agreements hitherto made in the Dialogue must be implemented (*pacta sunt servanda*). However, Belgrade believes that overcoming Pristina's almost absolute lack of constructiveness would require a much more determined engagement on the part of the EU, whose credibility, as a facilitator and guarantor of the concluded agreements, Pristina almost persistently calls into question.

Speaking in terms of “credibility” and “trust”, the inevitable question as to why the Community of Serbian Municipalities, the very backbone of the First Agreement, is yet to be set up, over 3,000 days later, pushes to the forefront once again. This issue, which Belgrade has been constantly bringing up for years, is gaining in significance and topicality as time goes by, as evidenced by the catastrophic security situation of a “normal” daily lives of the Serbs and SOC in Kosovo and Metohija – and this was especially true during this reporting period. The extremely unfavorable political, social and security situation in which Serbs find themselves conclusively reaffirms the need that had been clearly recognized by the international factor back in 2013, and as such regulated by a set of agreements on CSM - and that is the need to institutionally place the Serbs and SOC in the Province under the auspices of a special legal-political mechanism of the Community that would protect their individual and collective rights, which the PISG in Pristina at best ignores, and often directly threatens and violates.

Illustrating the extent of the endangered rights of Serbs, the most drastic case of institutional violence and lawlessness bears repeating here and everywhere else – it is the fact that the competent PISG in Pristina bodies have been publicly and openly refusing to implement the final adjudication of the highest court in Kosovo and Metohija regarding formal cadastral recording of the ownership of the Visoki Dečani Monastery over 24 hectares of land in its immediate vicinity. No less striking are the cases of political persecution of Serbs by utilizing fabricated accusations of war crimes or indictments for tort of opinion (Todosijevic case), as well as cases of violation of civil and voting rights on a national basis. The legal science probably does not remember such a scandalous decision since the Second World War as the one made by the so-called PISG in Pristina Supreme Court. In other words, on March 11, this “court” essentially declared the votes of Serbs invalid only because they voted for the Bosniak candidate, Ms. Adrijana Hodžić.

In such circumstances, it becomes clear how important it is to ensure at least a modicum of support for the rule of law mechanisms in the Province in order to ensure basic conditions for the normal everyday life of local non-Albanians. However, this cannot be achieved if the PISG in Pristina continue to grossly violate provisions of the relevant Dialogue agreements governing this area - especially as regards the jurisdiction of the Mitrovica Appellate Department, ethnic composition of the panels adjudicating within the Special Division of the Pristina Court of Appeals, and the need for Pristina to finally meet its obligations under the July 2013 Validity Appeal Agreement, to provide some legal certainty.

Talks and implementation of the agreement made in the Dialogue are the only way to preclude the myriad problems that weigh down on the relations between Belgrade and Pristina from further aggravating and possibly getting out of control. Therefore, the situation in which Pristina resorts to any excuse and pretext to procrastinate registration and licensing of the Serbian energy companies “Elektrosever” and “EPS Trade” is entirely unacceptable. Bearing in mind that the issue of energy is an absolute “neuralgic” spot to the security of the north of Kosovo and Metohija, this problem should be resolved as soon as possible and in a straightforward manner – to ward off any and all ramifications that could arise from jeopardizing energy security of that part of the Province. By contrast, withholding necessary licenses can lead to several scenarios, with grave ramifications to the energy security of Serbs in the north of the Province. These scenarios include, as already mentioned, non-issuance of licenses, attempts at forced collection of electricity bills by the PISG in Pristina, and the granting of only segments of licenses and placing Serbian energy companies in a subordinate position compared to the Albanian ones, which is a stark breach of the agreements on energy brokered by the EU within the Dialogue.

Furthermore, it remains unclear how to build trust and create conditions for interethnic reconciliation if the model currently applied by Pristina obstructs freedom of movement of pilgrims and other citizens, prevents Belgrade officials from conducting field activities aimed at improving living conditions and normalization of relations, prohibits delivery of vaccines to Kosovo and Metohija that save human lives, etc.

Finally, it should be emphasized that mutual understanding between Belgrade and Pristina, which is vital for the success of the Dialogue process, cannot be built on the basis of a strategy whose whole premise can be boiled down to seeking to force the other side to step away from the negotiating table. Belgrade has no reason to and will never do that, no matter how absurd and unconstructive the other side’s actions. Belgrade will not do that in the future and will refuse to be guided by the narrow-sighted political motives when it comes to the Dialogue. Instead, we intend to make use of every advantage and disadvantage to protect Serbia’s state and national interests in a responsible and rational way. In the meanwhile, as a responsible and reliable member of the international community, Belgrade fully observes the fact that the UN General Assembly decreed the Dialogue with the provincial authorities as a means of strengthening stability in the region, and Belgrade has therefore been guided by the need to preserve peace even amidst highly difficult conditions. Regardless of the circumstances, Belgrade will maintain such an approach to the Dialogue going forward, until the generational goals of normalizing relations and reaching a true and sustainable reconciliation of Serbs and Albanians, have been attained.