



**MINORITIES:  
PERMANENT  
OBSTRUCTION  
OF SOCIAL  
AND POLITICAL  
INTEGRATION**



HELSINKI COMMITTEE FOR HUMAN RIGHTS IN SERBIA

## MINORITIES: PERMANENT OBSTRUCTION OF SOCIAL AND POLITICAL INTEGRATION

Publisher: *Helsinki Committee for Human Rights in Serbia*  
Belgrade, 2021.

For the publisher:  
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English translation:  
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Photos:  
*Helsinki Committee for Human Rights in Serbia*

Typesetting and layout:  
*Ivan Hrašovec*

CIP zapis je dostupan u elektronskom katalogu Narodne biblioteke Srbije  
ISBN 978-86-7208-222-7  
COBISS.SR-ID 56153865

**B | T | D** The Balkan Trust  
for Democracy  
A PROJECT OF THE GERMAN MARSHALL FUND

 Norwegian Embassy  
Belgrade

This publication was prepared with financial support from the Balkan Trust for Democracy, a project of the German Marshall Fund of the United States and the Royal Norwegian Embassy in Belgrade. Opinions expressed in this publication do not necessarily represent those of the Royal Norwegian Embassy, the Balkan Trust for Democracy, the German Marshall Fund of the United States, or its partners.

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## **MORE ACTIVE ENGAGEMENT NEEDED FOR INTEGRATION OF MINORITIES**

The position of minorities and their integration into the broader political, economic and cultural community is one of the most important indicators of the level of democracy in a society. It is not enough to merely have insight into how elections are conducted or what their outcome is, because insight into how governments treat minorities is much more important: the more protected they are, the greater the degree of democracy in a society.

Serbia is far from the standard in which minorities are treated as equal citizens. In recent years, there has been a tendency towards strengthening ethnocentric policies, a well-organized right, racism, violence against minorities, xenophobia, as well as developing mechanisms for indirect discrimination against minorities. The economic crisis – which always primarily affects marginalized ethnic groups, migrants and new minorities – is also an important factor.

The multi-layered civic identity has been suppressed, as indicated by the Ljubljana Guidelines: “To support the integration process, States should adopt policies that aim to create a society in which diversity is respected and everyone, including all members of ethnic, linguistic, cultural or religious groups, contributes to building and maintaining a common and inclusive civic identity. This is achieved by securing equal opportunities for all to contribute to and benefit from the polity.”

During the 1990s, the Council of Europe adopted the Framework Convention for the Protection of National Minorities, the signing of which became a the main condition for countries in the region to join the Council of Europe. The international presence in the region has significantly influenced its pacification and stabilization, as well as the adoption of all relevant documents dealing with the issue of minorities.

Serbia's official commitment is towards gaining EU membership, which has contributed to the adoption of a Constitution that guarantees the rights of national minorities, as well as the ratification of international treaties and passing of laws that regulate the status of minorities; in addition, numerous legal acts have been adopted at the level of local governments. Thus, an extensive catalog of the rights of minority communities was established.

However, for the successful implementation of minority policies, apart from the normative part, what is most important is the efficient functioning of institutions (judiciary, independent bodies). Political will is extremely important, especially considering the legacy of the 1990s, which remains a burden for relations in the region, but also within Serbia itself. The consequences of the wars and the creation of nation-states left lasting consequences on the position of all minorities in the region, especially those newly created by the break-up of Yugoslavia.

This means that it is necessary to constantly promote national identities and differences within the framework of minority policy institutions. An active relationship between state institutions, civil society, and the international organizations OSCE and Council of Europe is also needed.

Decentralization and strengthening of local and regional self-government would both *de facto* and *de jure* enhance the possibilities of minorities to exercise their rights. Institutions such as the Ombudsman (i.e. Protector of Citizens), parliamentary interpellation, parliamentary inquiry committees, police and army oversight by parliamentary working bodies, new electoral laws and territorial

division into constituencies, laws on education and schooling, official language and minority languages, media and information, state symbols and many other issues are related with the position and life of minorities and the exercise of their rights.

Unfortunately, apart from a declarative will, Serbia does not have a comprehensive strategy for the integration of minorities.

It can be concluded that the Serbian government is maneuvering between the integration of national minorities into the political system and their segregation. Segregational multiculturalism maintains ethnic distance, without achieving greater integration. It is a type of multiculturalism that does not establish bridges or cooperation between ethno-cultural groups. Minorities agree to this position, because it still represents progress compared to the previous period.

When it comes to larger minorities, especially Hungarians and Bosniaks, the government mobilizes them through a “stick and carrot” policy, but in essence, this encourages segregation. Smaller minorities are facing assimilation pressures. They are corrupted through the financial and human resources provided for national councils of national minorities.

However, the Roma population should be singled out. Despite decades of Roma inclusion, they have remained on the margins of society, not just in Serbia. In order to take steps forward regarding their issue, the state should engage in creating an atmosphere of “understanding the problems of the Roma population”, which would establish a social and economic basis for improving the position of Roma.

Since its establishment, the Helsinki Committee has been monitoring the position of minorities, and based on recent research, it considers it necessary to point out the deteriorating situation and lack of political will to address minority issues in the right way, particularly when it comes to Southern Serbia and Sandžak.

At the Roundtable, where the analysis “Representation of National Minorities in Political Institutions: Recommendations for

Amending Electoral Legislation” was discussed together with representatives of all minority communities, it was concluded that it was necessary to change the election law to increase minority representation. This includes regulating the conditions for the registration of minority parties, as well as for the registration of their electoral lists.

Meanwhile, minority communities and their representatives have become important factors and advocates of the democratization of society. Currently, the only real opposition bloc in the Serbian National Assembly is the bloc of Albanian and Bosniak representatives. The Helsinki Committee supports their request to also revise the Action Plan, because it has not met their expectations. It should be adapted to the new reality in the field, including the necessary and extensive consultations with minorities, in order to take into account their proposals and suggestions.



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# **REPRESENTATION OF NATIONAL MINORITIES IN POLITICAL INSTITUTIONS: RECOMMENDATIONS FOR AMENDING ELECTORAL LEGISLATION**

## **INTRODUCTION**

The right to equal participation in public life is an important step towards achieving equality for persons belonging to national minorities and preserving their identity. This right includes the possibility of establishing political parties of national minorities, representation in political institutions at both the national and local levels and the possibility of influencing decision-making.

Immediately after the introduction of a multi-party system, political parties of national minorities started being established in Serbia, and after the democratic transition of 2000, Serbia adopted laws guaranteeing the protection of national minority rights and the inclusion of minorities in public life. Despite inclusive legislation and affirmative action measures encouraging the representation of minority parties in political institutions, the issue of equal presence of minorities in Serbia's public life remains relevant today,

20 years after the transition to democracy. Requests for amendments to the law regulating the representation of minorities in the National Assembly as well as local self-governments come from multiple fronts (see Table 1).

First, the institutional solutions currently in place have not contributed to a reduction of discrimination or ethnic distance, nor have members of national minorities become more integrated into society.<sup>1</sup> Serbia remains an ethno-nationalist state in which members of national minorities are structurally discriminated against. The state and state institutions are defined and dominated by the majority ethnic group, while the constitutionally guaranteed rights of minorities are used as a false front for ethnocentrism – meaning cultural, political and economic favoritism towards the ethnic majority group. Instead of strengthening social cohesion, separate and parallel ethnic domains are being developed and strengthened, and ethnic differences are being deepened. Research shows a high degree of ethnic distance towards and discrimination against minorities, especially Albanians, Roma, Bosniaks and Croats.<sup>2</sup>

Second, smaller minority communities such as the Croatian minority emphasize demands for changes in the law, pointing out that proportional representation has still not been ensured and that not all national minorities have equal access to public institutions.

Third, the Advisory Committee on the Framework Convention for the Protection of National Minorities has requested in its opinions that Serbia amend existing regulations in order to reduce misuses and more effectively include smaller national minorities in

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- 1 Goran Bašić *et al.* (2020). *Istraživanje socijalnih odnosa između etničkih zajednica u Srbiji*. Belgrade: Ethnicity Research Centre and Institute of Social Sciences.
  - 2 CESID (2012). *Odnos građana prema diskriminaciji u Srbiji*. CESID research with aid from the UNDP office, for the needs of the Commissioner for the Protection of Equality; CeSID (2016). *Javno mnenje Srbije: Politička i društvena situacija u Srbiji*. Belgrade, CeSID, USAID; Goran Bašić, *et al.* (2020). *Istraživanje socijalnih odnosa između etničkih zajednica u Srbiji*. Belgrade: Ethnicity Research Centre and Institute of Social Sciences.

representative institutions at the national level.<sup>3</sup> By ratifying the Council of Europe's Framework Convention for the Protection of National Minorities in 2001, Serbia assumed responsibility for ensuring equal participation of national minorities in political life.

Fourth, the adoption of the Advisory Committee's recommendations has also been requested from Serbia by the European Union.<sup>4</sup> The issue of political representation of national minorities is part of Negotiation Chapter 23 (Judiciary and Fundamental Rights). In line with its commitments, Serbia has developed the Action Plan for the Exercise of the Rights of National Minorities, which addresses, inter alia, the issue of Democratic Participation (Chapter 7) and puts forward as a strategic goal the development of effective mechanisms for democratic participation of national minorities in order to "avoid the misuse of more flexible provisions on national minority parties, and ensure more efficient participation of small national minorities in electoral bodies at all levels".<sup>5</sup> All this shows that state institutions have also recognized the need to change regulations governing minority representation

Fifth, part of Serbia's international obligations are bilateral agreements with neighboring countries, such as those with Croatia and Romania, through which it has committed to enabling the participation of minorities in political life. The realization of the obligations assumed by these agreements is important both because of the relations with neighboring countries, and because of the future of European integrations. Thus, in the agreement between Serbia

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3 Advisory Committee on the Framework Convention for the Protection of National Minorities (2019). Fourth Opinion on Serbia adopted on 26 June, 2019. Council of Europe, ACFC/OP/ IV (2019)001

4 Screening report Serbia: Chapter 23 – Judiciary and fundamental rights, 2013. Available at: <https://www.mei.gov.rs/srl/dokumenta/nacionalna-dokumenta/skrining/izvestaji-i-rezultati-skrininga/izvestaji-sa-skrininga> (Accessed: 30 November 2020).

5 Action plan for exercising of the rights of national minorities, 2016. Available at: [www.ljudskaprava.gov.rs/sites/default/files/prilog\\_fajl/akcioni\\_plan\\_za\\_sprovodjenje\\_prava\\_nacionalnih\\_manjina\\_-\\_sa\\_semaforom.pdf](http://www.ljudskaprava.gov.rs/sites/default/files/prilog_fajl/akcioni_plan_za_sprovodjenje_prava_nacionalnih_manjina_-_sa_semaforom.pdf) (Accessed: 18 January 2021), p. 53.

and Montenegro and the Croatian state, the signatory states undertook to ensure by their internal legislation “representation of national minorities in representative and executive bodies at the local level, representation in representative bodies at the provincial, republic and state union level in Serbia and Montenegro, i.e. at the regional and national level in the Republic of Croatia”.<sup>6</sup> In the agreement with Romania, the signatory states undertook to ensure the participation of national minorities “in decision-making related to issues important for national minorities at the state, regional and local levels”.<sup>7</sup> Both Croatia and Romania demand the implementation of these agreements, and as members of the European Union, they will use their position to insist that Serbia implement the obligations it undertook.

Sixth, changes to the Constitution are expected, and changes to the electoral system are also possible. Even if they do not directly involve national minorities, these changes will undoubtedly affect minority representation. It is therefore important to point out the advantages and disadvantages of various electoral models and to advocate those that enable the equal inclusion of national minorities.

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6 Law on Ratification of the Agreement between Serbia and Montenegro and the Republic of Croatia on the Protection of Rights of Serbian and Montenegrin Minorities in the Republic of Croatia and Croatian Minorities in Serbia and Montenegro, “Official Gazette of Serbia and Montenegro” – International Agreements, no. 3/2005, Article 9.

7 Law on Ratification of the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of Romania on Cooperation in the Field of Protection of National Minorities, “Official Gazette of Serbia and Montenegro” – International Agreements, no. 14/2004, Article 7.

**TABLE 1: REASONS FOR AMENDMENTS TO ELECTION LAWS  
REGULATING THE POLITICAL REPRESENTATION OF  
MINORITIES**

1.	Existing institutional solutions do not encourage the reduction of ethnic differences.
2.	Not all national minorities have equal access to public institutions.
3.	Amendments to existing regulations in order to reduce misuse and make the inclusion of smaller national minorities more effective are a request of the Advisory Committee on the Framework Convention for the Protection of National Minorities.
4.	In the EU accession process, Serbia has also committed itself to amending the regulations governing the representation of minorities (Negotiation Chapter 23).
5.	These changes are also necessary in order to implement obligations from bilateral agreements concluded thus far with countries such as Croatia and Romania.
6.	The expected changes to the Constitution, and possibly to the electoral system, require consideration of mechanisms for more equal representation of minorities.

Through an analysis of election results at national and local levels, this publication looks into existing legal solutions related to the representation of national minorities in the National Assembly of the Republic of Serbia and local assemblies in order to determine their advantages and disadvantages. The second part of the publication analyzes the provisions of election laws related to parliamentary representation of minorities in Central and Eastern Europe in order to offer recommendations for changes to existing legal rules in Serbia that directly affect the representation of national minorities in representative institutions.

## LITERATURE OVERVIEW: GOALS AND CONSEQUENCES OF VARIOUS INSTITUTIONAL SOLUTIONS

In literature, political representation is often reduced to representation, meaning actions aimed at achieving the interests of voters. Since the 1990s, however, representation theorists have pointed out the shortcomings of this approach. One of the arguments against it is the neglect of the importance of the identity and experiences of representatives, particularly referring to structurally discriminated or marginalized groups. Marginalized groups include all groups for which social and political inequality is historically structured along the lines of group membership, for which group membership is not perceived as voluntary or changeable, and for which group identity has negative connotations.<sup>8</sup> The experience of marginalized groups shows that in addition to the actions of political representatives, who the representative is can sometimes be of equal importance.

In ethnically divided and post-conflict societies, members of the ethnic majority will most often not talk about minority issues or represent their specific interests. It then becomes necessary to include members of national minorities, in order to hear what is important to members of minority groups. On the other hand, even when they wish to speak on behalf of national minorities, representatives who do not themselves have a minority background do not necessarily know what problems members of minorities face. Finally, the presence of members of minority groups in public life sends a strong symbolic message to other members of the group, but also to the society as a whole. The ethnic composition of parliament sends a message about who the state belongs to, about who should and who can be involved in politics. Open communication and cooperation between representatives of majority and minority groups can set a

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8 Melissa S. Williams (1998). *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation*. Princeton, N.J.; Chichester, Princeton University Press, p. 15–16.

good example for citizens and contribute to reducing ethnic distance in society, as well as accepting others.

As structurally discriminated groups are most often excluded from public life, certain institutional measures are necessary to remedy injustices. Experience has shown that individual rights are not sufficient to undo the pervasive structural discrimination which such groups are often exposed to, which is why the prevailing view in the literature on minority representation is that recognition of cultural particularities is desirable as a means of “redressing domination or unjust deprivation”.<sup>9</sup> Therefore, in addition to anti-discrimination policies, affirmative action measures such as a guaranteed proportional representation in public institutions are recommended, at least as a temporary solution.<sup>10</sup>

The issue of minority representation can also be approached from the perspective of peace and security. Ethnic wars in the former Yugoslavia have contributed to affirmative action being accepted as a means for preventing conflict. With this in mind, the Lund Recommendations were formulated in 1999 under the auspices of the OSCE in order to ensure the effective participation of national minorities in state governance.<sup>11</sup> With this document, it is suggested to OSCE members that in order to alleviate ethnic tensions, they

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- 9 Iris M. Young (2000). *Inclusion and democracy*. Oxford; New York, Oxford University Press, p. 83.
- 10 Karen Bird (2011). Patterns of substantive representation among visible minority MPs: Evidence from Canada’s House of Commons. In: *The Political Representation of Immigrants and Minorities: Voters, parties and parliaments in liberal democracies* (edited by K. Bird, T. Saalfeld and A. M. Wüst). New York, Routledge/ ECRP Studies in European Political Science, p. 207–230; Michael D. Minta and Valeria Sinclair-Chapman (2013). “Diversity in Political Institutions and Congressional Responsiveness to Minority Interests.” *Political Research Quarterly* 66(1), p. 127–140.
- 11 OSCE (1999). The Lund Recommendations on the Effective Participation of National Minorities in Public Life & Explanatory Note, Belgrade: OSCE Mission to Serbia. Also: OSCE (2012). Ljubljana Guidelines on Integration of Diverse Societies. Belgrade: OSCE Mission to Serbia, p. 54–55.

need to adopt affirmative action measures that will ensure not only greater representation of minorities, but also their influence on decision-making at all levels of government.

These measures may include various forms of territorial or non-territorial autonomy, quotas, redistribution of constituencies, lowering the electoral threshold, as well as providing more favorable conditions for the registration and financing of minority political parties. As this paper focuses on the representation of minorities in the legislative branch of government, i.e. national and local assemblies, I will focus here on the measures that contribute to this.

Quotas in the political process can be introduced at several levels. First, “contender quotas” are possible in a narrow circle of potential candidates, among whom candidates are elected within the party. However, although these quotas guarantee that members of national minorities will be included in the shortlist of potential candidates, party bodies are ultimately not obliged to include potential minority candidates on the electoral list. In deeply divided societies, there is a good chance that this measure would not bring about any change towards better representation of minorities. The second level consists of quotas for candidates that determine what percentage of members of a particular minority group must be on the electoral list of each political party. These quotas can be binding, i.e. legal, or voluntary. Legal quotas are quotas that are introduced either by the constitution or a specific law, usually through an election law or in the laws on political parties in countries where there are laws regulating the work of political parties. Legal quotas are binding for all political parties and may include a sanction for non-compliance. Voluntary party quotas are formal measures introduced by individual political parties.<sup>12</sup> The advantage of quotas determining the participation of minority candidates on electoral lists is that they encourage the development of multiethnic parties, but

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12 Druge Dahlerup, and Lenita Freidenvall (2009), “Gender Quotas in Politics – A Constitutional Challenge”. In: *Constituting Equality: Gender Equality and Comparative Constitutional Law* (edited by Susan H. Williams). Cambridge, Cambridge University Press, p. 32.



the disadvantage is that minority candidates owe their selection more to the majority/civic party that put them on the list than to minority voters. Therefore, there is a great chance that the representatives elected in this way will be guided more by party discipline than by the preferences of minority voters. The third level consists of reserved seats that regulate the minimum number of minority representatives that must be elected.<sup>13</sup> Reserved seats guarantee a certain number of minority representatives in parliament, regardless of voter turnout, intra-group pluralism or type of electoral system. On the other hand, responsibility is also called into question here in case there is no condition for contenders having to win a certain percentage of the minority vote for the reserved seat. Reserved seats also encourage the ethnicization of politics, which can contribute to maintaining and even increasing ethnic distances.

In addition to quotas, a common measure aimed at increasing minority representation is lowering electoral thresholds for minority parties, since they find it difficult to reach the usual electoral threshold due to their size and geographical distribution. Unlike reserved seats, this measure requires the mobilization of minority voters, and thus encourages communication and responsibility, i.e. accountability to voters. However, ethnic identity is a key basis for political action in this case as well. When institutional solutions encourage political action through ethnic parties, there are fewer incentives to form multiethnic or civic parties, which would appeal to both majority and minority voters. As the promotion of intercultural dialogue and prevention of dividing society into majorities and minorities is among the goals to which Council of Europe member states have committed to,<sup>14</sup> it is important to not only ensure the representation of national minorities, but also take into account measures that contribute to the reconciliation and integration of minorities instead of strengthening ethnic divisions.

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13 Ibid, p. 32–33.

