






Weekly Briefing

Serbia Political briefing:
September 2018: Endless negotiations between Belgrade and Pristina
without results
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September 2018: Endless negotiations between Belgrade and Pristina without results

Serbia's political life in September was dominated by two issues: the negotiations of Belgrade and Pristina and legislative activity in the Parliament. Negotiations have been left without results in spite of a more accessible approach of the United States and the European Union. Discussions and the adoption of legislative proposals in Parliament indicate continuing domination of the politics over the rule of law.

In September Serbian political life was dominated by two topics: the first, negotiations between Belgrade and Pristina; and the other, legislative activity in Parliament and the opposing views on it.

The problem of Kosovo is constantly burdening political life in Serbia. Since its solution is a condition of the European integration of Serbia, significant part of foreign political activities both of the Serbian Government and Serbian President are devoted to it. Negotiations between Belgrade and Pristina under the mediation of the European Union have been held in Brussels for months, but without visible results. Unfortunately, the issues on which the agreement was reached on the two sides were not realized on the ground. The public in Serbia is daily and constantly overwhelmed with the news regarding the issue of Kosovo. Although President Vučić very often explains Serbia's position and the efforts he makes to reach a better solution to the Kosovo issue, it is not very clear what would be a solution. Without result, a meeting was held in Brussels on 7th September, 2018, when President Vučić did not meet with Albanian negotiators.

On 9th September, 2018, he went to the planned visit of the north of Kosovo and Lake Gazivode, which raised tensions on the Albanian side.

Approximately 80 percent of Gazivode Lake is located on the territory of Zubin Potok, a municipality in the north of Kosovo with a majority Serb population. The lake is filled with the influx of water from Serbia's territory, and

is strategically important for the water supply in Kosovo and the efficient functioning of the Trepca thermal power plant. There are enough elements for the problems or the cooperation between the two people, depending on the solution to be achieved.

For long time it has been obvious that the mediation of the European Union in negotiations between Belgrade and Pristina is ineffective. The firm stance of the European Union on the territories and borders of Serbia and Kosovo left little scope for a solution that would be acceptable on both sides. More statements by US diplomats, politicians, and think-tanks have given a new opportunity to accept the solution to which the two sides will agree. The leaders of the European Union have come up with such opportunities. Then, the two main negotiators, Vučić and Thaci, made the possibility of demarcation (or delineation), although they were never clear and together explained what they implied. Although there were many stories about this possible solution, the two main negotiators obviously ignored opponents of such a solution among their own people. In Serbia, such a solution is opposed by the Serbian Orthodox Church, the greater part of the opposition parties, a significant number of intellectuals, and a considerable part of the people. In Kosovo, a large number of politicians and people see such a solution as endangering the sovereignty and territorial integrity of Kosovo.

The President of Serbia and Serbian Progressive Party stated on the session of Main Committee on 24th September, 2018 that his policy of solving Kosovo's issues had suffered a defeat. No comment is needed for such a serious statement.

The end of the month tension rapidly rose between Belgrade and Pristina. Namely, on 29th September, Kosovo's President Hashim Thaci visited the Gazivode artificial lake accompanied by members of the special police ROSU.

In response to this visit, Serbia raised the level of combat readiness of the army and police to the highest level. Fortunately, Thaci's visit did not last long, and passion quickly settled down. A kind of similar action by President Thaci could have been anticipated since at the same time in Pristina, a protest of the

Self-determination movement led by Albin Kurti was held. Self-determination with some other Albanian political groups opposes Hashim Thaci's policy in negotiations with Serbia. His visit to Gazivode Lake was meant to demonstrate his stance on the unity of the state and territory of Kosovo, and remains to see the results of his intention.

Another important topic that dominated Serbia's political life during September was legislative activity in Parliament. It's been like a tradition for a long time that the ruling political group seeks to increase its influence through the legislative sphere in all areas of life, i.e. to increase the degree of its own decision making. On the other side, there are usually experts, professional associations, and opposition parties. There were four legal propositions: the Draft Amendments to the Serbian Constitution in the field of Justice; amendments to the Law on pension and disability insurance; Proposal of the Law on personal data protection and Draft Law on access to information of public importance.

To remind, the Venice Commission unanimously adopted an opinion on the Draft Amendments to the Serbian Constitution in the field of Justice on June 22, 2018. In its opinion the Venice Commission made six remarks and recommended certain corrections, which, for the most part, was in line with the appeals by the lawyers' association. The Ministry of Justice argues that all the proposed remarks have been adopted, while the justice syndicate claims that these changes are cosmetic. Considering the composition of the two highest judicial bodies, the High Council of Judges and the High Council of Prosecutors, it can be concluded that the Ministry of Justice achieve its original intent with some minor changes. Namely, according to the new draft, the High Council of Judges consists of five distinguished lawyers elected by the Parliament and five judges, and decides by a majority of six votes. The High Council of Prosecutors is consists of four prosecutors choosing their colleagues, four distinguished lawyers elected by the Parliament, the Supreme Prosecutor elected by the Parliament and the Ministry of Justice.

The second is amendments to the Law on pension and disability insurance. The subject of these amendments is the abolition of the Law on Temporary Reduction of Pensions and the current system of indexation of pensions. Two things are to be mentioned: first, this Law on Temporary Reduction of Pensions from 2014 has come to the general condemnation of the people and considered as the usurpation of acquired rights; and second, his abolition was proposed by the Government under pressure of International Monetary Fund, which is concealed. On September 29, 2018 this Law was abolished. The discretionary right to reduce and increase pensions by their own estimate given by the Government itself should continue its life through the proposed amendments to the Law on pension and disability insurance. The Fiscal Council and numerous experts have dealt sharp criticisms of a new solution that abolishes the existing formula for adjusting the height of the pension with the rate of inflation and the share of GDP growth. In the future, the Government will decide on the amount of pensions in line with the country's economic potential.

Proposal of the Law on personal data protection was adopted on 24th September, 2018. The adoption of this law was far behind, and the draft was the subject of debate and controversy, with each side maintaining its views.

The Commissioner for information of public importance and personal data protection made certain observations on Draft Law on access to information of public importance, among other, there is a reduced access to information on public companies. The Government has pleaded the proposed solutions to protect the competitiveness of public companies.

It may be mentioned that at the end of September a Draft Resolution on Serbia of the European Parliament was published, repeating the old remarks and making recommendations for their improvement.

Conclusion

The political scene in Serbia is burdened with the problem of solving the Kosovo issue, the process of Eurointegration and harmonization of legislation,

constant pre-election rhetoric and political conflicts. The dominant position of the Serbian Progressive Party ensures political stability and efficient implementation of political and economic decisions. It should be said that many Government's and the President's of Serbia decisions do not depend only on them, and some are brought under pressure. This applies primarily to those issues about which great powers decide.