

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

<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Kosovo-Serbia Normalisation Process
<b>Parties</b>	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
<b>Third parties</b>	Agreement unsigned, meeting was chaired by the Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy
<b>Description</b>	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.

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<b>Agreement document</b>	<a href="#">KV_150825_Association-Community of Serb Majority Municipalities in Kosovo General Principles Main Elements.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	<p>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.</p> <p>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.</p> <p>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.</p>
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	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.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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**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.

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**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.

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Page 4, Legal capacity

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

<b>Elections</b>	No specific mention.
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	<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>
<b>Constitution</b>	No specific mention.

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**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

<b>Economic power sharing</b>	No specific mention.
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<b>Military power sharing</b>	No specific mention.
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## **Human rights and equality**

<b>Human rights/RoL general</b>	No specific mention.
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<b>Bill of rights/similar</b>	No specific mention.
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<b>Treaty incorporation</b>	No specific mention.
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<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	No specific mention.
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## **Rights related issues**

<b>Citizenship</b>	No specific mention.
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<b>Democracy</b>	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;
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<b>Detention procedures</b>	No specific mention.
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<b>Media and communication</b>	No specific mention.
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<b>Mobility/access</b>	No specific mention.
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<b>Protection measures</b>	No specific mention.
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<b>Other</b>	No specific mention.
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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **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.

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## **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.

<b>International funds</b>	<p>Page 5, Budget and support</p> <p>17) The Association/Community will be funded from:</p> <p>...</p> <p>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.</p>
<b>Business</b>	No specific mention.
<b>Taxation</b>	<p>Socio-economic reconstruction→Taxation→Other</p> <p>Page 5, Budget and support</p> <p>17) The Association/Community will be funded from:</p> <p>...</p> <p>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.</p>
<b>Banks</b>	No specific mention.

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## Land, property and environment

<b>Land reform/rights</b>	<p>Land, property and environment→Land reform/rights→Land reform and management</p> <p>Page 1, Objectives</p> <p>4) In accordance with the First Agreement, the Association/Community will have as its main objectives in delivering public functions and services to:</p> <p>...</p> <p>e) exercise full overview to coordinate urban and rural planning;</p> <p>Land, property and environment→Land reform/rights→Property return and restitution</p> <p>Page 4, Legal capacity</p> <p>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.</p>
<b>Pastoralist/nomadism rights</b>	No specific mention.
<b>Cultural heritage</b>	No specific mention.
<b>Environment</b>	No specific mention.
<b>Water or riparian rights or access</b>	No specific mention.

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## **Security sector**

<b>Security Guarantees</b>	No specific mention.
<b>Ceasefire</b>	No specific mention.
<b>Police</b>	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.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.

<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## **Implementation**

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

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