14 Council of Europe (2008). White Paper on Intercultural Dialogue, Council of Europe.

In addition to the aforementioned affirmative action measures, minority representation could also be facilitated by reducing the number of signatures required for the registration of a minority party, relief measures for financing minority parties from public sources, and reducing the number of signatures required for putting forward a candidate electoral list.<sup>15</sup>

Finally, changes to the electoral system can also be seen as affirmative action when carried out with the aim of greater inclusion of national minorities. Such measures could include the adoption of a proportional representation electoral system (PR) with a small number of constituencies, as the proportional system is considered more conducive to the representation of different groups and allows for an image of greater social pluralism in parliament.<sup>16</sup> For example, Shugart points out that the PR system encourages the establishment of multi-party systems and enables minorities to become politically active through their parties if they wish to do so, without penalization through election results.<sup>17</sup> PR with larger constituencies is particularly suitable for the inclusion of minorities that are not territorially concentrated in a smaller territory. If combined with lowering the electoral threshold, it can enable smaller minorities to have their own representatives in parliament. A PR system with large and small constituencies can also encourage the formation of multiethnic parties, as it is estimated that in larger constituencies, majority parties benefit from including representatives of different social groups on their electoral lists. As the number of representatives elected in the

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15 Jelena Lončar (2011). "Predstavljenost manjina i marginalizovanih grupa u parlamentu Srbije". In: *Partije i izbori u Srbiji: 20 godina* (ed. Slaviša Orlović). Belgrade, Friedrich-Ebert-Stiftung, Faculty of Political Sciences, p. 357.

16 Arendt Lijphart (2004). "Constitutional Design for Divided Societies". *Journal of Democracy* 15(2), p. 96–109.

17 Matthew S. Shugart (1994). "Minorities Represented and Underrepresented". In: *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities*. Wilma Rule and Joseph F. Zimmerman. Westport, London, Greenwood Press, p. 35.

constituency decreases, so do the odds of parties nominating members of minority groups. In such situations, the parties will most often opt for members of the majority ethnic group, who are also men, more educated, and heterosexual.

However, when it comes to territorially concentrated minorities, in multi-member constituencies there is a possibility that minority votes are scattered, thus reducing the number of elected minority representatives.<sup>18</sup> Pajvančić also believes that territorially concentrated minorities prefer a majority electoral system, or a PR with smaller constituencies, while territorially scattered minorities prefer larger constituencies.<sup>19</sup> When it comes to political parties of national minorities, it can be much more difficult for representatives of smaller minority groups to reach the minimum number of votes required to pass the threshold in proportional than in majority electoral systems.<sup>20</sup> Therefore, majority or other single-member electoral systems can provide greater minority representation, assuming that the boundaries of constituencies are not drawn so as to deliberately prevent the election of minority representatives. On the other hand, minority parties that win seats in majority systems can rarely hope to participate in government because the government is usually formed by one majority party.<sup>21</sup> In addition, research shows that, despite allowing for the inclusion of smaller and territorially concentrated minorities, the majority system can encourage ethnic radicalism

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18 Claudine Gay (2001). "The Effect of Black Congressional Representation on Political Participation". *American Political Science Review* 95(3):, p. 589–602.

19 Marijana Pajvančić (2015). "Reprezentovanje žena i nacionalnih manjina u skupštinama lokalnih zajednica". *Polis Časopis za javnu politiku* 9, p. 53.

20 Daniel Bochsler (2010). "Electoral Rules and the Representation of Ethnic Minorities in Post-Communist Democracies.", *European Yearbook of Minority Issues* 2007/8 7, p. 153–180.

21 Rein Taagepera (1994). "Beating the Law of Minority Attrition". In: *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities* (edited by Wilma Rule and Joseph Zimmerman F. Westport, ), Greenwood Press, p. 235–245.

and further marginalization of minorities.<sup>22</sup> In multi-ethnic environments, voters belonging to the majority ethnicity may vote for radical parties that guarantee the preservation of a dominant majority position. In representative institutions, several minority representatives are included, but as the voters of the majority nationality distance themselves from moderate politicians, the majority in the institution is made up of nationalist and radically oriented politicians.<sup>23</sup> This further radicalizes the political arena and deepens hostilities. One of the negative consequences of the majority electoral system could be the complete exclusion of women belonging to minority groups from representative institutions, which can be prevented in proportional electoral systems through the introduction of gender quotas.

When it comes to minority representation, it can be concluded that proportional models are better compared to majority ones. However, authors from the centripetalist school of thought believe that PR does not contribute to ethnic reconciliation either, because it encourages the creation of ethnic parties and the strengthening of ethnic divisions.<sup>24</sup> According to Horowitz, a party system formed around ethnic lines strengthens ethnic conflicts because it does not achieve a more moderate approach to ethnic issues.<sup>25</sup> This group of authors recommends preferential electoral models in multiethnic

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22 Daniel Bochsler (2018). *Izborna takmičenje ili etničko predstavljanje? Političke stranke i etničke podele u Centralnoj i Istočnoj Evropi*. Belgrade, Institute for Political Studies, p. 99–129.

23 Carol M. Swain (1993). *Black Faces, Black Interests: The Representation of African Americans in Congress*. Cambridge, Massachusetts, London, Harvard University Press; David I. Lublin (1997). *Paradox of Representation: Gerrymandering and Minority Interests in Congress*. Princeton, Princeton University Press; Claudine Gay (2001). "The Effect of Black Congressional Representation on Political Participation", op. cit.

24 David L. Horowitz (2003). "Electoral Systems: A Primer for Decision Makers." *Journal of Democracy* 14(4), p. 115–127; Ben Reilly (2012). *Centripetalism: Cooperation, Accommodation and Integration. Conflict Management in Divided Societies: Theories and Practice*. S. Wolff and C. Yakinthou. London, New York, Routledge, p. 57–66.

25 David Horowitz, D. L. (1985). *Ethnic groups in conflict*. Berkeley, California University Press, p. 346.

environments, which would stimulate the establishment of civic parties more prone to compromise and reconciliation.

However, the question is: in societies where politics is already constructed around ethnicity, could one expect political actors to agree to drastic electoral system changes that would also affect their positions? Therefore, the social, historical and political context cannot be neglected when designing an electoral system. Bearing in mind the analyses of different institutional solutions presented here, the remainder of this paper focuses on the context of Serbia – features and consequences of current solutions, requirements of minority groups, and accordingly offers proposals for potential improvements of institutional design.

## **LEGAL FRAMEWORK FOR POLITICAL REPRESENTATION OF MINORITIES IN SERBIA**

In Serbia, the Law on the Protection of Rights and Freedoms of National Minorities (2002) defines a national minority as a group of citizens representative in terms of its size, with lasting and firm ties with the territory of the state “and the characteristics of which, such as those relating to language, culture, national or ethnic affiliation, descent or religion, make them different from the majority population, and the members of which are characterized by concern for the collective preservation of their common identity, including culture, traditions, language or religion”.<sup>26</sup> Such a broad and open definition allows even groups with less than 2,000 members, such as Egyptians, Ashkali, Jews, or Czechs, to enjoy the same individual and collective rights as more numerous minority groups.<sup>27</sup> Serbia’s popu-

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26 Law on the Protection of Rights and Freedoms of National Minorities (2002). Official Gazette of the Federal Republic of Yugoslavia no. 11/2002, Official Gazette of the Republic of Serbia no. 72/2009 – state law, 97/2013 – decision of the Constitutional Court 47/2018, Article 2.

27 Statistical Office of the Republic of Serbia (2012). National affiliation. Census of Population, Households and Dwellings in 2011 in the Republic of Serbia. Belgrade, Statistical Office of the Republic of Serbia.

lation is ethnically diverse, but minority groups make up a relatively small percentage of the total population. The most numerous group are Hungarians with 3.53% of the total population, followed by Roma (2.05%) and Bosniaks (2.02%). The remaining twenty minority groups make up less than 1% of the total population individually, i.e. altogether 5.29% of the total population.<sup>28</sup> Data from the latest census provide a clear framework for the ethnic diversity of society, but still cannot be considered a precise indicator because: 1) the census was boycotted by members of the Bosniak (in small numbers) and Albanian (in large numbers) national minorities,<sup>29</sup> 2) unofficial data show that there are up to 5–6 times more Roma in Serbia than official data show,<sup>30</sup> 3) there is no data on the ethnicity of 3.37% of the census population.<sup>31</sup>

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28 Ibid.

29 As reasons for the boycott, representatives of the Albanian national minority and some Bosniak representatives pointed out their dissatisfaction with the fact that the forms were printed in Serbian, that enumerators were mostly Serbs and suspicions of potential falsification of census results. In addition, Albanian representatives cited as an additional reason the inability to enumerate residents of Prešev, Bujanovac and Medveđa who moved to Kosovo after the war or were temporarily working in Western European countries. As members of the Albanian national minority responded to the call for a boycott, only 5,809 Albanians (0.08% of the total population) were enumerated, while the 2001 census enumerated 61,647 Albanians (0.82% of the population). On the other hand, it seems that members of the Bosniak minority mostly participated in the census, so data from 2011 show that Bosniaks make up 2.02% of the population in Serbia, while in 2001 that percentage was 1.81%.

30 A certain percentage of Roma declare themselves as members of the majority community due to fear of discrimination, and there are suspicions that enumerators did not include all Roma settlements, while in others, partly due to language barriers, not all residents were enumerated (Tamara Tančić (2020). *Etnička mimikrija Roma – Sloboda ili štit*. Istinomer, 19 October, 2020. Available at: <https://www.istinomer.rs/analize/etnicka-mimikrija-roma-sloboda-ili-stit/> (Accessed: 18 January 2021).

31 They did not declare themselves or their nationality is unknown. In addition to them, another 0.24% of the population is in the "others" group, while 0.43% expressed regional affiliation.

The Constitution guarantees special protection to national minorities for the purpose of exercising full equality and preserving their identity.<sup>32</sup> In addition to individual rights, the Constitution guarantees members of national minorities additional group rights in order to preserve their specificity. Minorities are also given cultural autonomy, i.e. the right to establish national councils – institutions of non-territorial autonomy through which minorities exercise the right to self-governance in the field of culture, education, information and official use of their language and script.<sup>33</sup> There are 22 national councils of national minorities in Serbia.

The need for these guarantees stems from the political, economic and social marginalization of persons belonging to national minorities during the 1990s and deep interethnic mistrust in society. Broad guarantees of minority rights and cultural autonomy were expected to contribute to minority integration and reducing intolerance. However, although cultural autonomy has enabled minorities to make independent decisions on issues relevant to the preservation of minority identities, in all other areas the position of members of minorities remains unequal.

When it comes to political representation, the Constitution guarantees national minorities equality in administering public affairs,<sup>34</sup> representation in the National Assembly,<sup>35</sup> as well as proportional representation in autonomous provinces and local self-government units where members of national minorities live.<sup>36</sup> The Law on the Protection of Rights and Freedoms of National Minorities stipulates that “the Republic of Serbia shall ensure conditions for efficient participation of the members of the national minorities in the political life, the representation of the representatives of the national minor-

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32 Constitution of The Republic of Serbia (2006). Official Gazette of the Republic of Serbia 98/2006, Article 14.

33 Ibid, Article 75, paragraph 3.

34 Ibid, Article 77.

35 Ibid, Article 100.

36 Ibid, Article 180.

ities in the National Assembly and proportionate representation of the national minorities in the assemblies of the autonomous provinces and local self-government units, in conformity with the law”.<sup>37</sup> These guarantees are regulated in more detail by the Law on Political Parties, the Law on the Election of Members of Parliament and the Law on Local Elections.

The Law on Political Parties enables the establishment of political parties of national minorities and provides more favorable conditions for their registration in relation to the requirements it sets for non-minority parties. The law defines minority parties as parties whose activities are “specifically aimed at representing the interests of a national minority and protecting and promoting the rights of members of that national minority in accordance with the constitution, law and international standards, regulated by the founding act, program and statute of the political party”.<sup>38</sup> This definition determines party activity, but does not lay down conditions regarding the ethnic identity of the party’s founders or members. In addition, only 1,000 signatures are needed to establish a party, so in Serbia, as many as 69 out of 115 parties are political parties of national minorities.<sup>39</sup> These parties represent 16 different national minorities. The greatest pluralism is present in the field of representation of the Bosniak minority: as many as 11 political parties present themselves as representatives of Bosniaks. The large number of minority parties in itself is indicative of great politicization of ethnicity.

Such a large number of parties also suggests that the conditions for the registration of minority parties are favorable, and their action profitable. The legislator did not stipulate that the party’s name

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37 Law on the Protection of Rights and Freedoms of National Minorities, *op. cit.*, Article 4, paragraph 4.

38 Law on Political Parties, Official Gazette of the Republic of Serbia no. 36/2009 and 61/2015 – decision of the Constitutional Court, Article 3.

39 Ministry of Public Administration and Local Self-Government (2020). Excerpt from the Register of Political Parties. Updated on 19 November, 2020. Available at: [mduls.gov.rs/wp-content/uploads/IZVOD-IZ-REGISTRA-19112020.pdf?script=lat](https://mduls.gov.rs/wp-content/uploads/IZVOD-IZ-REGISTRA-19112020.pdf?script=lat) (Accessed: 18 December 2020).



states which national minority it represents, so there are parties in Serbia, such as the Green Party of Serbia, the Green Party, War Veterans for Serbia or Strong Serbia, that are registered as Slovak national minority parties, although it is difficult to establish what their connection is with the Slovak minority. The European Green Party also claims to represent a national minority – the Russian one; Serbia in the East presents itself as a Vlach party, while the Republican Party enjoys the privileges of a party representing the Hungarian national minority. Even the smallest minorities, such as the Russian one, have seen an increase in self-proclaimed representatives in recent years. As many as 7 political parties claim to represent slightly more than 3,000 Russians in Serbia, which is a clear indicator of the growing abuse of facilitations intended for national minorities. The analysis of the election results in the next part of this paper will show even more clearly the numerous attempts to abuse the more favorable conditions for the registration of minority parties (the so-called ethno-business).

In addition to more favorable conditions for party registration, a lower electoral threshold has been in place for minority parties since 2004, in both parliamentary and local elections. The adoption of affirmative action measures was preceded by several amendments to election laws.

TABLE 2: **CHARACTERISTICS OF THE ELECTORAL SYSTEM IN SERBIA 1990–2020: PARLIAMENTARY ELECTIONS**

YEAR OF ELECTIONS	CHARACTERISTICS OF THE ELECTORAL SYSTEM
1990	two-round majority electoral system with single-member constituencies
1992	proportional system, 9 constituencies, D'Hondt method for allocating seats, 5% electoral threshold
1993	
1997	proportional system, 29 constituencies, D'Hondt method for allocating seats, 5% electoral threshold
2000	proportional system, 1 constituency, D'Hondt method for allocating seats, 5% electoral threshold
2003	
2007	
2008	proportional system, 1 constituency, D'Hondt method for allocating seats, 5% electoral threshold, natural electoral threshold for political parties of national minorities
2012	
2014	
2016	
2020	proportional system, 1 constituency, D'Hondt method for allocating seats, 3% electoral threshold, corrected natural electoral threshold for political parties of national minorities (increase of quotients by 35%)

In the 1990 parliamentary elections, a two-round majority electoral system with single-member constituencies was applied (see Table 2). Starting from the following elections, a proportional system was implemented, along with the D'Hondt method for the distribution of seats and an electoral threshold of 5%, which was maintained until 2020. However, the number of constituencies changed from 9 in the 1992 and 1993 elections, to 29 in the 1997 elections, and to one constituency from 2000 onwards. The electoral threshold was 5% until 2020 when it was lowered to 3%. However, more favorable conditions for political parties of national minorities to win seats have been in force since 2004.

The Law on Amendments to the Law on the Election of Members of Parliament in 2004 introduced a “natural” electoral threshold as a measure of affirmative action for lists of national minorities.<sup>40</sup> Article 81 of this law stipulates: “Political parties of ethnic minorities and coalitions of political parties of ethnic minorities shall participate in distribution of seats even if they won less than 5% of votes out of the total number of voters who have voted.” In order to win a seat, the number of votes for minority parties should be equal to the number of citizens who voted in the elections for the majority lists that passed the threshold and the minority lists divided by the total number of parliamentary seats (250).<sup>41</sup> However, the amendments to the law did not envisage a reduction in the number of signatures necessary for the candidature of minority lists, so minority parties, like other political parties, continue to submit 10,000 signatures of citizens along with their electoral list.<sup>42</sup> The same amendments to the election law introduced a gender quota that also applies to minority electoral lists, which is of particular importance, because in undemocratic societies with an authoritarian political culture, women belonging to national minorities are often doubly discriminated against.

In February 2020, amendments to the Law on the Election of Members of Parliament,<sup>43</sup> at the proposal of the Alliance of Vojvodina Hungarians (SVM), changed the natural threshold so that during

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40 Law on Amendments and Modifications of the Law on the Election of Members of Parliament, Official Gazette of the Republic of Serbia, no. 18/04.

41 This solution essentially means that in situations where there are a lot of “wasted” votes, i.e. votes for lists that do not pass the threshold, the number of votes needed by minority lists to win a seat is reduced.

42 Prior to the 2007 parliamentary elections, the Republic Electoral Commission (RIK) ruled that 3,000 signatures were enough for national minority parties to participate in the elections, but the Constitutional Court suspended this decision with the explanation that making a decision that contradicts the existing legislation is not within RIK’s jurisdiction.

43 Law on Amendments and Modifications of the Law on the Election of Members of Parliament, no. 12/2020, Article 1, paragraph 2.

the distribution of seats, the quotients of all electoral lists of political parties of national minorities were increased by 35%.<sup>44</sup> The adopted correction of the natural threshold neutralizes the potential effects of the reduced electoral threshold for civic/majority electoral lists from 5% to 3%. Despite these changes, the condition remains that 10,000 signatures are still needed to for a minority list to be in the running. As this condition significantly complicates the candidacy of parties of smaller minorities, additional affirmative action measures have improved the capabilities of the largest and best organized minorities (Hungarian, Bosniak and Albanian), but have had no effect on the representation of smaller minorities.

The latest amendments to election laws bring another novelty aimed at reducing the possibility of abusing affirmative action measures for minority parties, which is a result of the extremely liberal conditions related to the registration of minority parties. The Republic Electoral Commission (RIK) has been authorized to determine whether a minority electoral list's "main objective is to represent and advocate interests of an ethnic minority and to protect and improve the rights of members of ethnic minorities, in accordance with standards set forth by international law".<sup>45</sup> When deciding, RIK may request the opinion of the national council of the national minority.<sup>46</sup> The downside of this solution, despite the justification of its intention, is reflected in the fact that there are no criteria on the basis of which RIK should decide on this matter, and one could ask

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44 Already during the parliamentary debate itself, the question of the constitutionality of this decision arose, i.e. the violation of the principle of equality of votes. As the quotient is calculated by dividing the number of votes won by numbers between 1 and 250, this solution indirectly increases the value of votes given to the minority list in relation to the value of votes given to other lists. Despite these objections, amendments to the law were adopted in 2020 and this solution was applied in both parliamentary and local elections.

45 Law on Amendments and Modifications of the Law on the Election of Members of Parliament, no. 12/2020, Article 1, paragraph 3.

46 Ibid, Article 1, paragraph 4.

whether RIK has the legal right to re-examine the identity of a party that has already been registered as a minority party.

TABLE 3: **ELECTORAL SYSTEM IN SERBIA 1990–2020:  
LOCAL ELECTIONS**

YEAR OF ELECTIONS	CHARACTERISTICS OF THE ELECTORAL SYSTEM
1992	Two-round majority electoral system with single-member constituencies
1996	
2000	Single-round majority system
2004	Proportional, 1 constituency, Hare-Niemeyer method, 3% electoral threshold
2008	Proportional, 1 constituency, D'Hondt method, 5% electoral threshold, natural electoral threshold for national minority political parties
2012	
2016	
2020	Proportional, 1 constituency, D'Hondt method, 3% electoral threshold, corrected natural electoral threshold for national minority political parties (quotient increased by 35% except for minority lists exceeding the 3% threshold)

The first and second local elections after the introduction of a multi-party system were held in 1992 and 1996, in accordance with the same rules as the first parliamentary elections: a two-round majority electoral system with single-member constituencies (see Table 3). The majority system was retained for the 2000 local elections, albeit with a relative majority in a single round. Since 2004, the proportional system has been implemented, first using the Hare-Niemeyer method and a 3% electoral threshold, and from the following elections in 2008, the rules for holding local elections were harmonized with the electoral system applied at the national level. The corrected natural electoral threshold, which was adopted in 2020 for the parliamentary elections, also applies to local elections, with the fact

that the quotients are not increased for minority lists that reach the electoral threshold of 3%.<sup>47</sup>

As the electoral system in Serbia has changed significantly over the last 30 years, an analysis of election results can lead to conclusions about its impact on the representation of minorities in representative institutions in Serbia.

