

Country/entity	Kosovo Serbia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Association/Community of Serb majority municipalities in Kosovo – general principles/ main elements
Date	25 Aug 2015
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Former Yugoslavia

The disintegration of former Yugoslavia post cold war saw conflicts which became mediated and produced peace agreements in Slovenia (where the brief independence conflict was mediated by the EC Troika in 1991), Croatia (between Croatian and Serb populations 1991-1995), in Bosnia (between Croatian, Serb and Bosniak populations 1992-1995), in Macedonia (where mediation played a key pre-emptive role in preventing large scale conflict in 2001), in Kosovo (between Kosovar Albanians and Serbian population and the Federal Republic of Yugoslavia (FRY), but also between FRY and NATO, 1998-1999), and a conflict in the Presevo Valley (between Albanians in South Serbia and FRY, 2000-2001). The continued fall-out of the disintegration of former Yugoslavia also saw mediated agreement and ultimate dissolution of the Union between Serbia and Montenegro.

Bosnia-Herzegovina

In 1991, after nationalist parties won the first multi-party elections in the Socialist Federal Republic of Yugoslavia, a violent process of disintegration commenced. With its mixed population, Bosnia-Herzegovina became the centre of the following civil war that began in 1992 between the newly formed army of the Republic of Bosnia and Herzegovina (mostly Muslim Bosniacs), and the parastatal forces of self-declared Bosnian Croat (Herzeg-Bosnia) and Bosnian Serb (Republika Srpska) entities within Bosnia-Herzegovina, supported by Croatia and Serbia, with various, often short-lived, coalitions. The General Framework Agreement (Dayton Peace Agreement), signed in 1995, split the country into two ethno-federal entities, the Bosniak-Croat Federation and the Republika Srpska, and included continued peacekeeping and institutional administration by international actors.

Kosovo

The conflict between Serbs and Kosovar Albanians has a long history and always involved territorial disputes as well as ethno-political, cultural and linguistic factors. The most recent phase of the conflict began in November 1997 when the Albanian Kosovo Liberation Army (KLA or UCK) began their campaign for the independence of Kosovo from the Federal Republic of Yugoslavia (FRY – then Serbia and Montenegro). The subsequent war lasted until the NATO intervention, which undertook bombing campaigns of Belgrade and other places in Serbia during spring 1999. The main agreements solving the conflict were internationally driven and, finally, a UNSC resolution imposed a post-conflict arrangement in the wake of what was essentially a NATO military victory. In February 2008, Kosovo's parliament declared independence, but independence is still internationally disputed.

Close

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Stage

Framework/substantive - partial

Conflict nature	Government/territory
Peace process	Kosovo-Serbia Normalisation Process
Parties	Agreement unsigned, parties believed to be the Kosovo delegation, led by Prime Minister Isa Mustafa and the Serbian delegation led by Prime Minister Aleksandar Vucic
Third parties	Agreement unsigned, meeting was chaired by the Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy
Description	This agreement establishes an Association/Community of Serb majority municipalities in Kosovo as foreseen by the First Agreement signed in April 2013. It outlines the Association/Community's competencies, composition, relations with central bodies, funding, and steps for implementation.

Agreement document [KV_150825_Association-Community of Serb Majority Municipalities in Kosovo General Principles Main Elements.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Substantive
Summary: The agreement in its entirety establishes a sub-state body, the Association/Community of Serb majority municipalities in Kosovo.

Page 1, Legal framework

1) The Association/Community of Serb majority municipalities in Kosovo is established as an association/community of municipalities as foreseen by the First Agreement, the Law on ratification of the First Agreement and Kosovo law.

Page 3, Relations with the central authorities

9) The Association/Community will promote the interests of the Kosovo Serb community in its relations with the central authorities.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Rhetorical
Page 1, Objectives
4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:
...
g) adopt measures to improve local living conditions for returnees to Kosovo;

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols Page 5, General and final provisions
20) The Association/Community will be entitled to have its own official symbols (coat of arms and flag), in accordance with Kosovo law.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision Page 1, Objectives
4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:
...
m) establish relations and enter into cooperation arrangements with other associations of municipalities, domestic and international.