### **REPRESENTATION OF MINORITIES IN SERBIA SINCE 1990: WHO PARTICIPATES AND WHO WINS SEATS?**

Based on the participation of political parties of national minorities in the parliamentary elections, at least three conclusions can be drawn. First of all, the data show that there is great ethnic mobilization, i.e. the interest of minority parties to participate in the elections at the republic level. A large number of political parties of national minorities participate in parliamentary elections. On average, political parties of around 5–6 national minorities are present at every election. So far, political parties of 11 national minorities have participated in parliamentary elections at least once.

Second, a big difference is immediately noticeable between the political parties of larger and smaller minorities. Political parties of the Hungarian, Bosniak and Albanian national minorities actively participate in political life at the national level. Until now, they mostly participated in the elections, and when they did not, their non-participation was also a political act, i.e. a boycott of the elections. For example, by boycotting the 1992 and 1993 elections, Bosniak parties wanted to point out the unequal position of Bosniaks and sought autonomy to correct historical injustices.<sup>48</sup> Some parties of the Albanian national minority have also repeatedly called on their voters to

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47 Authentic interpretation of the provision of Article 40, paragraph 5 of the Law on Local Elections, Official Gazette of the Republic of Serbia, no. 16/20.

48 The only Bosniak party that participated was DRSM, and it did so only in the territory of Kosovo and Metohija.

boycott the elections, although at least one Albanian party participated in parliamentary elections almost without exception. In contrast, political parties of other national minorities only occasionally participated in politics at the national level. Even much more favorable election conditions in 2020 did not lead to a large number of minority lists. Although only 1,000 signatures are required to register a minority party, 10,000 signatures are required to run for a minority electoral list, the same amount that civic and majority parties need. Most minority parties cannot fulfill this precondition.

Political parties of the Croatian national minority regularly participated in the elections during the 1990s, and after the changes in the election laws in 2000 and insufficient institutional incentives, they decided to support the majority party, instead of going to the polls on their own. Roma political parties opted to participate after the incentives they received through changes to the electoral system. The first time they ran was in 1992, after the switch to a proportional electoral system with large constituencies, which suited Roma parties much better than the majority system. Subsequent changes to the election rules were not in favor of Roma parties, so they ran again in 2007, and in 2008 after the adoption of the natural election threshold. Discouraged by low election results, Roma parties quickly lost motivation for further political participation. On the one hand, the reasons for this may be intragroup differences both due to the territorial dispersion of the Roma population and due to the large number of Roma parties. On the other hand, political participation is also affected by the extremely unfavorable position of the Roma community in Serbia. Bearing in mind that the Roma community is in the most unfavorable position economically, socially and culturally, a high level of political participation cannot be expected, as shown by the analysis of elections.

In recent years, there has been a noticeable increase in the mobilization of smaller minorities, such as the Montenegrin (0.54% of the population) and Russian (0.05% of the population) minorities, which, however, fail to reach the natural electoral threshold, even

with additional measures introduced in 2020. The Montenegrin party participated in the elections in 2008, 2012, and 2014, while an increasing mobilization of the small Russian minority has been noticeable since 2014. The appearance of as many as seven political parties of the Russian national minority on the political scene in recent years testifies to much more liberal conditions for the registration of minority political parties, which enables numerous abuses. The connection of the Russian party – which has been regularly participating in the parliamentary elections since 2014 – with members of the Russian national minority and the preservation of their specificity is questionable. This party advocates closer cooperation with Russia and better Serbian-Russian relations, but the question is whether that is enough for the party to be declared a minority party. On two occasions, the Republic Electoral Commission tried to challenge this party's status of being a minority list in the elections, the first time in 2016, and the second time ahead of the 2020 elections, with the explanation that there is no evidence that the party represents the interests of the Russian national minority and that its list contains no members of the Russian minority. The Administrative Court overturned RIK's decision on both occasions, since the Russian party was officially registered as a political party of a national minority.<sup>49</sup>

This leads us to the third conclusion that can be drawn from the data on the participation of minority lists in parliamentary elections: in recent years, abuses of minority rights have become more frequent. A party called "None of the answers given" ran in the 2012 elections. It registered as a Vlach party, although it was certain that the party was not founded by members of the Vlach national minority and that the party did not aim to improve the position or rights of Vlachs in Serbia. Moreover, the representatives of this party themselves justified their decision to register the party as a minority party by pointing to the injustice of a system that does not allow the emergence of new political actors, i.e. the high cost of registering a non-minority

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49 Jelena Lončar (2020a). "Izbori i predstavljanje nacionalnih manjina u Srbiji 1990–2020", op. cit.



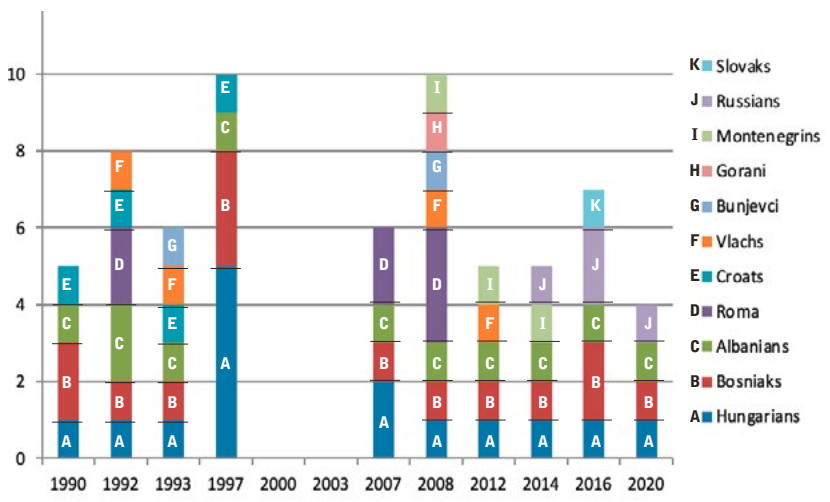
party.<sup>50</sup> However, this party ended up winning one seat with its successful strategy of confusing uninformed voters who, because of the name of this party, thought that they were choosing not to vote for any of the options on offer. In a similar way, the Republican Party, as a party of the Hungarian minority, and the Green Party, officially registered as a political party of the Slovak national minority, which won one seat, ran in the 2016 elections. In addition to the Russian party in the 2020 elections, the Coalition for Peace, consisting of several minority parties, but also the majority Liberal Democratic Party (LDP), requested the status of a minority list, but this request was rejected on the grounds that it was submitted in an untimely manner.<sup>51</sup> Bearing in mind the growing tendency towards ethno-business, it is not surprising that one of the requirements within the process of European integration imposed on Serbia is the prevention of abuse of these flexible provisions regarding parties of national minorities.

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50 Zora Drčelić, (2012). *Analitičar u zakonskoj rupi*. Vreme. Available at: <https://www.vreme.com/cms/view.php?id=1047472> (Accessed: 15 January 2021).

51 In the 2020 provincial elections, the list was declared a minority list, although the list was headed by Čedomir Jovanović, leader of the Liberal Democratic Party. Provincial Election Commission (2020). Decision on determining the position of the coalition of political parties of national minorities, 7 June 2020. Available at <http://pik.skupstinavojvodine.gov.rs/sadrzaj/20201L8status.pdf> (Accessed: 6 August 2020).

GRAPH 1: **MINORITY LISTS THAT INDEPENDENTLY PARTICIPATED IN PARLIAMENTARY ELECTIONS BETWEEN 1990 AND 2020**



Fourth, with the exception of the 2000 and 2003 elections, changes to the electoral system do not appear to have significantly impacted the participation of minority parties in the elections. Due to the transition to PR with one constituency, in 2000 and 2003, minority parties were demotivated to run in the elections. It has been ascertained that the combination of a proportional electoral system with a single constituency and a high electoral threshold of 5%, which was applied in these elections, had the most unfavorable effect on the political involvement of minority parties. The reason for this lies primarily in the number of national minorities in Serbia: members of the largest minority group (Hungarians) make up only 3.91% of the total population according to the 2002 census, i.e. 3.53% of the total population according to data from 2011.

In 2000, minority parties supported the Democratic Opposition of Serbia (DOS). At that time, as many as seven minority parties joined the DOS list (Alliance of Vojvodina Hungarians, Democratic Fellowship of Vojvodina Hungarians, Sandžak Democratic Party, Christian Democratic and European Movement, Civic Movement of Vojvodina Hungarians, Croatian National Alliance and Democratic Alliance

of Croats in Vojvodina). In the 2003 elections, political parties of national minorities ran in the regional-minority coalition “Together for Tolerance – Čanak-Kasa-Ljajić”. This coalition was formed by a large number of smaller regional and minority parties. The electoral list was supported by a total of 15 parties, including three Hungarian, three Bosniak, two Croat, one Roma and one Bulgarian minority party. This list, however, won only 4.2% of the vote, which was below the 5% electoral threshold. The coalition was officially formed only 20 days before the elections, which could have potentially affected voter support. Another important reason for the electoral failure of the Together for Tolerance list can be found in its heterogeneous structure, because of which members of any of the minority groups could not identify with the list. Following the failure of this coalition, the election law was changed to allow for the participation of national minorities in representative institutions in the future.<sup>52</sup>

Fifth, the majority of minority lists that have run in the elections are comprised of either one minority party or a coalition of parties of the same national minority. Interethnic minority coalitions have been formed only a few times, which is not only a consequence, but also an indicator of clearly defined ethnic borders and the large ethnicization of politics. The first interethnic minority coalitions appeared as late as in 2012, when a coalition of five minority parties was formed, representing five different minority groups, entitled “All together: BDZ, GSM, DZH, Slovak Party – Emir Elfić”. This coalition managed to exceed the natural election threshold and win one seat. Encouraged by their success, two such lists ran in the subsequent elections: “List of national communities – BDZ, MPSZ, DZH, MRM, MEP – Emir Elfić” and “Coalition of citizens of all nations and nationalities”. These lists, however, did not gain the trust of many voters. The emergence of these coalitions is more likely a result of attempts to win seats at any cost than of a softening of

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52 Milan Jovanović and Dušan Vučićević (2015). *Reforma izbornog sistema Republike Srbije*. Belgrade, National Coalition for Decentralization, p. 104.

borders between ethnicities and new identifications in society. The reaction of voters clearly shows that. On the other hand, such coalitions could help integration and reduce the existing segregation of ethnic groups, despite not being a reflection of such a phenomenon.

### **REPRESENTATION OF MINORITY PARTIES IN THE NATIONAL ASSEMBLY: REPRESENTATION INDEX**

The election results confirm the conclusion that electoral conditions enable representation of only the most numerous minorities (Graph 2). With the exception of the proportional system with a single constituency without affirmative action, other changes to the electoral system have not significantly changed the ethnic composition of parliament. A larger number of constituencies is more suitable for the most numerous minorities, but by lowering the natural threshold, the shortcomings of one large constituency are successfully corrected.

In most cases, intragroup pluralism was not reflected at the parliamentary level. Even when they tried to have multiple electoral lists, minority parties were “punished” with fewer seats won. The parties of the Albanian national minority went to the polls with two lists only in 1992 and only then did they not win a single seat. Hungarian parties also won the fewest seats when their votes were scattered across several lists: in 1997, encouraged by the increase in the number of constituencies to 29, as many as five lists of the Hungarian minority ran, but only SVM won parliamentary seats. The lowest number of seats won by Hungarian parties was in 2007, when SVM (three seats won) competed against the Hungarian Unity coalition (no seats won). The fact that election rules do not encourage intragroup pluralism is also evident in the case of Roma parties, which only had representatives in parliament in 2007. As many as three Roma electoral lists ran in the 2008 elections, but none managed to reach the natural electoral threshold.

On the other hand, Bosniak national minority parties successfully overcame electoral barriers and more successfully mobilized Bosniak voters when running for more electoral lists (e.g., 1990, 2016, and 2020). This can be explained by the concentration of the Bosniak minority in several municipalities in Serbia, which facilitates addressing voters and their political mobilization: 72.61% of all Bosniaks in Serbia live in Novi Pazar and Tutin, while as many as 97.46% are in the municipalities of Novi Pazar, Tutin, Sjenica, Prijepolje and Priboj.<sup>53</sup> Apart from living mostly in a small number of municipalities, members of the Bosniak minority make up the majority in the first three municipalities, which encourages intra-group competition and pluralism, as there is no fear of Serb domination.<sup>54</sup>

Election results show further marginalization of women belonging to national minorities. Until the introduction of gender quotas in 2004, national minorities were represented exclusively by men. This has been gradually changing since the 2007 elections, when the Hungarian national minority received its first female MP since the introduction of multiparty politics in Serbia. In the several subsequent convocations, there was only one woman representative of a minority political party in parliament. When SVM won six seats in the 2014 elections, two women were included in their parliamentary group, in accordance with the requirements of the gender quota. The Bosniak SDA won three seats in the same elections, so for the first time since 1990, a female Bosniak representative entered parliament. In 2020, significantly better election results of national minority parties,

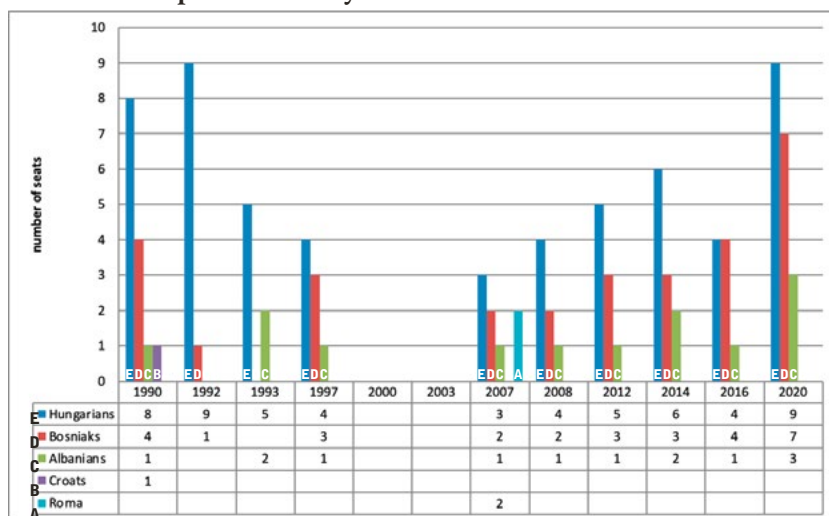
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53 Statistical Office of the Republic of Serbia (2012). National affiliation. Census of Population, Households and Dwellings in 2011 in the Republic of Serbia, op. cit.

54 Daniel Bochsler, D. (2018). *Izborna takmičenje ili etničko predstavljanje? Političke stranke i etničke podele u Centralnoj i Istočnoj Evropi*, op. cit., p. 71.

combined with an increased gender quota (40%),<sup>55</sup> enabled six women belonging to national minorities to have seats in parliament.<sup>56</sup>

**Graph 2: Number of seats won by political parties of national minorities at parliamentary elections in Serbia**



To analyze the impact of the electoral system on the election results of minority parties, it is most useful to look at the representation index. The representation index allows us to determine the proportionality of minority representation in a relatively quick and easy way.<sup>57</sup> The representation index represents the ratio between the percentage of seats won and the percentage of a minority’s share in the total population. It is calculated by dividing the percentage of minority representatives in the representative body by the percentage of members of a given national minority in the total population.

55 Jelena Lončar (2020b). “Izbori i predstavljanje žena u Srbiji od 1990. do 2020”. In: *Kako, koga i zašto smo birali. Izbori u Srbiji 1990–2020. godine.* (ed. M. Jovanović and D. Vučićević.) Belgrade, Official Gazette, Institute for Political Studies, p. 869–889.

56 SVM 3, SDA 2 i SPP 1.

57 Irene Bloemraad (2013). “Accessing the Corridors of Power: Puzzles and Pathways to Understanding Minority Representation.” *West European Politics* 36(3), p. 657–658.

An index of 0 indicates that the minority is not represented at all, while an index of 1 indicates the complete proportionality between the ethnic composition of parliament and society. Everything below one indicates underrepresentation. For example, the Hungarian party DZVM won eight seats in 1990, or 3.2% of the total number of parliamentary seats. When this percentage is divided by 4.39%, i.e. by the share of the Hungarian national minority in the total population of Serbia, an index of 0.73 is reached (see Table 4).<sup>58</sup>

TABLE 4: NATIONAL MINORITY REPRESENTATION INDEX IN SERBIA

	1990	1992	1993	1997	2000	2003	2007	2008	2012	2014	2016	2020
Hungarians	0.73	0.83	0.46	0.36			0.31	0.41	0.57	0.68	0.45	1.02
Bosniaks	0.66			0.52			0.44	0.44	0.60	0.59	0.80	1.39
Albanians	0.40		0.80	0.40			0.49	0.49	0.49	0.98	0.49	1.46
Croats	0.32											
Roma							0.56					

Although they received slightly more votes than usual, this election result is primarily due to the fact that an extremely small number of parties crossed the electoral threshold, so one parliamentary seat was “worth” slightly fewer votes than usual. Apart from 1990 and 1992, when the Hungarian national minority was represented in parliament almost in proportion to its share in the population, its presence in parliament since 1993 has on average been 50% of

58 When calculating the representation index between 1990 to 2000, I compiled data from the 1991 census; for the 2007 and 2008 elections, data from the 2002 census; and for the 2012 elections, data from the 2011 census. I compiled data on the ethnic structure of the population without Kosovo and Metohija. Although the exclusion of Kosovo and Metohija makes sense from the perspective of the current situation, during the 1990s, elections were held throughout Kosovo and the votes of Kosovo voters affected the overall composition of parliament. It is therefore important to keep in mind that the calculation of the index which takes into account the percentage of the minority population in the population without Kosovo, and on the other hand, a much larger population of voters creates some (inevitable) distortions in the elections.

its percentage in society. The situation is similar with Bosniaks and Albanians. It is only in 2016 that Bosniaks started approaching greater visibility in parliament. Such data show that until 2020, the electoral system in Serbia, even after the adoption of affirmative action measures in 2004, did not enable significant visibility for any national minority in parliament.

Measures adopted in 2020, which include a natural threshold with a reduced quotient, have contributed to an increase in the number of representatives of the political parties of Hungarian, Bosniak and Albanian minorities. It is important to point out that the proportional over-representation of the three largest national minorities in parliament is the result not only of more favorable election conditions, but also of the opposition's boycott of the 2020 elections, i.e. a small number of electoral lists and a slightly lower percentage of voters. In addition to them, the political party of the Russian national minority, which did not reach the electoral threshold, participated in the elections, as did the party of the Macedonian national minority DPM, which was part of a coalition with the Bosniak SPP, but parliamentary seats were granted only to SPP. The parties of other national minorities estimated that even these much more favorable election conditions would not enable them significant election results, so they decided against participating in the elections.

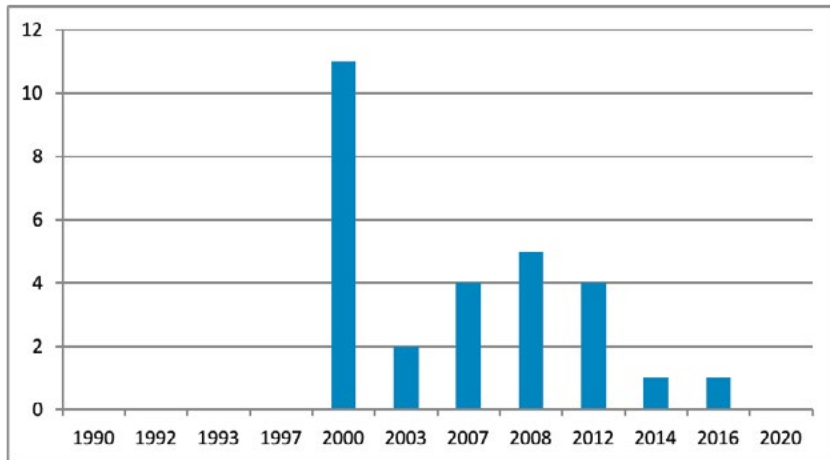
### **COALITIONS WITH MAJORITY PARTIES**

Political parties of national minorities can also enter parliament through coalitions with majority/civic parties. Through majority lists, minority parties won seats in all parliamentary elections from 2000 to 2016 (Graph 3). This confirms that the degree of democracy in society is one of the key factors in the inclusion of minorities in public life. During the authoritarian rule of the Socialist Party of Serbia (SPS) in the 1990s, majority parties did not leave room on their lists for the inclusion of minority parties. After steps towards democracy were made in 2000, the cooperation between majority and minority parties also increased, but decreased again



with a reduction in the level of democracy and a return to competitive authoritarianism.<sup>59</sup>

GRAPH 3: **MPS FROM MINORITY POLITICAL PARTIES ELECTED ON MAJORITY LISTS BETWEEN 1990 AND 2020**



A more detailed insight into the election results in part confirms this finding. Minority parties, above all, entered into coalitions with liberal, democratic parties (DS and parties stemming from DS). In the 2000 parliamentary elections, minority parties won 11 seats in parliament through the DOS electoral list: SVM won eight, DZVM won one and SDP won two. In all other elections, some minority parties could only count on involvement in institutions within the framework of their cooperation with DS, although they entered into coalitions with the LDP, URS and NDS (later SDS). Thus, within the DS list, minority parties won two seats in parliament in 2003 (one each for the Bosniak parties SLPS and BDSS gathered in the Together for Sandžak coalition); in 2007, four seats (three went to SDP and one to DSHV), in 2008 five seats and in 2012 one seat (DSHV). In the meantime, the Bosniak SDP stopped being a minority party by registering as SDPS, even though it continued its coalition with DS in 2012 and

59 Steven Levitsky, S. and Lucan Way (2020). "The New Competitive Authoritarianism." *Journal of Democracy* 31(1), p. 51–65.

won nine seats. As the electoral power of DS decreased after 2012 and it slowly started to disappear from parliament, only the traditional ally DSHV won one seat in 2016,<sup>60</sup> and SDPS formed a coalition with SNS.

The Serbian Progressive Party (SNS) invited minorities to join their coalition at times when it needed to do so, in order to present itself to the public in a different, pro-democratic and pro-European light in 2012 and 2014. After consolidating its position, this party stopped addressing minority voters. What this primarily demonstrates is that in Serbia, political parties continue to address primarily Serbian voters and that binding measures are (still) necessary in order to include minorities in representative institutions.

While Bosniak parties (above all SDP) and the Croat DSHV were given the opportunity to be represented through the DS electoral list, neither this mechanism nor the lowered electoral threshold were useful for smaller minorities. Even when they supported the electoral list, smaller minorities were not given the opportunity to have their voices heard in parliament. This can be explained, at least in part, by the fact that it is in the interest of majority parties to form coalitions with minority parties that have a large electorate, while smaller minorities that cannot bring significant electoral benefits remain excluded.

## LOCAL ELECTIONS<sup>61</sup>

Data from local elections in Serbia show an obvious influence of the electoral system, in terms of both participation and results of minority lists. Since the switch was made to a proportional

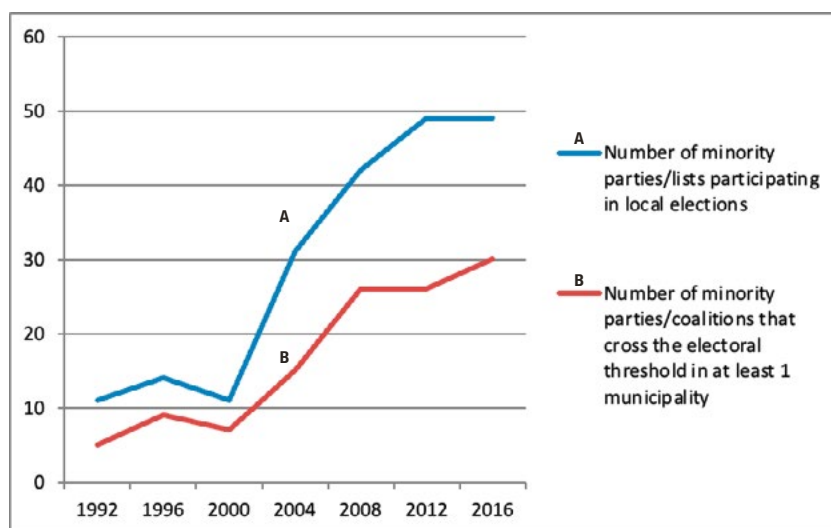
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60 In the 2012, 2014, and 2016 elections, Olena Papuga was also elected to parliament as a member of LSV. However, as she is also the president of the minority party Together for Vojvodina, that party was also indirectly present in parliament. However, because this MP participated in the elections as a part of LSV, I did not take into account her presence in parliament here.

61 As the results of the local elections held in 2020 were not yet available at the time of writing, the analysis includes the local elections from 1992 up

electoral system in 2004, and especially after the introduction of the natural electoral threshold in 2008, the number of minority lists participating in elections and the number of lists winning seats in at least one municipality have increased dramatically (see Graph 4).

GRAPH 4. PARTICIPATION OF MINORITY LISTS IN LOCAL ELECTIONS<sup>62</sup>



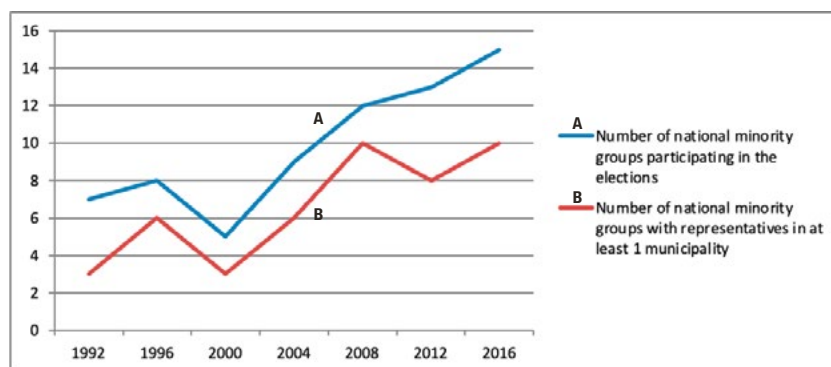
In addition to the increase in the number of minority lists, the number of different national minorities opting for participation in elections has also increased (see Graph 5). Up until 2004, “political parties of the Hungarian, Bosniak, Albanian, Roma, Croatian, Bulgarian, Turkish, Vlach and Bunjevac minorities participated in the local elections. Since 2004, the lists of the Slovak, Romanian, Montenegrin, Macedonian, Russian, Ruthenian and Greek minorities have also appeared in the elections. Political parties of as many as 15 national minorities participated in the local elections in 2016, while during the 1990s the largest number of them (parties of nine national

until and including 2016.

62 Jelena Lončar (2020a). “Izbori i predstavljanje nacionalnih manjina u Srbiji 1990–2020”, op. cit, p. 861.

minorities) participated in the 1996 elections”.<sup>63</sup> It is certain that PR and lowering the electoral threshold have contributed to increasing the political participation of national minorities.<sup>64</sup>

GRAPH 5. **PARTICIPATION OF MINORITY GROUPS IN LOCAL ELECTIONS**<sup>65</sup>



Graph 6 shows that the increase in the number of representatives after the introduction of the PR system is especially true for councilors of smaller minorities who did not participate in the elections until 2004. It seems that the PR system suited them much more than more numerous and better organized minorities, such as the Hungarians and Bosniaks.

Since 2008, smaller national minorities have participated in elections in those municipalities where they have a significant share in the total population. The political participation of Croatian national minority parties in local elections is similar to their participation at the national level. They run in local elections in coalitions with majority parties, even in those municipalities and cities where the

63 Ibid, p. 861–862.

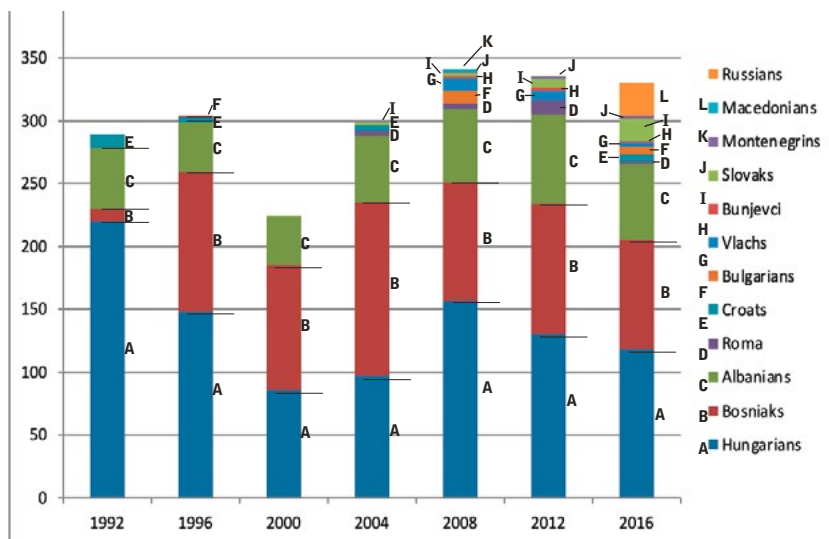
64 The biggest advocates of the transition to a proportional electoral system were representatives of the Albanian national minority. They were particularly opposed to the majority electoral system due to manipulations in establishing constituencies in Albanian-majority municipalities (Ameti, Parliamentary Transcript, 10 November 1999).

65 Jelena Lončar (2020a). “Izbori i predstavljanje nacionalnih manjina u Srbiji 1990–2020”, op. cit. p. 861.

Croatian national minority has a significant share in the population, such as Apatin (10.42%), Sombor (8.23%) or Subotica (10%). Since the transition to the proportional system, DSHV participated independently in the elections only in 2004 in Subotica, when it won 6.47% of the votes and five seats, and in Novi Sad, where it failed to reach the electoral threshold. After that, in 2008, 2012 and 2016, DSHV opted for cooperation with either DS or one of the parties stemming from DS, primarily in Subotica (2008), and later in Apatin (since 2012). Since 2016, in addition to Subotica and Apatin, DSHV has participated in the elections in Backi Petrovac, Sombor, Bac, and Sremska Mitrovica in the same coalitions. On the other hand, DZH ran in coalitions with other national minority parties – most often with DZVM as its coalition partner.

Political parties of the Bunjevac minority participate in the elections in Subotica, where they have the highest share in the population (9.57% of the population of Subotica). Bulgarian minority parties actively participate in the political life of Dimitrovgrad (53.5% of the population) and Bosilegrad (71.83% of the population). Representatives of the Slovak minority are active in municipalities such as Kovačica, Bačka Palanka, Bački Petrovac and Stara Pazova. Vlach national minority parties participate in elections in several municipalities (Bor, Majdanpek, Negotin, Kučevo, etc.), occasionally independently, and occasionally on the lists of majority parties. The lists of all these minorities usually win one to three seats. Election results show that the institutional framework enables these parties to both win seats and develop pluralism, i.e. intra-group competition.

GRAPH 6. **ELECTED MINORITY COUNCILORS IN MUNICIPALITIES AND CITIES OF SERBIA<sup>66</sup>**



On the other hand, when it comes to more numerous minorities, the position of the Roma minority is specific (see Table 5). Great fragmentation is noticeable – a dozen Roma parties run in the elections, mostly in just a few municipalities and in most cases failing to win seats, regardless of the percentage of Roma voters in the electorate. In contrast, parties of the Hungarian, Bosniak and Albanian national minorities regularly, regardless of electoral conditions, manage to win even the majority of votes in municipalities where members of their minorities make up the majority of the population.

66 Ibid. p. 862.

TABLE 5: ROMA NATIONAL MINORITY PARTIES – RESULTS OF LOCAL ELECTIONS BETWEEN 2008 AND 2016

POLITICAL PARTY	NUMBER OF municipalities in which it participated in a coalition and independently	NUMBER OF municipalities in which it participated independently	NUMBER OF elected representatives from independent lists
<b>2008</b>			
New Democratic Party of Roma in Serbia	4	4	2
Roma Union of Serbia	10	9	1
Roma party (Romska stranka)	1	1	1
Roma Party (Romska partija)	19	10	0
Roma Renewal Movement	9	0	0
United Party of Roma	2	2	1
Roma Unification Party	3	3	0
Roma party of Unity (Jedinstvo)	3	3	0
Roma United Party	1	1	0
<b>2012</b>			
Roma Democratic League	1	1	0
Roma Democratic Left	1	1	0
Roma Democratic Party (Romska demokratska stranka)	3	3	9
Roma Democratic Party (Romska demokratska partija)	1	0	0
Roma Party (Romska partija)	6	1	0
United Party of Roma	2	2	0
Roma party of Unity (Jedinstvo)	2	2	0
Roma Movement Doljevac	1	0	0
Roma Social Democratic Party	1	0	0
Union of Roma of Serbia	2	2	1
<b>2016</b>			
Roma Party of Unity (Jedinstvo)	5	4	1
United Party of Roma	1	1	1
Democratic Union of Roma	1	1	0
Roma party (Romska partija)	4	1	0

Hungarian national minority parties traditionally win the most seats in seven municipalities: Ada, Bačka Topola, Bečej, Kanjiža, Mali Idoš, Senta and Subotica. In the 1992 elections, the independent DZVM lists won the most votes in the municipalities of Ada (68.18%), Kanjiža (66.50%), Senta (58.37%), Bačka Topola (54.12%) and Bečej (47.94%).<sup>67</sup> From the following elections, SVM has become the most influential party of the Hungarian national minority, although until 2004, DZVM and DSVM continued to achieve significant results in some municipalities.<sup>68</sup> SVM independently won the majority of seats in Kanjiža in 1996 (72.73%), 2000 (57.58%) and 2008, (65.52%), in Senta in 1996, (72.41%), in Mali Idoš in 2000 (64%) and 2008 (58%), and in Bačka Topola in 2008 (53.55%).

Political parties of the Bosniak national minority run in elections in Sandžak municipalities. They win the highest percentage of votes in Prijepolje, Sjenica, Novi Pazar and Tutin. During the 1990s, the List for Sandžak was the most influential among voters in these municipalities. This list won more than 50% of seats, so it was able to form the government independently in: 1) Sjenica in 1996 (68.97% of seats) and 2000 (53.85% of seats); 2) Novi Pazar in 1996, (70.21%), 2000, (70.21%) and 2004 (44.68%); and 3) Tutin in 1996 (91.43%), 2000 (91, 89%) and 2004 (59.46%). In this period, only the People's Movement of Sandžak achieved significant results in 2004 in Sjenica (18.27% of votes, i.e. 20.51% of seats). Since 2004, in addition to SDA Sandžak, the Sandžak Democratic Party has also achieved significant results. In the 2004 elections, it won 21.31% of the seats in Prijepolje, 28.21% in Sjenica, 36.17% in Novi Pazar, and 21.62% in Tutin.

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67 Marko Mijatović (2016). *Lokalni izbori u Republici Srbiji nakon obnove višestranačkog sistema 1990–2015*. Belgrade, Konrad-Adenauer-Stiftung, p. 138.

68 In 1996, DZVM won 41.94% of seats in Temerin, 15.38% of seats in Nova Crnja and 14.29% of seats in Srbobran. In the 2004 elections, it achieved the best result in Temerin (15.15% of seats) and Bečej (13.89% of seats). DSVM achieved significant results in the 2000 elections – in Srbobran (14.29% of seats) and Temerin (32.26% of seats).



In the 2008 local elections, SDP was the most successful in Prijepolje (29.51% of seats), and SDA in Tutin (56.76%) and Sjenica (35.90%). From the subsequent elections, there was an increasing fragmentation of the Bosniak national minority parties, so votes were dispersed among SDA, SDP, BDZ and the Democratic Party of Sandžak. Only SDA retained its dominant position in Tutin with 56.76% of seats won in 2012 and 59.46% in 2016.<sup>69</sup>

Finally, political parties of the Albanian national minority are politically active in the municipalities of Medveđa, Preševo and Bujanovac. In the first multi-party local elections in 1992, PDD was most influential in Preševo, with 55.13% of the vote, and in Bujanovac, with 40.29% of the vote, while DPA won the most votes in Preševo (33.17%).<sup>70</sup> PDD retained the most influential position in the next two election cycles: in Preševo more than 40% of seats won in 1996 and 2000, and in Bujanovac 24.39% of seats in 1996 and 26.10% of votes in the 2000 elections. Since 2004, larger fragmentation of Albanian national minority parties as well as stable voter support have been noticed. In Preševo since 2004, PDD and DPA have won just over 30% of seats each, and DUD about 15%. In Bujanovac, PDD also has a third of all seats, while PDP is second in influence with 15%. Traditionally, PDD has recorded the best results among Albanian parties in Medveđa, with about 15% of seats won.

Based on these data, it can be concluded that, unlike parliamentary elections at the national level, where minority groups usually run with one electoral list each, at the local level, as expected, there is intragroup competition and pluralism, and even parties representing smaller minorities stand a chance of winning seats. Since the proportional electoral system, in combination with the natural electoral threshold, has performed well at the local level, changes to existing regulations should focus primarily on the national level.

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69 Jelena Lončar (2020a). "Izbori i predstavljanje nacionalnih manjina u Srbiji 1990–2020.", op. cit. p. 863.

70 Marko Mijatović (2016). *Lokalni izbori u Republici Srbiji nakon obnove višestranačkog sistema 1990–2015*, op. cit. p. 139.

## **CONCLUSIONS: PROS AND CONS OF EXISTING ELECTION SOLUTIONS**

Based on this analysis, it can be concluded that the natural electoral threshold (in different variations) is a good attempt to balance between enabling minority parties to participate in political life and requiring the support of voters to decide on the distribution of seats.

As winning seats is conditioned on the support of minority voters, this mechanism encourages accountability and communication between minority representatives and members of the group. On the other hand, incentives for intra-group pluralism are declining: at the national level, intra-group competition pays off only in situations where the minority is densely concentrated in a specific territory and locally constitutes the ethnic majority. There are no such barriers at the local level and the results of local elections show a high level of involvement of different national minorities, as well as intra-group pluralism.

Some of the advantages of the natural threshold are that the registration of minority voters and separate voting are not required. Minority voters can choose at the time of voting whether they want to vote for a minority or a majority party without any consequences. It is important to emphasize that the conditions for the registration of minority parties are extremely liberal, i.e. they require only 1,000 signatures and recognize the changeability, dynamism and complexity of identity.

Election results show that parties of the most numerous national minorities in Serbia have found a larger number of constituencies more suitable. The switch to a proportional system with one constituency has excluded even the most influential minority parties from parliament. Lowering the electoral threshold for minority lists, however, has largely offset the effect of a large constituency.

One key drawback of the current election solutions is that, despite years of objections, the requirement that minority parties must collect 10,000 signatures of support in order to run their

electoral list has been maintained. This condition essentially prevents the candidacy of parties of smaller minorities.

In addition, given the number of groups, territorial grouping and access to resources, only representatives of the Hungarian, Bosniak and Albanian minorities can safely cross the natural electoral threshold, while other minorities can hardly expect success in the elections. The analysis of election results in Serbia shows that there are no essential differences in this respect between PR with large constituencies, PR with a large number of small and medium constituencies, or PR with a single constituency and a natural threshold. All these models have enabled the representation of numerous and territorially concentrated minorities, but had a negative impact on smaller minorities. There is no doubt that at the national level, regardless of possible changes in the electoral system, additional affirmative action measures are necessary, even for smaller minorities.

As the natural electoral threshold is directed primarily towards the most numerous minorities due to a large number of minorities present in Serbia, this mechanism requires cooperation across ethnic lines, i.e. the formation of multi-ethnic coalitions. In practice, however, it has been shown that due to ethno-nationalist policies and strong borders between ethnic groups, stronger institutional incentives are needed, so that both parties and voters are more motivated to cooperate with each other.