Page 5, Budget and support
17) The Association/Community will be funded from:
...
d) contributions, grants, donations as well as financial support from other associations and organisations, domestic and international as well as from the Republic of Serbia; the Community/Association will be exempt from duties and taxes in the pursuit of its objectives, on the same basis as the participating municipalities.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 1, Legal framework

1) The Association/Community of Serb majority municipalities in Kosovo is established as an association/community of municipalities as foreseen by the First Agreement, the Law on ratification of the First Agreement and Kosovo law.

Page 1, Legal framework

2) On the basis of the First Agreement which recognises its distinct character, the Kosovo Government will adopt a decree directly applicable, which will be reviewed by the Constitutional Court. The Community/Association will be a legal entity defined by its Statute, which will comprise at least the elements set out below.

Page 2, Organisational structure

6) The Association/Community will have the following organs:

- a) an Assembly as a supreme body composed of representatives appointed by each assembly of the participating municipalities, among their elected members. The Assembly will have the right to adopt amendments to the Statute, rules of procedure and all necessary regulations and administrative decisions as per its Statute and related to its objectives. All amendments to the Statute, rules of procedure and all necessary regulations and decisions adopted by the Assembly will be applicable to its members unless one of its members formally expresses a different decision.
- b) a President, who will represent the Community/Association, including before the central authorities and outside Kosovo. The President will be assisted by a Vice-President. The President and the Vice-President will be elected by the Assembly from among the members of the participating municipalities assemblies and their mayors.
- c) a Council composed of a maximum of 30 members among residents of the participating municipalities, including all mayors of the participating municipalities; the Council is an advisory body which provides guidance to the work of the Association/Community.
- d) a Board composed of 7 members voted by the Assembly from among the mayors and residents of the participating municipalities, the exact composition to be defined in the Statute, with the right to take the necessary decisions for the daily management of the Community/Association. The members of the Board will be supported in their work by professional collegia composed of experts, divided into and covering those areas falling under the objectives and tasks of the Association/Community. The Statute will define the number of professional collegia and their assignment to the members of the Board.
- e) an administration, headed by a Chief of Administration appointed by and reporting to the Board, supporting the work of the Community/Association, in particular the Board and the President. The staff of the administration will benefit from an employment status, in accordance with Kosovo Law, including the Law on Labour and the Law on Civil Service, enabling them to perform their administrative duties. The members of the Association/Community may decide to use a number of employees to support the Community/Association in the execution of its objectives.
- f) a complaints office with a mandate to examine complaints in relation to its objectives.

Page 3, Organisational structures

7) The seat of the Community/Association will be determined in the Statute.

Page 4, Legal capacity

15) On the basis of the First Agreement, the Association/Community is considered

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	<p>Page 2, Organisational structure</p> <p>6) The Association/Community will have the following organs:</p> <p>...</p> <p>e) an administration, headed by a Chief of Administration appointed by and reporting to the Board, supporting the work of the Community/Association, in particular the Board and the President. The staff of the administration will benefit from an employment status, in accordance with Kosovo Law, including the Law on Labour and the Law on Civil Service, enabling them to perform their administrative duties. The members of the Association/Community may decide to use a number of employees to support the Community/Association in the execution of its objectives.</p>
Constitution	No specific mention.

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

Power sharing→Territorial power sharing→Local/municipal government

Page 1, Legal framework

1) The Association/Community of Serb majority municipalities in Kosovo is established as an association/community of municipalities as foreseen by the First Agreement, the Law on ratification of the First Agreement and Kosovo law.

Page 1, Legal framework

2) On the basis of the First Agreement which recognises its distinct character, the Kosovo Government will adopt a decree directly applicable, which will be reviewed by the Constitutional Court. The Community/Association will be a legal entity defined by its Statute, which will comprise at least the elements set out below.