Finally, the liberal conditions for the registration of minority parties, in addition to their advantages, also have disadvantages, because they leave room for abuses that have become more frequent in recent years. It is necessary to find a model that will maintain a non-essentialist approach and facilitate the registration as stipulated in current laws, while preventing the emergence of ethnic entrepreneurs (Table 6).

**TABLE 6: PROS AND CONS OF THE ELECTORAL SYSTEM IN SERBIA FOR THE POLITICAL REPRESENTATION OF NATIONAL MINORITIES**

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Pros:

- It enables the representation of the most numerous minorities at the national level.
- It encourages accountability and communication of minority parties with voters.
- There are no special voter lists for persons belonging to national minorities.
- Recognizes the changeability, dynamism and complexity of identity.
- It enables intra-group pluralism of territorially concentrated minorities that make up the majority at the local level.
- It facilitates broad participation and representation of minority parties at the local level.
- It is neutral in terms of cooperation between minority and majority parties.

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Cons:

- Unequal conditions for the candidacy of political parties of smaller minorities in elections.
- Exclusion of small minorities from the National Assembly.
- Leaves space for abuse, i.e. development of the ethno-business.
- There are no incentives to form multiethnic parties.

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## **ALTERNATIVE SOLUTIONS: REGIONAL EXPERIENCES**

In the experience of the countries of the region that recognize special rights for minorities in order for them to have greater representation in parliament, several types of affirmative action measures have been observed. These measures may differ depending on the method of implementation and for whom they are intended. Within the first criterion, we distinguish between affirmative action measures, such as a lower electoral threshold, guaranteed seats and the altering of constituencies. This group also includes party quotas (voluntary and prescribed by law), but they are more often applied to women than to national minorities.<sup>71</sup> As states often combine these measures, the classification according to whom the measure is intended for seems more appropriate here. According

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71 Jelena Lončar (2020b). "Izbori i predstavljanje žena u Srbiji od 1990. do 2020", op. cit. p. 869–889.

to this criterion, in comparative experience we can see affirmative action measures that are applied to: 1) certain minority groups, i.e. voters belonging to these groups; 2) minority electoral lists; 3) measures applicable to candidates belonging to minority groups; 4) measures applied in certain territories, i.e. areas where national minorities live.<sup>72</sup>

## AFFIRMATIVE ACTION MEASURES AIMED AT MINORITY VOTERS

### CROATIA AND SLOVENIA

Slovenia and Croatia are examples of countries in which affirmative action measures are guaranteed to minority groups, i.e. voters belonging to certain national minorities. This type of affirmative action requires special voter lists, i.e. identification of voters based on ethnicity who then elect their representatives in a special constituency. In Croatia, eight seats are reserved for national minorities<sup>73</sup>: three for the Serbian minority, one each for the Hun-

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72 Daniel Bochsler (2018). *Izborna takmičenje ili etničko predstavljanje? Političke stranke i etničke podele u Centralnoj i Istočnoj Evropi*, op. cit. p. 45.

73 This decision was established by the 2003 Act on election of the Representatives of the Croatian Parliament (Official Gazette 53/03, 69/03, Article 15). Until then, the provisions on the election of representatives of national minorities had been changed multiple times. Until 2003, ten ethnic communities (Serbian, Hungarian, Italian, Czech, Slovak, Rusyn, Ukrainian, German, Austrian and Jewish) held the status of national minority. In the 1992 elections, minorities that made up less than 8% of the population were guaranteed five seats in Parliament, with one seat belonging to Hungary, one to Italy, one joint seat to the Czech and Slovak, one to the Rusyn and Ukrainian, and one to the German and Austrian minorities. Minorities that made up more than 8% of the population, and only the Serbian national minority met this condition, were entitled to proportional representation (see Nikola Baketa and Marko Kovačić (2010). "Tko i kako predstavlja nacionalne manjine." *Političke analize* (3): 11–14). Three years later, eight seats in the Parliament were reserved for minorities, three of which were reserved for representatives of the Serbian national minority, and the other five were elected by the same minorities and based on the same principle as in the 1992 elections.

garian and Italian national minorities, one seat each for the Czech and Slovak minorities, one joint seat for members of the Albanian, Bosniak, Montenegrin, Macedonian and Slovenian national minorities, and one joint seat for another 12 smaller national minorities.<sup>74</sup> Minority voters decide whether they want to vote in the constituency according to their place of residence or if they want to elect representatives of national minorities.<sup>75</sup>

In Slovenia, parliamentary seats are guaranteed only to “indigenous minorities” – Hungary and Italy – despite the fact that their numbers are quite low. Other minorities, such as Serbs, Croats or Bosniaks, although more numerous, are not guaranteed seats.

Members of the Hungarian and Italian national minorities in Slovenia have dual voting rights, which allow them greater influence on the composition of parliament than other citizens. Croatia also experimented with double voting rights for smaller minorities, but such a solution met with great public criticism and was ultimately rejected by the Constitutional Court as a solution that creates inequality among citizens.<sup>76</sup>

Unlike Serbia, where minority parties have to collect 10,000 signatures to run at the national level, candidates for minority representatives in Croatia need to collect 100 signatures, while in Slovenia 30 are enough.<sup>77</sup>

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In 2000, the number of reserved seats for minorities was reduced to five, one for the Serbian national minority, and one for each other minority (from ten who had been granted that status until then), with the Rusyn, Ukrainian, German, Austrian and Jewish minorities jointly electing one representative.

- 74 Austrian, Bulgarian, German, Polish, Roma, Romanian, Rusyn, Russian, Turkish, Ukrainian, Vlach and Jewish national minorities.
- 75 Act on election of the Representatives of the Croatian Parliament, Official Gazette 19/15, Article 76.
- 76 Davor Boban, 2011. *Predstavljanje nacionalnih manjina u Saboru – kronologija jednog slučaja*, Dossier, no. 8., p. 37–43.
- 77 National Assembly Elections Act, Official Gazette of the Republic of Slovenia, no. 44/92, 60/95, 14/96 – decision of the Constitutional Court, 67/97– decision of the Constitutional Court, 70/2000, Article 45.

In both cases, the conditions for the candidacy of minority lists are much more favorable than in Serbia, and the participation of minority representatives is guaranteed, although the Croatian model, due to its inclusiveness, has more advantages than the Slovenian one. Necessary registration of voters on ethnic grounds is not an ideal solution, because it may be unacceptable to many citizens, and voters of mixed ethnic identities are in a particularly unfavorable position, because they have to choose one of the recognized identities.

## **AFFIRMATIVE ACTION MEASURES FOR CANDIDATES**

### BOSNIA AND HERZEGOVINA

Minority quotas can also be intended for candidates. In that case, the ethnic quota includes all elected representatives who belong to a certain ethnic group, regardless of whether they were elected from a minority or non-minority list. In Kosovo and Romania, for example, if a minority candidate wins a seat on a non-minority list, that seat does not fall into the minority quota. In Croatia, if a hypothetical member of a minority wins a seat outside a minority constituency, that seat would also not fall into the minority quota of eight reserved seats. In Bosnia and Herzegovina, however, in the elections for members of the upper house of parliament and the assembly of federal entities, quotas are intended for candidates. In the House of Peoples of BiH, the three constituent peoples have five seats each, while in the entity assemblies, four seats are guaranteed for each of the constituent peoples.<sup>78</sup>

The advantage of this model is that it does not necessarily require the establishment of ethnic parties and can encourage the inclusion of minority candidates on civic electoral lists. The disadvantage, however, is that minority seats are not necessarily tied to

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78 Daniel Bochsler (2018). *Izborna takmičenje ili etničko predstavljanje? Političke stranke i etničke podele u Centralnoj i Istočnoj Evropi*, op. cit. p. 47–48.

minority voters, which may lead to co-optation and an unwillingness of the majority party to give space to minority representatives to represent the minority after the election.

## **AFFIRMATIVE ACTION MEASURES INTENDED FOR MINORITY PARTIES/ORGANIZATIONS**

### KOSOVO

Reserved seats are also applied in Kosovo, but they are allocated exclusively to political parties, coalitions, civic initiatives and independent candidates who declare themselves as representatives of national minorities.<sup>79</sup> Out of a total of 120 seats, 20 are reserved for communities, of which 10 are reserved for representatives of the Serb community, three seats for representatives of the Bosniak community, two for representatives of the Turkish community, one seat for Gorani, Roma, Ashkali and Egyptians and one additional seat for the representative of the Ashkali, Roma or Egyptian community who receives the most votes. In the 2007 and 2010 elections, minorities were able to win more seats than the reserved number, as a natural electoral threshold applied to minority lists. After 2010, an electoral threshold of 5% has applied to all electoral lists. Minorities can count on additional seats only if the total share of minority votes is such that it provides more seats than the guaranteed number. As the entire territory of Kosovo is one constituency, voters from the entire territory of Kosovo, regardless of ethnicity, can also vote for minority lists. The advantage of this model is that no special minority voter lists are required. On the other hand, as seats are not related to the level of voter support, the question is whom the elected representatives are accountable to. There are also

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79 Law on General Elections in the Republic of Kosovo, Official Gazette of the Republic of Kosovo no. 31 June 2008, law no. 003/L-073, Article 111.



no incentives for the formation of multiethnic parties, i.e. addressing minority voters exclusively of minority parties is encouraged.

## ROMANIA

Reserved seats are also applied in Romania as part of an extremely complex mechanism. First of all, as in Kosovo, all voters, regardless of ethnicity, have the right to vote for minority lists. Secondly, in contrast to the aforementioned cases where it is explicitly stated which minority groups are entitled to a reserved seat, reserved seats in Romania are available to all lists that declare themselves as minority lists and fail to exceed the 5% electoral threshold (since 2000). The Democratic Alliance of Hungarians in Romania (UDMR) regularly wins enough votes to cross the 5% electoral threshold, so a reserved seat is not available for Hungarian national minority organizations. Third, unlike Kosovo, where a hypothetically guaranteed seat can be awarded to a list that wins just one vote, in Romania, minority lists need at least 10% of votes needed for crossing the natural electoral threshold to qualify for a reserved seat.<sup>80</sup> Fourth, out of a total of 332<sup>81</sup> seats in parliament, a maximum of 18 seats have been reserved for minority lists since 2004, though no single minority can win more than one seat.<sup>82</sup> If two or more electoral lists claim to represent the same national minority, the list that wins the most votes gets the seat. This solution puts the most numerous Hungarian and Roma minorities in an unfavorable position, because, like smaller minorities, they are guaranteed at most one seat in parliament, despite their

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80 From 1992 up until and including the 2000 elections, this minority threshold was 5% of the natural threshold.

81 The number of representatives in the parliament changes from election to election because the number is determined depending on the number of inhabitants (according to the data from the statistical yearbook). The rule for the lower house is one representative per 70,000 inhabitants.

82 The Constitution of Romania, Official Gazette of Romania, part 1, no. 233, 1991, Article 62; The Law for the revision of the Constitution of Romania No 429/2003; Law for the Election to the Chamber of Deputies and the Senate, Official Gazette of Romania no. 68/1992.

larger numbers.<sup>83</sup> In practice, however, the Hungarian UDMR wins a significant number of seats in parliament, as it easily crosses the 5% electoral threshold. Since the constituencies are single-member constituencies, minority organizations had to run different candidates in each constituency until the 2000 elections. The seat would be won by the candidate with the largest number of votes in their region. Since the 2000 elections, minority organizations have been able to have the same candidate run for office in all constituencies.

The advantages of the Romanian model of the election law up until and including the 2000 elections are reflected in the successful avoidance of essentialism, encouragement of intra-group pluralism and the rather liberal model of broad inclusion of minorities. There was no limit to the total number of reserved seats that could be allocated to minority organizations – the number increased from 13 seats in 1992 to 18 reserved seats in 2000. Also, the state did not arbitrarily determine which minorities could apply for a reserved seat, but left this to members of minority groups. Every organization registered as a minority organization had the right to run in elections and to choose its own candidates regardless of ethnicity. All voters, regardless of ethnicity, were able to vote. This solution recognizes the dynamism of identity and leaves the possibility of mobilizing new minority groups. An additional advantage of this model is the intra-party competition, which is a consequence of the attractiveness of the seat and the openness of regulations that enable winning a seat easily. The main disadvantage of this solution is that it enables abuse: it is enough for an organization to claim to be a minority one and thus run for seats reserved for minorities.

Since the 2004 elections, restrictions have been imposed on who can run in the elections. For the purpose of parliamentary elections,

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83 About 90% of the population are majority nationalities, the largest minority is the Hungarian one with a share of about 7% of the population, followed by Roma (2%). The census identifies another 23 small minorities (see Ronald F. King, R. F. and Cosmin G. Marian (2012). "Minority Representation and Reserved Legislative Seats in Romania." *East European Politics & Societies* 26(3): 561–588.).

a national minority is defined as an ethnic group represented in a minority national council. A national council is an advisory body made up of minority organizations whose representatives are elected to the Romanian parliament. The circularity of this provision was aimed at preventing an increase in the number of seats allocated to minorities. This indirectly determined that a maximum of 18 seats could be awarded in the parliament through affirmative action measures. In addition, the new law put minority organizations with representatives in parliament at that time in a privileged position. These organizations were automatically given the right to run in the elections, while all other registered minority organizations had to submit the signatures of at least 15% of the members of the national minority they claimed to represent. The request for support based on the threshold almost completely reduced intra-group competition in 2008. Among other things, the 2008 law<sup>84</sup> stipulated that a minority organization that was not represented in parliament at the time and wanted to run in the elections must be given the status of a socially beneficial organization, which is granted exclusively to public welfare organizations that have existed for at least three years, which essentially prevents the participation of newly formed organizations in elections. However, the tightening of conditions has not eliminated the possibility of abuse. As there still are neither criteria for membership in a minority organization nor special minority voter lists, some minority organizations receive several times more votes than the minority's share in the total population.

## MONTENEGRO

Lowering the electoral threshold is also one of the affirmative action measures intended for minority lists. As this solution has been applied in Serbia, its effects have been analyzed in detail in the previous sections of this paper. Here, I will focus on a

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84 The 2015 election law did not significantly change the provisions related to minority representation.

somewhat more complex solution adopted in 2011 in Montenegro, which combines a lower electoral threshold with guaranteed seats.<sup>85</sup>

In cases when no electoral list of a certain national minority exceeds the electoral threshold of 3%, and it individually receives at least 0.7% of valid votes, their votes are added up and they participate as a joint list in the distribution of seats, but in this way they can get a maximum of three seats. This right applies to national minorities that do not exceed 15% of the total population and practically only excludes the Serb community. An additional measure applies when it comes to the Croatian national minority: if according to the previous rules no electoral list of the Croatian national minority wins a seat, one parliamentary seat is awarded to the Croatian list that wins the most votes, but only if it wins at least 0.35% of valid votes.<sup>86</sup> Signatures of at least 300 voters are needed for the candidacy of an electoral list of a national minority that has a share of up to 2% in the total population, while other lists require the support of at least 0.8% of voters in Montenegro, which for the 2020 parliamentary elections amounted to 4,261 signatures.<sup>87</sup>

A lower electoral threshold requires minority representatives to have relatively significant support among voters. Another advantage is that it does not require special minority voter lists. On the other hand, the formation of ethnic parties, as opposed to multiethnic ones, is encouraged, i.e. the separation of ethnic groups and potential strengthening of ethnic distance, as opposed to more moderate discourse. The Albanian national minority, which had more favorable

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85 Law on Election of Councillors and Members of Parliament, Official Gazette of Montenegro no. 46/2011.

86 The question arises as to why this solution applies only to the Croatian minority when the Roma minority is of similar size – 1.01% of the total population while that number for Croats is 0.97%.

87 Law on Election of Councillors and Members of Parliament, Official Gazette of Montenegro no. 46/2011, Article 43.

conditions until 2012, is not satisfied with this solution, which will be discussed in more detail below.<sup>88</sup>

## MINORITY TERRITORIAL CONSTITUENCIES

Finally, the representation of national minorities can be ensured by redrawing constituencies so that minority voters make up the majority in at least one. Until 2012, something similar was applied in Montenegro in order to ensure the representation of the Albanian national minority. Out of the total number of representatives who are elected on the entire territory of the state as a single constituency, five, and later four seats were singled out, elected at special polling stations in the territory of Ulcinj and several surrounding places where mostly Albanians live.<sup>89</sup> The 3% electoral threshold did not apply to this constituency. The advantage of this measure is that the essentialist features of the previously considered measures are avoided. Since all voters at the polling station have equal voting rights and the opportunity to vote for any of the electoral lists, multiethnic parties advocating more moderate views are encouraged. It can be concluded that this measure is suitable for small minorities that are territorially concentrated in one part of the country and where a constituency can include all members of the minority group for which the measure is intended. In Montenegro, this measure was applicable only to the Albanian minority, because other minorities are not as territorially concentrated.

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88 Zlatko Vujović i Nikoleta Tomović (2010). "Održivi institucionalni mehanizmi za poboljšanje predstavljenosti manjina u crnogorskom parlamentu". Podgorica, Centre for Monitoring and Research CEMI.

89 Law on Election of Councillors and Members of Parliament, "Official Gazette of Montenegro", no. 16/2000 (consolidated text), 9/01, 41/02, 46/02, 45/04 and "Official Gazette of FRY", no. 73/00 and 9/01, Article 12. In the 2002 elections, the number of seats in the constituency where the Albanian minority makes up the majority was reduced to four, before returning to five in the subsequent elections in 2006, which was valid until the 2012 elections.

## RECOMMENDATIONS

There are three key goals that should lead to changes in election laws: Firstly, a solution is needed that allows for greater representation of smaller national minorities. Secondly, it is necessary to regulate the conditions of registration of minority parties so as to prevent, at least to some extent, potential abuses of legal benefits guaranteed to minority parties, without resorting to the closing off and essentialization of identity. Thirdly, it is important to implement a solution that does not prevent intra-group competition and encourages addressing voters across ethnic boundaries.

Amendments to electoral legislation should be guided by the following principles:

- Ethnic identities must not be treated as fixed, permanent and unchangeable. All citizens must be guaranteed freedom of self-determination.
- If affirmative action measures adopted with the goal of increasing minority representation in institutions require the ethnic identification of voters or candidates, persons belonging to national minorities must have the right to decide whether or not they want to participate in elections as members of national minorities.
- Legal solutions should encourage the effective inclusion of national minorities in representative institutions at all levels.
- Legal solutions should enable members of national minorities to express their interests and needs through their minority parties if they wish to do so.
- A balance needs to be struck between recognizing collective identities and strengthening social cohesion. Legal solutions should encourage the association of ethnic groups, as opposed to the practice of encouraging segregation. This includes institutional incentives for political action that transcends ethnic divisions.

- Identities of persons belonging to national minorities are layered, complex and dynamic. Measures aimed at better representation of national minorities must not prevent the development of intra-group pluralism. Affirmative action should encourage the inclusion of women belonging to national minorities, as well as members of minorities living outside the territory in which the minority is concentrated.

Bearing in mind the three goals set and starting from these principles, the following recommendations can be formulated:

- 1. Retain some of the models of the proportional electoral system, or consider mixed models that would contribute to strengthening social cohesion. Unlike the majority system, these models encourage the electoral success of more moderate political options.**
- 2. Increase the number of constituencies, which enables better territorial representation, enabling the representation of regional interests.**
- 3. Open electoral lists to encourage greater accountability of MPs and communication with voters.**

A proportional electoral system along with a natural electoral threshold enables a broad inclusion of minorities at the local level and the largest minorities at the national level. Unlike the majority system, which encourages more radical parties in multiethnic environments, the proportional system encourages cooperation and more moderate policies. One potential solution is to increase the number of constituencies while retaining the natural electoral threshold for lists of national minorities. Given the fact that national minorities in Serbia are mostly territorially grouped, smaller units would favor their greater representation, not only through minority parties, but also majority parties in multi-ethnic backgrounds would be more motivated to address minority voters. Increasing the number of

constituencies and opening electoral lists would contribute to more direct contact between voters and candidates, greater legitimacy and parliament representation, strengthening ties between MPs and voters, better representation of different parts of the country, which would make members of national minorities better represented.