Page 1, Legal framework

3) The Statute will be adopted by a constituent assembly composed of the voted members of the assemblies of the participating municipalities.

Page 1-2, Objectives

4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:

- a) strengthen local democracy;
- b) exercise full overview to develop local economy; exercise full overview in the area of education
- d) exercise full overview to improve local primary and secondary health and social care;
- e) exercise full overview to coordinate urban and rural planning;
- g) adopt measures to improve local living conditions for returnees to Kosovo;
- h) conduct, coordinate and facilitate research and development activities;
- i) promote, disseminate and advocate issues of common interest of its members and represent them, including to the central authorities;
- j) provide services to its members in accordance with Kosovo law;
- k) assess the delivery of public services to its members and their residents as to support the Community/Association in forming positions of common interests for the participation to the work of the central authorities;
- l) conduct monitoring as required for the implementation of its objectives;
- m) establish relations and enter into cooperation arrangements with other associations of municipalities, domestic and international.

Page 2, Objectives

5) The Community/Association will exercise other additional competences as may be delegated by the central authorities.

Page 2, Organisational structure

6) The Association/Community will have the following organs:

a) an Assembly as a supreme body composed of representatives appointed by each assembly of the participating municipalities, among their elected members. The Assembly will have the right to adopt amendments to the Statute, rules of procedure and all necessary regulations and administrative decisions as per its Statute and related to its objectives. All amendments to the Statute, rules of procedure and all necessary regulations and decisions adopted by the Assembly will be applicable to its members unless one of its members formally expresses a different decision.

b) a President, who will represent the Community/Association, including before the central authorities and outside Kosovo. The President will be assisted by a Vice-President. The President and the Vice-President will be elected by the Assembly from among the members of the participating municipalities assemblies and their mayors.

c) a Council composed of a maximum of 30 members among residents of the

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 1, Objectives
4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:
a) strengthen local democracy;

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 3, Relations with the central authorities
11) The Association/Community will have the right to initiate or participate in proceedings before the competent Courts, including to the Constitutional Court, against any acts or decisions from any institution affecting the exercise by the Association/Community of its powers in accordance with its Statute.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, Objectives
4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:
...
b) exercise full overview to develop local economy; exercise full overview in the area of education
d) exercise full overview to improve local primary and secondary health and social care;
e) exercise full overview to coordinate urban and rural planning;

National economic plan No specific mention.

Natural resources No specific mention.

International funds	Page 5, Budget and support 17) The Association/Community will be funded from: ... d) contributions, grants, donations as well as financial support from other associations and organisations, domestic and international as well as from the Republic of Serbia; the Community/Association will be exempt from duties and taxes in the pursuit of its objectives, on the same basis as the participating municipalities.
Business	No specific mention.
Taxation	Socio-economic reconstruction→Taxation→Other Page 5, Budget and support 17) The Association/Community will be funded from: ... d) contributions, grants, donations as well as financial support from other associations and organisations, domestic and international as well as from the Republic of Serbia; the Community/Association will be exempt from duties and taxes in the pursuit of its objectives, on the same basis as the participating municipalities.
Banks	No specific mention.

Land, property and environment

Land reform/rights	Land, property and environment→Land reform/rights→Land reform and management Page 1, Objectives 4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to: ... e) exercise full overview to coordinate urban and rural planning; Land, property and environment→Land reform/rights→Property return and restitution Page 4, Legal capacity 14) The Association/Community will be endowed with the legal capacity necessary under Kosovo law to perform its objectives, including the right to own moveable and immoveable property, to co-own companies that provide local services within the scope of the Association/Community and to conclude contracts, including employment contracts.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 4, Relations with the central authorities
13) Acting on behalf of the Association/Community, the four mayors of the northern municipalities will provide the Ministry of Interior a list of candidates for nomination as regional Police Commander as specified in Article 9 of the First Agreement.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.

Source Government of the Republic of Serbia, Negotiation process with Pristina
<http://www.kim.gov.rs/eng/pregovaracki-proces.php>