- 4. The name of the minority party, as well as the electoral list of the national minority, must make it clear which minority or minorities it represents.**
- 5. The number of signatures for the candidacy of a minority list must be reduced.**
- 6. Supplement the natural electoral threshold with reserved seats to ensure the representation of smaller and territorially non-concentrated minorities.**

In order to reduce abuses of minority rights, while maintaining the benefits of the current liberal and non-essentialist approach to minority identities, it is necessary to require that a political party, in order to register as a minority party, make it clear in its name which minority it represents. The same requirement should be set for minority electoral lists. This would prevent the current practice of misleading voters with the name of the party and the electoral list.

In order for national minorities to have candidates in elections, it is necessary to reduce the number of signatures for the candidacy of minority electoral lists. As we have already pointed out, 10,000 signatures are still needed in Serbia to have an electoral list in the elections, regardless of whether the list is a minority one or not.

Due to the previously mentioned advantages of the natural election threshold, it is recommended that it be retained, but also supplemented with reserved seats. In the event that no list of a national minority that has a share of at least 0.5% in the population exceeds the natural electoral threshold, it may be granted a maximum of one seat if it provides some (minimum) voter support (similar to the Romanian or Montenegrin model). This could encourage minorities



to participate in the census and make boycott campaigns more difficult, but it would probably also make life more difficult for minorities with complex/dual identities. Another joint seat could be given to the smallest minorities, i.e. the list of one of those minorities that wins the largest number of votes.

An additional solution that would enable national minorities to be especially politically represented and competitive among national minority parties is that seats not be awarded individually to lists of national minority parties but on the basis of the sum of votes won by all parties of one minority. The minority would have as many seats as the sum of their votes contains the number of votes needed to cross the natural electoral threshold. After that, the seats would be distributed according to the majority principle, i.e. to those candidates who won the largest number of votes.

Another possibility is to add up all the votes given to all minority lists of all minorities that do not exceed the natural electoral threshold, and thus have them jointly participate in the distribution of seats, while limiting the number of seats that can be won in this way.

#### ACKNOWLEDGEMENT

*I would like to thank my colleague Vuja Ilić for his comments on the first version of this text, as well as the participants of the round table held on 22 April, 2021, organized by the Helsinki Committee for Human Rights.*

## LIST OF ACRONYMS

- BDSS – Bosniak Democratic Party of Sandžak  
 BDZ – Bosniak Democratic Community  
 DOS – Democratic Opposition of Serbia  
 DPA – Democratic Party of Albanians  
 DRSM – Democratic Reform Party of Muslims  
 DS – Democratic Party  
 DSHV – Democratic Alliance of Croats in Vojvodina  
 DSVM – Democratic Party of Vojvodina Hungarians  
 (Vajdasági Magyar Demokrata Párt)  
 DUD – Democratic Union of the Valley (Bashkimi Demokratik i Luginës)  
 DZH – Democratic Union of Croats  
 DZVM – Democratic Fellowship of Vojvodina Hungarians  
 (Vajdasági Magyarok Demokratikus Közössége)  
 GPVM – Civic Movement of Vojvodina Hungarians  
 GSM – Hungarian Civic Alliance  
 LDP – Liberal Democratic Party  
 LSV – League of Social Democrats of Vojvodina  
 MEP – Hungarian Unity Party (Magyar Egység Párt)  
 MPSZ – Hungarian Civic Alliance (Magyar Polgári Szövetség)  
 MRM – Hungarian Hope Movement (Magyar Remény Mozgalom)  
 NDS – New Democratic Party  
 PDD – Party for Democratic Action (Partia për Veprim Demokratik)  
 PDP – Movement for Democratic Progress (Lëvizja e Progresit Demokratik)  
 RIK – Republic Electoral Commission  
 SDA – Party of Democratic Action of Sandžak  
 SDP – Sandžak Democratic Party  
 SDPS – Social Democratic Party of Serbia  
 SLPS – Social Liberal Party of Sandžak  
 SNS – Serbian Progressive Party  
 SPP – Justice and Reconciliation Party  
 SPS – Socialist Party of Serbia  
 SVM – Alliance of Vojvodina Hungarians (Vajdasági Magyar Szövetség)  
 UDMR – Democratic Alliance of Hungarians in Romania  
 URS – United Regions of Serbia

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## ROUNDTABLE

AHMEDIN ŠKRIJELJ  
(PARTY OF DEMOCRATIC  
ACTION OF SANDŽAK):

I think it is good that this topic was opened, because I participated in the dialogue at the Faculty of Political Sciences, in all six sessions. Mr Žigmanov was also present. And at the inter-party dialogue in the National Assembly. Believe me, we have constantly been pushing the issue of the position of minority political parties in the election process. Neither the Government, nor the opposition that was there, neither the one nor the other side want to discuss this issue at all. So, there was no session, out of those six at the Faculty of Political Sciences, had we not insisted on three topics: reducing the number of signatures, a proposal to redefine the electoral system, the introduction of more constituencies in the Republic of Serbia and some things related to election guarantee and the financing of election campaigns. These are very important items. Both the government and the opposition are simply pretending that we are not in the hall. You can't tell who is worse in their reactions: those who are in power or those who would like to come to power and form the government instead of them. However, in the National Assembly, at the last meeting I attended, on 12 and 13 December, a conclusion was adopted which states: in the second phase, the reasons for concern mentioned during the dialogue should be discussed, such as those expressed by national minorities. And now, since Mr Bilčík and Tanja Fajon were also present and there was a whole delegation, there were ten people, we expect them to do something concrete regarding that issue, because they committed themselves to it.

I have to draw attention to something in the presented report, we have submitted this in writing – I don't know if it is the author's mistake or something else. At first, I thought it was a quote, but it wasn't. You cannot say for the Bosniak parties at that time, when we were all one party, the Party of Democratic Action of Sandžak (SDA), that we were supporters of some kind of secession. We would hear that from Milošević's media and from his state apparatus. If you know, or don't know, politically there were staged trials against SDA members in Serbia and Montenegro at that time, due to secession. And to push that notion I think is very dangerous and not good. Page 15 of the report states: Bosniak parties, for example, by boycotting the 1992 and 1993 elections, wanted to point out the unequal position of Bosniaks, demanding autonomy, which is true, and with announcing the possibility of secession, which is absolutely not true. Maybe in some books and in some publications published by Milošević's apparatus and those who support him. But there are two court rulings acquitting SDA members. And they took money from both Serbia and Montenegro because someone was illegally in prison for two or three years. They claimed damages. So, let's pay attention to what is written. Also, as we have sent to you, I think it is necessary for the number of signatures for political parties of national minorities to be reduced or the number should be changed or adapted to the number needed for establishment – a thousand. Or a different number should be established – 5,000. But 10,000 is really very high. Also, the payment of the signature verification fee should be abolished, that would mean a lot to minority parties. Maybe at the national level, but for us who operate in 5–6 municipalities, 10,000 signatures at RSD 70–80 per signature, that is a lot of money for us. Also, the percentage of funds for the costs of the election campaign should be increased, because that ratio is disproportionately and unequally distributed: you get twenty percent for the campaign, and 80 percent, based on seats won. For minority parties also, because what we get after the elections is not useful for us. We need funds in the election campaign. We drafted a bill and in it we requested after both sessions that the ratio be

changed to 30–70 or 60–40 instead of 20–80, and that more funds be allocated for the campaign. And I think that would suit all parties that are not in power. Because those who are in power have the largest number of MPs, they will get the most later on, and in a way the principle of equality is introduced. As for you, you talked about how to prevent minority status abuse. Well, we certainly can't do that by trying to change the names of minority parties or electoral lists. The Constitution of Serbia says that the establishment of political parties is voluntary. The European Convention says that there is freedom of association. And a name for a legal entity means the same as it does for a natural person. We can't give someone a different name just like that. Also, there are parties that have existed for more than 30 years. You can't just name them, because this initiative existed when the changes to the Law on Political Parties were being considered, and so the ministry gave up on it, at the request of several minority parties. We asked them to give it up, because no one can give us a name. Because we are free to choose it for ourselves. Also, even that does not prevent abuse from happening, what is important is who the candidates on electoral lists are. In the dialogue, we also proposed that candidates on the lists of minority parties be entered in a special minority voter list at least six months before the elections are held. Because there is no other mechanism. And we should, perhaps implement these broader, stricter criteria when it comes to the establishment of minority parties; because, if you established a minority party, if the state established it for you, you cannot condition it with anything so that it does not use that status in the elections.

So, stricter criteria, to be able to see the founders of the party, the people who make up that party and whether or not they are members of a minority. Also, what we believe is that, for us, this position where Serbia is one constituency is unacceptable. We believe that there should be at least eight of them and we are asking for Sandžak to be one constituency, the Preševo Valley another and for at least 20 MPs to be elected from Sandžak. Thus, Bosniaks and Serbs and all who live in Sandžak will be adequately represented in the National

Assembly. They will then be a factor that can exert some influence. Because look, in 2018 amendments to some minority laws were adopted. All MPs who entered the National Assembly through minority electoral lists did not support the minority demands, and the majority imposed this on them against their will. What is a minority MP in the Assembly? What can he prevent? He can't do anything. If you are the majority you have to vote. If you have the power to affect a law, you can. If not? That's what the situation was like and we need to deal with what resources the minority MPs have when they enter the National Assembly. So as not to allow the majority to impose laws and norms of behaviour on them. And we should also make sure that, when it comes to electoral committees, which are distributed according to a pattern based on the number of MPs in the Serbian Parliament, regardless of whether local and parliamentary elections are held at the same time, in ethnically mixed communities, electoral committees that conduct parliamentary elections should be formed on the basis of the number of MPs in the assembly of local self-government units, so that minority parties are represented there as well. Because, for example, we have a parliamentary group, we in Sandžak cannot get as little as seven people in six municipalities in a permanent composition at the polling stations. And I don't know, SNS or SPS, or Vulin's party, can get that but we can't. This is a serious systemic problem.

EDIN ĐERLEK

(JUSTICE AND RECONCILIATION PARTY):

I've read this draft and it is fairly well done; I can say that you have pointed out some of the key issues. Here, in one section, where you cite Bosniak parties and their participation in elections, the Justice and Reconciliation Party is not cited anywhere. I think this should be corrected or updated, it's on page 29, given that the Justice and Reconciliation Party is the strongest Bosniak party and it won the largest number of seats in Sandžak and the largest number of MPs at the state level. So, in regards to our proposals,

some of our proposals are in line with the issues you have found here. These refer to the amendment to the law to include smaller national minorities. We were able to speak to many of the small national minorities, we even signed agreements with some of them, for example the Vlach and Roma minorities, i.e. the parties that represent these national minorities. It is a known fact that in Serbia, national minorities make up 30 percent of the population. However, their inclusion in parliament is at around 8 percent, so they face a lot of problems especially when it comes to collecting signatures, and that is why, of course, we fully agree that the number of signatures should be lowered for national minorities, that 10,000 signatures is too high, and thus quite unattainable, especially for smaller national minorities. In addition, what I would say is key is the equal representation of national minorities, i.e. parties and political subjects in the media. I am thereby also referring to the public broadcasting service as well as all television stations with national frequency. Actually, I'm referring to all providers of media services. What we as Bosniaks have a problem with is representation in public offices, the justice system and the police. What is needed is the reciprocal representation of Bosniaks as well as other national minorities in the police and the justice system and all other public institutions, in public administration at the provincial, state and local level. In addition, to make all of this happen, mechanisms for law implementation need to be established whereby provincial, local and state authorities would be obliged to adhere to the law because we have certain laws that are good but implemented very poorly. In other words, they are not implemented. These are just some of the important issues, we also have concrete requests which we will declare in the coming period, I can send them to you via email so that you can include them in the study you plan to conduct. That's all. Thank you.

DUŠKO JOVANOVIĆ  
(DEMOCRATIC UNION OF ROMA):

I would like to thank the Helsinki Committee for the invitation. I believe that you have organized this meeting at just the right time, because talks between the government and the opposition started recently, i.e. the dialogue started and what is certain is the fact that some changes to the Law on the Election of Members of Parliament will be made. That is what the dialogue that was initiated will result in and I think that minority parties should not wait another twenty or thirty years, I don't know how long the multi-party system has been present in Serbia. I have read this report of yours. I don't have any special remarks, as I wrote to you. The only thing that I think should be included in your report, especially in the part on manipulation, exercising pressure on voters, all of the things that happen, you can find a few recent and fresh examples in the previous election. We will just mention two concrete examples in that regard. A video was making the rounds on social media, I believe everyone in this hall has seen it, where one of our Roma women fills in ballots instead of people, places them into the ballot box while the voting committee does nothing and someone manages to film the whole thing. There's a number of egregious offenses that were committed in all of that. And it's under the radar of the competent authorities. Another example are the elections in Vranje. There, the Alliance of Vojvodina Hungarians received over 1,500 votes, even though Mr Pastor said right after the end of the elections that the Alliance of Vojvodina Hungarians did not go beyond Vojvodina and Beograd on their campaign trail. Coincidentally, Mr Vacić and his party were at number 4 on the ballot. The question arises and it is known that many Roma people there voted for Mr Vacić and that's how a large number of votes went to the Alliance of Vojvodina Hungarians. I think those are two examples, I need not continue. But let's just consider those. What is clear, I don't want my esteemed colleague to misunderstand anything, Mr Pastor clearly explained it. But it's clear and I'm raising the issue and that's why it's important for it to be included

in your publication, and I believe it will end up on the tables of many international organisations, the expert public which will have access to something that unfortunately, everyone here knows, in this country, yet no one reacts to. I will return to today's topic now. I think it is high time that Serbia, i.e. the Serbian National Assembly, decides on introducing guaranteed seats for members of national minorities. A pillar for that is, as I see it, above all the Law on National Councils of National Minorities. Currently, in Serbia, there are 22 national councils and I think that in the same vein those 22 national minorities should have their own representatives in parliament: because if you grant someone cultural autonomy, it would be absurd to expect them not to have any political influence, aside from a few minority political parties that are represented in parliament. Another thing, the issue regarding the number of signatures is even more absurd. The fact that 10,000 signatures are needed, even in the previous elections we saw that many parties that turned in their lists had to request support from other political parties. It is absurd to expect any minority party to have the means, financial, logistical or whatever, organizational means to collect 10,000 signatures. Here too, we can rely on the Law on Political Parties that clearly states that in order to register a minority party, 1,000 signatures are needed. I don't see why the same thing cannot be applied when it comes to list submissions. I will present some of our experiences of collecting signatures and I believe that the majority of people present here will be able to relate. First, when the election activities for signature collection start, you can't find a public notary. You thus end up waiting at least 7 to 10 days for a notary or a municipality certifier. What happens then? Various political parties will have made their way through Roma settlements and collected signatures in various ways and so when we get there, or when any other Roma political organization gets there, those signatures are no longer valid, because they were given to someone else. And that's a public secret. And all this is paid for. And everyone knows, when the time comes, when electoral activities start, that you will not go to a high-rise building in Belgrade, or some other city

and ask to buy votes, you will go to a Roma settlement, bring enough money and everything will be taken care of. Everyone knows this. And of course, international organizations tolerate this. And the part about the number of votes, since we already mentioned the guaranteed seats, when it comes to the number of votes, a natural threshold could have been an option and a solution in the past. Today, it's mission impossible. As far as I know, with the change to the election law from last year, there is no natural threshold anymore, and instead, the number of votes a national minority party attains is increased by 35 percent. And now, if you get 10,000 votes, as a minority party you will be ascribed 13,500 signatures. What does that mean in practice? If the turnout is higher, you will certainly not be able to win that seat. I therefore think the solution, as we stated in writing, should be in parallel with the thing related to the collection signatures. Thus, minority parties of a particular national minority should be able to collect 1,000 signatures with a possibility of being elected into parliament. The same principle as with national councils should apply, i.e. the number of votes you get determines your ranking in the National Council. I think that the Romanian model where a minority party is required to attain at least 10 percent of the natural threshold to enter the process of running for the Parliament is another good suggestion and solution. And finally, I will conclude by saying that Serbia has entered the negotiation process with the EU and whatever we say, Serbia will become a part of the EU, that is certain. What worries me, all these burdens that are weighing Serbia down in the negotiations will sooner or later be resolved, but I fear that the Roma issue will remain. What primarily speaks to this is the fact that the most recent states to join the EU, and by that I mean Croatia, Romania and Bulgaria, were allowed to have their Roma issue slide. They will not let Serbia do the same and I fear that we might end up in a situation where someone could go to the media and publicly say that "we can't join the EU because Roma are a problem". And here is proof for that. Remember only a few years ago when the EU sent a clear signal that Roma were a problem, because a large number of Roma went to seek



asylum in EU countries, which burdens the visa-free regime. It was even considered if the visa-free regime should be abolished in Serbia for six months, you remember that. In the end, it turned out that Roma are not the most frequent asylum seekers in the EU countries. I am not saying this for no reason. So, if Serbia does not seriously attempt to resolve the issue, I don't even want to mention the numbers, I don't want to burden this meeting with the numbers, i.e. the money that came in for solving the problems of the Roma community. I fear that that this might become Serbia's "Sword of Damocles" because they will say "well you got some serious financial means, what have you managed to do?" in solving the many issues that Roma people face.

OSMAN BALIĆ  
(LEAGUE OF ROMA):

Given that we are talking about an amendment to the Constitution, I suggest that we send a note to the Government and the President of the National Assembly from this gathering as well regarding the important recommendations from this text. Namely, amendments to the Constitution and amendments to the election law. These are serious objections, and the League of Roma, in 2019, sent a proposal to reduce that proportion to both the President and the Prime Minister, knowing who actually has the power to decide in this country. In any case, it would be very important that this material, these recommendations and conclusions be sent to the Prime Minister and the President of the National Assembly. They should know. It should not just end up in an edited volume because it seems to me that a very small number of people read your edited volume. When it comes to the number of signatures, I completely agree with my colleague from SDA. Also regarding abolishing the fee for signatures, through political and police repression, Duško is prevented from taking part in the elections. Given that Roma people are a "valuable resource", there are 400,000 of us, they pressurized us so much that no Roma party could run in the elections. Given

that we are talking about the representation of minorities in representative institutions, the League of Roma has proposed and created a platform for a law on equal employment. So, we have the Law on Civil Servants, we have the Constitution of a society where there are equal opportunities, etc. That's simply not working. It's not. And it's good to codify it with a law and amendments to the Constitution. A certain number of Roma people has to be employed in the police in line with their proportion in the total population in Serbia. The same goes for Bosniaks, Albanians, Croats. Even-stein. But this has to be "hammered home" with the Constitution and a special law. No one reads the Law on Civil Servants. And when they do read it, they don't implement it on purpose. Let me just tell you, there is this reactionary nationalism in our public sphere, especially in government administration. We have never had such a high number of highly educated Roma and such a low number of Roma employed in the state administration. Do you know why this is so? Because they consider us a disruptive factor. Roma are the disruptive factor and you have that in your studies. That is what I would conclude with. Therefore, a law on equal employment should be passed separately. As well as the amendments to the Constitution. If we are a society of equal opportunities, then we must pursue a policy based on evidence and numbers. Come on, we're serious people. Some of us have retired, some will die, those of us who remain are supposed to fight for human rights.

SHAIP KAMBERI  
(PARTY FOR DEMOCRATIC ACTION):

The Albanian community in the Republic of Serbia has constantly tried to become an equal part of this state, its institutions, but we are also witnesses to the fact that every government so far, even the current one, has rejected to treat us as partners in solving the problems faced by Albanians, Serbs and Roma living in Bujanovac, Preševo and Medveđa. In one of the reports of the Helsinki Committee, I read somewhere that Serbia is an unfinished state.

Of course, as such, its democracy is not complete. Serbia, in general, has serious issues, but these problems with minorities are certainly one of the most significant that will affect the European path of the Republic of Serbia. This is about the participation of minorities in a political sense, I guess it only refers to participation in the work of parliament, but it is certainly the obligation of the state to provide minorities with the ability to exercise their other rights; Article 77, paragraph 2 of the Constitution guarantees equality in employment, i.e. in all public services, this should be taken into account and the structure of the population of those municipalities should be taken into consideration. Of course, from the 1990s until now, no legal framework, systemic laws, no Constitution that has been in force, have been a sufficient guarantee for the protection of rights and the realization of what minorities wanted; as a result, minorities are frustrated and want different solutions which are treated here as secessions or something else. It is paradoxical that the list of national minorities must collect the same number of signatures for the parliamentary elections as a party, a central party, let's take the SNS, for example, they can collect 100 signatures in 150 municipalities in Serbia in one day, while a party such as mine, or the SDA, or other minority parties must work very hard for at least two weeks, 20 days, to collect enough signatures. On the other hand, you have facilitating means in the formation process, regarding the number of signatories who form the party of the national minority, in my opinion, this was done maliciously, because, if you need 1,000 signatures to register a party and 10,000 signatures to run, then it is obviously the state's intention to split that minority up as much as possible, and that is why we have 11 Bosniak political parties in Sandžak, there are 9 or 10 Albanian parties in the Preševo Valley, I don't know how many Roma parties there are across Serbia, and in this way they are split up, intentionally and maliciously, I would say. Members of minorities saw the EU ascension process as a chance to improve our position. The serious question now is whether this country, this government, is sincerely committed to European integration. According to what Prime

Minister Brnabic said on the day she was elected, when she giving her exposé, the European priority was third on the list for her government. First on the list was the strategic partnership with China, then with Russia, and then with the EU, regardless of the fact that the EU or EU states have been the biggest investors in the economy of the Republic of Serbia and in the democratization of its institutions over the last decade. In the anti-European climate that was created, there is serious doubt whether the attitude towards European integration is really sincere. Unfortunately, the last three reports, which have been published since the end of last year, speak about the position of minorities and the general state of democracy in Serbia. A report on progress speaks quite negatively, i.e. a resolution of the European Parliament and a report of the State Department explicitly report about hate speech that some MPs in the Government of the Republic of Serbia use on a daily basis and in their attitude towards minorities. So, you should definitely look at all the experiences that exist in the region, whether in Romania, Croatia, Kosovo, or somewhere else. Although Kosovo will be difficult to accept as a model. But, given the situation, here is how far we have come: there six, that is, seven out of a total of 250 MPs are in the opposition. At the beginning of that convocation, I said that it was a sad day for democracy, regardless of the fact that the opposition is also to blame for being divided, having no political goal and not being able to turn around and leave the past behind, and for not offering anything new compared to what we already have in power. The problems are serious. And this analysis is serious. We will try, on behalf of our parties, the Albanian parties and the National Council, we will also cooperate with SDA, give our comments on this and submit them to you and the others.

FAHRUDIN ĐEKIĆ  
(SDP):

Thank you for the invitation. I would also say that this is a good time for such a gathering. More or less, as we have heard, all of us here have the same or similar objections. Definitely, more

constituencies, which is more suitable for the three largest minorities that are concentrated in certain areas. A proportional system, what has been mentioned about the number of signatures to support a list, 10,000 is a huge problem, probably even for Hungarians. For Bosniaks it certainly is, especially since we have three leading parties in the Bosniak corpus and we know how difficult it is to take part in that process. I would not agree with certain stances claiming that a larger number of parties is necessary for the registration of a minority party. There I would advocate for a more open and more liberal model, that there can be multiple parties. These are the attitudes and opinions, as one would say, that even a smaller number of signatures required for running would in fact be a way to break up a national minority in the political sense, in the narrower electoral sense. What we all see here, there is an impression that even after 30 years of political pluralism, we are talking about the same or similar topics as before. Before the meeting with Ms Biserko, we talked a little bit, so I participated in some similar sessions 13, 14 and 15 years ago, when she organized something similar with non-governmental organizations in Novi Pazar. We still have similar topics today. Well, that is one disadvantage and one negative characteristic of our society, our state, but also the entire region. Ms Biserko mentioned a non-paper in her introductory speech a moment ago, something that stirred up the region in the previous days, something that cannot bring good to anyone in this region, and as I recall, something my colleague from the SDA party also mentioned. I would like to praise this work of yours, this study of yours, but I think that you adhered too much to the literature, and then you pulled out this issue from somewhere that Bosniaks bare this stigma of secessionism, which is absolutely not true and for which there is absolutely no evidence. And I certainly agree that it would be scandalous to keep that in the final version of this study of yours. For many years, SDP has not adhered to the natural threshold, but it participated on the list of a majority party. And that is an indicator of shortcomings, not in the nomination and the qualification of legal regulations, but in

reality, when it comes to the political life of Serbia. And all the parties here, more or less from all national minorities, at some point more or less, to a greater or lesser extent, for a longer or shorter period, in some way cooperated with those who were in power at some point. National minority communities, given that they do not have a guaranteed number of MPs, given that the law limits to one national minority, you talked about these differences, or ethnic distancing through the regulations between national minorities and everything that is happening in reality, various types of pressures, mechanisms; I do not believe that, even if we were to prescribe that there must be, as suggested by the gentleman from the Roma party, we must prescribe by way of the Constitution and the law that there must be a certain number present in the police, again in reality there is a way to get around that, then to ask for enrolment in a special electoral list, and a length of service of one month, two, six months, or even a year on the electoral list can be accumulated in the Bosniak electoral list for a certain Slobodan Nedeljković, whom we all know. We can always find such cases in reality, i.e. in life – ways to prevent national minorities from exercising equal rights as citizens of Serbia. This is why national minorities must have a higher level of cooperation and they should be given greater political strength i.e. a greater political space for national councils of national minorities. Also, the coordination of national councils of national minorities must be more of a political body which, when summarising, i.e. analysing and reaching a conclusion, that conclusion must have political significance in the public. What we have now are national councils that cover four areas, so you have cultural autonomy, but it is not desirable to go beyond those frameworks. It is desirable that, even when you run, you do not have any political connotations. So, tighter cooperation. It makes sense that in such a political environment, non-governmental organizations find themselves as mediators between the state and the minority community, because minority communities are not able to act together towards the state due to their problems, the impossibilities and lack of cooperation and distance from each other. Of course,

it is not a bad thing for the Helsinki Committee or some other non-governmental organizations to act as a link in the situation in which we have been, as I said, for many years. As for some of these issues, I see that here we probably all have the same views on some of these things. When it comes to financing and the course of the campaign, and when it comes to election committees. We have gone through a number of these election cycles so I can see that our views are practically aligned.

GORAN BAŠIĆ:

I apologise, I'm probably a bore to some people. However, it is very harmful for national minorities and narrows their space when they allow and equate the work of national councils and their competencies with political organization. Any political parties of a national minority have significantly broader interests than what cultural autonomy covers. Cultural autonomy according to all standards covers these four areas and is valued that way. So, when you look at what the state of Serbia has signed in relation to the Framework Convention, which recognized and accepted the protection of national minorities, according to which cultural autonomies are contained in those four rights. Those four rights are part of public policies, they are also part of some general policy within which something is being developed. We do not have a policy of multiculturalism in Serbia, and that is not a problem of the majority parties. That is your problem and ours meaning those who stand up for it. It should be clear that the majority political parties, be it the Democratic Party, be it SNS, don't want such a policy. If they did, they would have implemented it in 2002. And when you agree to reduce the national council, and that was accepted in 2003 when the national councils were first elected, not by the law as it should have been the case, we did not fight at the time for it to be by the law, but by the rulebook which was written on the knees of a minority leader, who is no longer a minority leader, and a Serbian scientist. And then all the MPs, councillors from the assembly from Novi Pazar, Bosniak ones, from

Sjenica and Tutin, elected the national council. They had a political mandate. Then it all went to hell. And not just Bosniaks. The Democratic Fellowship of Vojvodina Hungarians, and everyone with a political mandate, no one was elected. Since then, those people, who are otherwise politically strong, have created a system that is backwards. We can say, if we want to continue living in a backward political system, that cultural autonomy is part of a broader policy, but it is not part of a broader policy, because as a political party you have much broader interests than cultural autonomy. And you will mix them up. When you mix them up, it's over. It is no longer possible to achieve that cultural autonomy, because, in that case, problems that Jelena spoke about, namely abuses, will surely arise. That's where those abuses come from. And if you want to look at other countries comparatively, look at Croatia. Milorad Pupovac never mixed his political activities with minority, cultural and Serb activities. It didn't occur to him, because he knew it wouldn't work. And why would he endanger the interests of political parties and self-government? Hungary has a good model. In Hungary, which has a decentralised model, a minority party, local self-government can be transformed into minority self-government, or vice versa, if there is a legally prescribed condition for it. So somewhere it is possible when a minority is in the majority in a local self-government, for that minority to take over what is a minority self-government and to implement those public policies. I would be very careful when using, when thinking about merging minority self-government and political organization.

AHMEDIN ŠKRIJELJ  
(PARTY OF DEMOCRATIC  
ACTION OF SANDŽAK):

I think it would be good to stick to this topic. The topic is how to improve the position of minority parties in the election process and system. Maybe we should have spent more energy on what rights the MPs elected on the minority list will have, if the state ever decides to endanger, so to speak, the vital interest of a minority.



Whether they have the right to veto or not. We have been talking this whole time, inserting the topic of national councils, which is in my opinion totally unnecessary here, at this gathering, at this moment. Look, if you look at the International Covenant on Civil and Political Rights, you will see that what the law in this country should be dealing with according to the Constitution, national councils, these are par excellence political rights. Also, the law allows political parties to run their electoral lists. And I don't see anything wrong with that. Also, if this state had the policies that it should towards minority communities, then minority communities would treat their own, their only national institutions differently. Even that national council, if you take the legal system of this country, where can you find it: it is not even defined. It's nothing, it absolutely does not exist. It was somehow forcibly inserted and it is still not recognized. Also, what should worry you and us more is the legislative policy of this country since 2014, towards minority communities, we absolutely cannot say that it is well-intentioned, to put it mildly. As some legal changes are made, more and more rights are being abolished and limited, which should not be the case. And we now want to define the whole problem, whether we will politicize or depoliticize national councils. I think that is completely wrong at this point. If Serbia becomes more democratic, and changes its character as a state, because minorities are not second-class citizens, if we have a system for solving the problems of minorities, and not causing their problems, then we can talk. When we come, when society comes to that level, then we can talk about everything. While these people are leading this country today in this way, with this policy, absolutely, with all due respect for everyone, it is totally unacceptable to impose this as a topic. Also, it is very important that we try to see through at least one thing that would be included in some recommendations. Once again, I want to say that I have been to the Faculty of Political Sciences six times, and no one ever wants to hear of any request coming from minority parties, regardless of whether it's the government or the opposition. We have a deeper problem here, which may escalate in some

environments and no one would like for that to happen. I suggest that we stick to this topic and not go any broader. We could talk for days, argue about everything, but I think this is a very important topic. And I reckon that you have that desire, because you wouldn't be doing all of this if that wasn't the case, how can we make at least one thing easier – whether it be signatures or something else, but let's do something where we can see a step forward. I apologize to the other participants, I just needed to say that.

ELVIRA KOVÁCS  
(SVM):

On behalf of the Alliance of Vojvodina Hungarians (SVM), I would also like to thank you for the invitation and I am sorry that due to my obligations in the Assembly, since I have a Committee on Foreign Affairs, I cannot stay here until the end. But I don't want to repeat what has been said. We all agree on some basic things. Maybe I would like to inform you about the latest things, because I agree with most of the things that, for example, our colleague from SDA said, but I think we should not deal with what happened in 2019, but see what we can do in 2021 and onwards. As for the dialogue, I believe that my esteemed colleagues will also have an appointment today, because today is Thursday, I participated on Tuesday on behalf of my party, as a parliamentary party in this dialogue (Tanja Fajon, Bilčík ...) and of course the basic thing I talked about is exactly what you mentioned: representing minorities and the basic thing we started with, which is finally clear to them as well, are signatures, and that it makes no sense in collecting 10,000 signatures and I think that is final now, and it is clear to the working group as well, because I think that the basic thing, and that was the least talked about here, are ODIHR's recommendations. And in fact, our working group, the working group of the Government, however you prefer, which was formed in 2019, believe it or not, maybe people don't see it, don't hear it – is working. At the time, Nebojša Stefanović was placed at the head of that working group, now the head of that working group, as far as I know,

is Đurđević and they are working. And they made many recommendations the other day, in fact they made a plan of what will be done in the very near future, just to prepare for possible early parliamentary elections next year. And I think that one of the basic things, at least from what I heard from the members of the working group, is that the number of signatures will be reduced. But, the main problem again and what we should at least agree on is the massive abuse, because when national minority parties are mentioned, we know that from the registered parties, I'm now speaking off the top of my head, I really don't know the latest numbers, out of one hundred parties, 80 are minority parties. A huge number, we all know that these are abuses. I personally had the opportunity to participate with Mr Pastor in the preparation of these changes, you know, when last year after the election, so somewhere in February, when the decision was made to reduce the threshold from 5 to 3 percent and immediately, we, of course, everyone calculated that it would not suit us at all and that we would have to win many, many more votes for one seat, and then we looked for a solution, a mathematical solution. And, everyone is asking, even Jelena phrased it very nicely while responding to the SVM proposal, how did you get to 0.35. We calculated and kept track with tables. We really wanted to see how much we were losing, because we would be a minority party. The only losers of the census reduction, to introduce in some way, of course, we are aware of that; when the majority party saw what it would lead to at the local level, we immediately introduced the authentic interpretation that at the local level, if we certainly exceed the 3 percent threshold, that there would not be too many minorities.

**Jelena Ločar:** Did you see it as a model or did you calculate it yourself?

**Elvira Kovács:** Yes, I am an economist, I am not a lawyer, so I calculated it mathematically and when I explained everything, everyone was very surprised. Yes. And then they immediately started to calculate how many seats they would have and whether or not that was a lot. But what is the fairest option? I mean, you don't want to

know the details of those negotiations. But, I want to say that the basic problem was then, as everyone immediately said, “yes, but we have four Russian parties in Nis in the local elections, and there are no Russians there.” So, whenever we talk about the representation of national minorities, we always face these problems. And I agree that this is OK, let’s put the name of the party, the name of that minority, but again in some way, and then present it with this proposal, let the Republic Electoral Commission (RIK) decide. They say that they always struggle, so that the opinion of the national council can be sought. Well, that’s exactly what we were talking about, if a national council is politicized, will it give an opinion on everything? I mean, it’s very complicated, but I think we need to get rid of the issue somehow. And I could probably talk a lot about this topic, but the point is, considering everything, I really, regardless of the fact that I can’t really say what we talked about, but I also mentioned it to those who are helping us in this dialogue, yes, of course for SVM, this system is good for us and I agree with what is recommended here, but we do not think only of ourselves and numerically large national minorities, but we agree that a way must be found for numerically smaller national minorities. And a combined system should be made. And we know that one of our obligations from Chapter 23, from the special Action Plan for Minorities, is to carry out that comparative analysis, to see how it is resolved in other countries, and to, say, provide guaranteed seats for minorities. I think that would be the solution, and the current method should stay for the larger parties. I think we are all aware that it will be difficult for this coefficient that is currently in the law to survive, I think it is a matter of time when the calculation will be made as to whether it is in accordance with the law, with the Constitution... But I think that all of us, regardless of what we think about the current ruling majority, would agree with the SVM’s position that only by cooperating with the largest party can we do something. It is really not okay to attack, I do not want to spend my energy at all on explaining the 1,300 votes in Vranje, but I am very surprised, even disappointed. I woke up dead tired after the campaign,

the radicals told me that we have 1,300 votes in Vranje. It is clear to everyone because Misa Vacić told the Roma people, “Circle number 4 to get 2,000 dinars,” and he forgot to mention which list. But what SVM has survived since then, from everyone and that our former member, as much as I respect him, laughs at that, and all of you here, I do not want to use words such as “scandalous”, but I expected more from the representative parties of national minorities. Thank you.

TOMISLAV ŽIGMANOV  
(DEMOCRATIC ALLIANCE OF  
CROATS IN VOJVODINA – DSHV):

Thank you to the Helsinki Committee for keeping this topic relevant in our very poor public space. When it comes to political discourse, there is also a lack of discussion on this issue. I will say a few things that were said before, when it comes to the democratic participation of those structures, those parts of society that are in a handicapped position due to the numerical situation, they aim to find measures of positive discrimination, to be included in decision-making processes. It is not just a question of numbers, when it comes to minorities. We have wounded communities. I will not name who the wounded community could be, but we assume that the representatives of the community with which the state had a conflict, the state whose citizens we are, i.e. the representatives of the community that was in a state conflict, regardless of number, are in a more peculiar position than some other communities. Democratic participation takes place in democratic societies. It is certain that the political representation of Sorbs in Germany has a different tradition, different legal solutions, and the stability of democratic regulations. There are no solutions expected by national minorities in Serbia, a country of unconsolidated democracy, high ethnicization, let's just mention how the state of Serbia explains its own belonging. A state that has relatively large deficits when it comes to the rule of law, the functioning of institutions that all have direct, mostly devastating consequences for the status of solutions and the

articulation of the interests of national minority communities. Institutions in democracies are not only just, but they sanction possible abuses. Liberal solutions when it comes to national minorities are not always positive or good. The fact that in the Republic of Serbia two thirds of political life is “at the expense” of minority political parties, is in itself more than a problem and no one has dealt with it. How a positive regulation can be abused through a reduction in the number of citizens who want to participate in political life. And does that number of 1,000 citizens have equal chances for the representatives of the most numerous communities, like the Hungarian or Ukrainian, which is almost a hundred times smaller. We should not forget the fact that the solutions, all legal regulations that exist are maintained in a given social environment. The current authorities in the Republic of Serbia should be very grateful to those representatives of national minority political parties, who, despite numerous challenges and deficits, have decided to participate in the electoral process. And the smallest measure on the basis of political life, which legitimises the current government as democratic are those political parties of national minority communities that have decided, despite everything, to go to the polls. More than half of the political spectrum in the Republic of Serbia has decided to boycott them. What does this mean for the state of Serbia? For us as participants in political life? Would you like me to talk about other abuses, the penetration of entering the space of identity, through various actions of social engineering. 23 national councils, that’s fine. Do we know which are autonomous, or have the governing structures skilfully entered the space of minority national councils, which then serve as decoration, to praise the dominant narrative, Serbia as a champion of democracy, human rights... not in Europe but in the world. Of the 23 national councils of national minorities, the Bosniak, Albanian, Hungarian and Croatian councils are not under the influence of the ruling party. And we will also mention penetration when it comes to direct elections for bodies of local, regional and provincial and state authorities. There is a structure within our political field that aims to

prevent a particular political party from succeeding. And then, through various forms of engineering, you see, of semi-criminal groups, a political alternative to a party in a certain community appears, whose signatories are not members of that community. In Subotica we experienced that the political alternative to the Alliance of Croats in Vojvodina had 750 votes of citizen signatories, Croatian nationals were the smallest portion in them, lower than citizens of Serbian, Hungarian and Albanian-speaking areas, the Roma community. And no one did anything, we objected and no one said anything. Why? Because it was a political goal for a certain political party not to succeed. The issue of political representation is the fruit and result of the internationally accepted obligations of the Republic of Serbia. Goran mentioned the interstate agreement with the Republic of Croatia, the state is obliged to ensure, in Serbian, political representation, in all representative bodies. Meaning, the National Assembly of the Republic of Serbia, the Assembly of the Autonomous Province of Vojvodina and the local self-government assembly and the Executive Branch of Government, meaning a Deputy Mayor and Head of the Municipality. According to that model, which is very successfully applied in Croatia, the Serbian community has three representatives, 11 deputy mayors and 44 mayors, heads and deputy heads. And now you will say, these are superficial changes, that the Serbs have not solved the issue, that they have not returned enough, that they have certain problems. Of course, we have problems in every community. And no one in Croatia, not even in academic circles, mentions the fact that Dragana Jeckov, an Independent Democratic Serb Party (SDSS) MP, has 7,000 votes out of 186,000 Serb citizens in the Republic of Croatia for her term. Yes, the undisputed leader of the Serbian community in the Republic of Croatia, Milorad Pupovac, has a little more than 10,000. In the case of my colleague Jeckov, that is less than 5 percent. And no one questions her political legitimacy. Why? Because she does not have the same status as an MP from the Croatian Democratic Union (HDZ), the Social Democratic Party of Croatia (SDP), or someone who speaks from the perspective of

non-national minority parties. Other national minority communities, it seems to me that Albanians are mentioned even more, do not even have 1,000 votes, and they represent 4.5 percent of national minorities. And it never occurred to anyone in Croatia that because of these, because they are not the same things, they are not apples and oranges, these are apples, these are oranges and that is how they are understood. That should be normal in Serbia as well. Cosmetic changes of several constituencies can benefit numerically larger, territorially concentrated minorities. Territorially dispersed and vulnerable minorities will not benefit. DSHV will insist on the consistent implementation of the interstate agreement and we will send signals to the public that, if the Republic of Serbia does not ensure that, the Republic of Croatia will suspend that agreement. Because if you have not been able to apply the principle for 15 years, find a model for the case of the Croatian community, we have made a commitment, then we will not get involved with politics. Then there is no sincere intention for it to be implemented. If you told me now that, based on our experience in Serbia, which does not implement what it signed, which does not incorporate into its legal system the solutions it accepted in the interstate agreement, an international agreement, that the same rights for national minorities, i.e. the Serbian community in the Republic of Croatia, should be abolished, you know what that would mean. In a country where we are stigmatized as an a priori enemy of the first order. Finally, in regards to the issue of the politicization of certain bodies within the minority self-government, I will just say that no one in Serbia has challenged the right of Milorad Pupovac as president of the SDSS, who after resigning from the post of president of the Serbian National Council, succeeded by Boris Milosevic, who became the Deputy Prime Minister of the Republic of Croatia, to be re-elected President of the Serbian National Council. There is no fear of politicization and instrumentalisation. There is an unwillingness to achieve full autonomy in minority communities. Why are 19 national councils of national minorities under the control of the Government? Why did they come to the Government meeting



on 21 December last year, where they were told that they would receive 20 percent less funds for their operations. And everyone said yes, that's fine, we're very happy. Only the Croatian, Bosniak, Albanian National Councils said "no", if we get 20 percent less, tell us in June so that we can make a financial plan. The state abolishes and fails to provide what it should and, everyone is satisfied. What kind of autonomous action is that? Thank you.

JELENA KRIVOKAPIĆ  
(OPRE ROMA SERBIA):

Let me immediately say that we are not a political party, nor do we currently have the affinity to become one. But, in general, we are supported by a large number of Roma men and women and we stand for the interests of the Roma community, so I think that this is an extremely important issue for the Roma community. And, thank you to the Helsinki Committee for inviting us to this gathering. As for the analysis, we think the analysis is good. We will not focus on specific issues, we will immediately focus on the proposals that you forwarded to us, which we are supposed to comment on. As for the electoral system, i.e. model, we believe that any electoral model that is chosen, generally works more in favour of the majority than the minority. And in general, we cannot express which election model is best, because we have to consider the geographic and demographic component in all of this. But if we had to choose, we would be more in favour of the preferential model, to vote for a first and last name. There is very little chance that this model will be chosen, perhaps, in some way, a combination of the proportional and preferential model can be chosen. We agree with all the proposals that this should be done, so that various abuses do not occur. It should be defined that an electoral list is that of a national minority, perhaps it can be indicated in the name of the party and entered in a special voter list, that someone is a representative of a national minority, maybe by way of birth registers, since there is also that possibility, so if someone wants to abuse it later, it will be known

whether they were removed from that list or not. So we agree with that. We believe that this natural threshold should be maintained. As for the number of 10,000 signatures, I do not want any of those present to misunderstand us, the Roma national minority is extremely numerous. That number of the 147,000 signatories is not an accurate number. The number is much higher. Maybe even three times higher, so we think it's simple, we've heard now that the number will probably decrease, but how does that affect the quality of the party itself? That's the question. Of course, the national minorities for whom it is extremely difficult to collect that number of signatures must be considered. Our movement believes that that number is not a problem. But, our proposal in connection with all that is, related to the others, to, for example, those non-parliamentary parties, for them to be supported financially, so that they can have the opportunity to grow later. This is related to our general proposals. But, what I think is an extremely big problem for the Roma community, is political corruption. And that issue needs to be resolved. We think that the laws are extremely good, but the problem is their implementation. It is simply necessary for there to be that sense of social responsibility, and exchange of information between political parties. The Criminal Code also recognises it as a crime, it should be implemented, for everyone to understand what kind of problem arises due to that political corruption.

STEVICA NIKOLIĆ  
(OPRE ROMA SERBIA):

I would just like to add to what Jelena said, our problem as a Roma community, is not to organize ourselves or collect a certain number of signatures. However, as my colleagues said, the problem is the involvement of larger actors who do not allow us to grow. Thus, for us, the issue of the model is only secondary. This issue of corruption must be resolved first, and then we can discuss this model.

NICU CIOBANU  
(ROMANIAN PARTY):

Thank you to the Helsinki Committee for the invitation. I think that Ms Loncar's study is exceptional, it reflects the real situation. It was done objectively, studiously and I think it can be a very good benchmark for what is happening on the political level when it comes to national minority parties and beyond in Serbia. And I think, we actually want or we are seeking the impossible, like the students of the 1960s, in 1968. In what atmosphere do political parties of national minorities operate in Serbia? I will not say Serbia, I will say that political Serbia has no sensibility towards national minorities. There is no strategic approach that would lead to solving our problems. And it never existed, 20 years ago, even when the Democrats were in power in Serbia, there was no good will, there was no political will to solve the problem of political representation of national minorities. So never. Why? I have a feeling that there is an attitude in Serbia, that Serbia belongs only to the majority, that Serbs have a monopoly over Serbia, maybe I'm wrong, and others, "we are here, here we are, that Serbia is not our country but only a country of Serbs." Well, as long as something like that exists, nothing will be resolved here. We have seen that Serbia does not fulfil its international obligations, moreover, it does not implement its own laws. Political parties of national minorities are marginalized. And they exist on paper only. They are marginalized. In fact, there is no room for anything to be done, for them to be active. It is an insult for one political party for national councils to state their opinion on whether that national party is and belongs to a national minority. Why? Because, as my colleague Zigmanov said, national councils are puppets of the SNS in Serbia, or the government, however you want to call it. Not all, I'm talking about the Romanian National Council, for example, I will not wrongfully accuse others. We have had a problem since 29 December last year, for example, we have cases where no one reacts to criminal charges, people are taken away from their homes to vote, or change votes, because it is done electronically, via e-mail. They

change after two hours, a person changes their vote, their attitude. And it's all protected. Who protects it? SNS. People in National Councils are being forced to vote in a way that someone else determines. I am talking about, I repeat, the Romanian National Council. National councils are puppets. The problem of political representation of national minority communities is not only, I think, the election law. I don't know if it is possible to pass a law on political parties of national minorities in Serbia. Is it possible? Why? How can a party function when it has no sources of funding, no centre. It is an open secret that with the majority, I am talking about smaller minority parties, the headquarters are in the house of the president, or somewhere with some friends. It's a public secret. How can we finance an election campaign, with what money? While, for example, for the National Councils, the SNS, of course, puts its entire infrastructure at their disposal in order to collect votes. We have it in black and white that the people who do not exist, who are in America, people who passed away, voted. What can you do? You can't do anything to them. And that's why I'm saying, we are asking for the impossible, 10,000 signatures to submit an electoral list. So, what do those national minorities that have 15,000, or 12,000 or 18,000 members do? How do they solve that problem? But, above all, I think that the financing of national parties should be determined by law. Probably the best solution is to talk about political representation, and I am of the opinion that the best solution is a guaranteed seat, to set quotas for small national minorities, which are numerically small. That is the only solution, if we want them to be present in representative institutions. I would end by saying that I fear that political parties of minority communities, although I am a member of the Romanian national community, I am afraid that they might distance us from civil society, which, perhaps, we are talking about a longer period of time, would not be good. If we all insist on pure national parties of national minorities, I say, I am afraid that their activities in the local level may probably distance us from civil society, which would not be good. We have to find some balance in political action, because, otherwise, what will

we have achieved? Nothing, we would be back to where we were in the 1990s, or where we are now.

FAHRUDIN ĐEKIĆ

(SDP):

Minorities in Serbia must avoid the position of Calimero at all costs. I don't like to hear that we are constantly threatened, the government is guilty of something. It doesn't matter whether Aleksandar Vučić is in power, Boris Tadić... or Slobodan Milošević. The stronger and bigger side always tries to push the weaker side. In underdeveloped democracies like ours, to defeat the other side. But the thing is that, because we have parties, because we are politically organized, we must work against allowing ourselves to be anyone's cannon fodder. It's a little unpleasant for me to listen to these lamentations about it, I'm not saying anything bad about it, some councils are under the control of the government, whichever government is in power. The mechanisms of the implementation of power from the 1990s, and if you wish even before 1990 to the present day, in this region, have not changed significantly. And it is not a matter of political orientation, it is not a matter of political party. It's more a matter of mentality. I am not talking about separate national mentalities. I'm just talking about the fact that the stronger always have a tendency to oppress the weaker in underdeveloped democracies, or in unfinished societies, if you will. Here, Croats, Albanians and Romanians have a stronger home country. There is someone stronger that can stand in front of them than in the case of Bosniaks. Because Bosnia, our home country, has its problems, but we are trying in our own way. It is the task of every political national minority to dictate processes, to give initiatives. You see, we have three stronger, more dominant political parties, we often disagree on many things, but in a way we push forward, precisely because of all these shortcomings in the system and the mentality, mood and the democratic maturity of this society.

SEMIR HADŽIFEJZOVIĆ  
(DEMOCRATIC PARTY OF SANDŽAK):

We will present our proposals in writing so that I do not repeat the things my colleagues said. We agree on most things. The number of signatures needs to be reduced, we should be able to know how many representatives in total, all parties of national minorities will receive in the National Assembly, as is the case in Croatia. Attention should be paid to the representation of national minorities in representative institutions, in the city where I come from, Prijepolje, the figure for Bosniaks is about 50 percent of the total population. In public institutions and companies, the number of directors is slightly below 20 percent. This must be regulated by law. Thank you.

## **ALBANIAN MINORITY ON HOLD**

PREŠEVO, BUJANOVAC AND  
MEDVEĐA AS HOSTAGES OF THE  
SERBIA AND KOSOVO RELATIONS

### **CONCLUSIONS AND RECOMMENDATIONS**

The Albanian community in Southern Serbia is one of three minority communities (the other two being Bosniaks and Hungarians) and is territorially compact and located along the border (with North Macedonia and Kosovo). All three communities, especially the Bosniak and Albanian ones, have been subjected to various administrative measures (structural discrimination) aimed at reducing their numbers, as well as stifling demands for territorial autonomy. When it comes to the Albanian community, its position and actual status is closely linked to the status of Kosovo and the Serb community in Northern Kosovo.

Although various concrete or fictitious concepts of partition, territorial exchange or redrawing borders in the Balkans are still being thrown around (as a result of real political aspirations, or as forms of pressure), this pathway is no longer a part of the agenda of the US, EU and NATO. However, it is still present in the thinking of Serbian elites and nearly came to fruition in the period between 2015 and 2019. Nationalist circles in Serbia are convinced that such agreements

still remain possible and that it is only a matter of time before the international community caves in. This is also evident from Serbian President Aleksandar Vučić's behavior at the summit of the Western Balkan countries in Slovenia, known as the Brdo-Brioni Summit, on 18 May 2021, when he refused to include the wording related to the immutability of borders.

Serbia is still striving to carry out the idea of an ethno-national state and unite all Serbs through a systematic marginalization of all minorities. The legal framework, the Constitution, the Law on Protection of the Rights and Freedoms of National Minorities, the Anti-Discrimination Law, as well as numerous strategies and action plans that guarantee equality and integration of all citizens of Serbia, are insufficiently applied in practice. Regardless of the presence of numerous embassies, the OSCE and other organizations in Southern Serbia, the Albanian community is living in limbo and in expectation of their status finally being resolved as part of the resolution of the Kosovo question.

In order to reduce the number of Albanians living in the south as much as possible, the state is conducting the process of so-called "Passivation of residence of Albanians" working abroad, either in Western Europe or in Kosovo. This "passivation" also targets citizens who permanently reside at their addresses. This measure is, in essence, a form of ethnic cleansing through administrative means.

"Passivation" (mass and selective passivation of residence) leads to individuals losing their status of being a citizen of Serbia and, accordingly, all civil rights – the rights to vote, property, health insurance, pension, employment, etc. Since citizens are not informed about "passivation", they usually lose their right to appeal, the deadline for which is eight days.

There is no real ethnic or religious tension between local Serbs and Albanians. Serbs and Albanians in Bujanovac, Preševo and Medveđa point that out. Albanians have shown a desire for integration, but Belgrade has not demonstrated the political will to do so. Although there is no palpable tension among the citizens, there is



growing distrust towards institutions – the police, the prosecution and the courts – due to the systematic and continuous “passivation”, and an impossibility to stop this process and annul the actions carried out thus far. The Helsinki Committee has spoken to people from Southern Serbia who believe that tensions are being generated by the central government (Belgrade), and have expressed feeling helpless because ministries can do whatever they want, appoint and replace officials overnight. Of particular concern is the hate speech of certain government officials.

The Albanian community in Southern Serbia is completely isolated, and neither the government nor the opposition have shown interest in the problems it is facing. Opposition party leaders are only interested in electoral coalitions and the support of Albanian voters.

One particular problem is the non-recognition of diplomas, which prompts the departure of the most educated people belonging to the Albanian elite, who have no possibility of employment in state and public institutions.

Albanians who are temporarily working abroad do not have the opportunity to invest in these three municipalities, both due to “passivation” and an unreliable legal framework.

Albanians in the south, especially the young, feel isolated, social mobility is low, and due to the impossibility of employment and the absence of social and cultural content, everyday life is practically reduced to mere existence.

Based on the values and standards to which the Republic of Serbia has committed itself, as well as the fact that it has officially applied for EU membership, the Helsinki Committee considers that:

- In order to create conditions for the restoration of trust between the majority and minority community, it is necessary for Government and state institutions, the media and other actors to demonstrate political will and to seriously engage in integrating the Albanian community into the broader political community, to which the Republic of Serbia has committed itself under three agreements relating to Southern Serbia;

- When it comes to confronting the past, the opportunity to prosecute cases of murder, abuse, violence and abduction of civilians in the period between 1996 and 2002 has been missed;
- As “passivation” serves to reduce the number of Albanians in these three municipalities, it is necessary to immediately put a stop to this process and to restore the civil rights of Albanians. What is indicative is that this measure applies exclusively to Albanians, and not to Serbs who are temporarily working abroad;
- The judiciary is a major integration issue in light of proportional representation, since the actual number of Albanians is not being taken into account, but the fact that Albanians boycotted the 2011 census is being taken advantage of.
- It is necessary to economically renew the region through the construction of infrastructure as a key factor in attracting investments; the Albanian diaspora can also contribute to the reconstruction of this region and is ready to do so, but it is necessary to provide equal conditions that will guarantee the security of such investments; the Government should use subsidies to help the development of small and medium-sized enterprises in municipalities in Southern Serbia.
- Belgrade must resolve the issue of textbooks and nostrification of diplomas in a satisfactory way that will provide the Albanian community with regular education and employment; substantial implementation of the Brussels Agreement is the only precondition for creating an atmosphere of trust between the two communities (Albanian and Serbian) in a broader sense;
- Decentralization of Serbia is necessary in order for minorities to be properly included in political life. Belgrade officials must keep in mind that it is logical and legitimate for the Albanian community in Serbia to ask for the same status that Serbia wants for Serbs in Northern Kosovo.
- ‘Institutionalized’ hate speech against Albanians is growing, and negative media coverage of Kosovo inevitably spills over

to Albanians in Southern Serbia. It is necessary to deconstruct stereotypes about Albanians as a disruptive, criminal and terrorist factor. For this reason, media engagement and a different approach to the education system are necessary. Only in this way will it be possible to create the preconditions for the normalization of relations.

- Serbia has a Constitution, laws, and other mechanisms that guarantee the rights of minorities. Serbia should commit itself to fully adhering to them in practice. For this reason, constant dialogue between minorities and majorities is needed to promote these rights.
- It is necessary to support the development of culture at the local level within the framework of institutional assistance, in order to create conditions for community development and prevent young people from leaving Southern Serbia.

### **SOUTHERN SERBIA: A STRATEGIC POINT**

Southern Serbia is one of the least developed regions in Serbia. The region consists of three municipalities (total area of 1,249 square kilometers) in which the Albanian population has traditionally been dominant. These are Bujanovac, Preševo and Medveđa. According to the 2002 census, 89 percent of the Preševo population were Albanians, while Bujanovac has 55 percent of Albanians, 34 percent of Serbs and about 10 percent of Roma living there. Medveđa is predominantly populated by Serbs (67 percent). Albanians boycotted the 2011 census because, as pointed out by the then Deputy Speaker of the Preševo Assembly Orhan Rexhepi, the previous two censuses in Southern Serbia had been manipulated by constantly reducing the number of Albanians.<sup>90</sup> In the meantime, there has actually been a significant reduction in the number of Albanians in those

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90 [https://www.slobodnaevropa.org/a/albanci\\_na\\_jugu\\_srbije\\_bojkotuju\\_popis/24344652.html](https://www.slobodnaevropa.org/a/albanci_na_jugu_srbije_bojkotuju_popis/24344652.html).

municipalities: many have gone to the West in search of work or have emigrated to Kosovo. Due to the economic situation and poverty, Serbs are also emigrating from there.

Southern Serbia is of strategic importance for Serbia, because it is located on the corridor towards the Vardar river valley. Serbian nationalists consider the territory of Southern Serbia to be an important geostrategic point. They point out that it is not a coincidence that the US has set up their military base Bondsteel in Kosovo, and that Russia wants the same in Nis, because it is a key geopolitical region in the wider Balkan area. They believe that “whoever controls the Morava-Vardar route controls the main geostrategic pillar of the Balkans, hence the exceptional importance of Southern Serbia”. They also point out that Morava is the “soft belly” of Serbia and that Serbia, which is cut off from the sea, is in an unfavorable geostrategic position. If Serbia wants to preserve its central role in the Balkans, it must invest far greater resources in the development of Southern Serbia.<sup>91</sup>

With the disintegration of Yugoslavia, the Bujanovac-Preševo area gained even greater geostrategic significance for Serbia because, as Serbian geostrategists point out, it is on an important route which connects Serbia with North Macedonia and Greece. Also, Serbia’s connection with Serbs from the Kosovo Pomoravlje valley leads through Bujanovac and Preševo.<sup>92</sup>

Albanians in Southern Serbia have never been integrated into the local administration – the police, the judiciary, public companies. During the Milošević regime, they were a particularly vulnerable group and exposed to repression, as were Albanians in Kosovo.

The Preševo Valley has been part of the Kosovo question since the beginning of the crisis in Yugoslavia. The homogenization of Albanians in the 1980s included Albanians in Southern Serbia as well. After the break-up of Yugoslavia began, all republics, including Kosovo, submitted a request to the Badinter Commission for recognition of their independence. Slovenia, Croatia, Bosnia and Macedonia

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91 Igić, Slobodan. *Srbi i Makedonci*. Geopolitika, April 2012.

92 Proroković, Dušan. *Geopolitika Srbije*. Službeni glasnik, 2018.

received it, while Kosovo's request was not even considered. Albanians in Southern Serbia held a referendum on autonomy in 1992.

Southern Serbia became a problematic region with the opening of the issue of Kosovo's status. Following the NATO intervention (1999), the stability of the three municipalities (Preševo, Bujanovac, Medveđa) became directly related to resolving Kosovo's status. Both the Serbian and Albanian sides were waiting for a partition that would put these three municipalities in a completely different context. As this region is of strategic importance for the Serbian side, Belgrade's priority after the intervention was to reduce the number of Albanians in those three municipalities. It succeeded only partially (except in Medveđa). The reaction to that was the Albanian insurgency of 2000–2001.

For this reason, the region received special treatment after the NATO intervention, when the Serbian state withdrew from Kosovo, and after the Kosovo declaration of independence, which has been internationally recognized by a large number of countries. The specific position of Albanians in those municipalities therefore needs to be considered in light of all this, because official Belgrade perceives them as an “undesirable” minority. The stabilization of this region is viewed through constant attempts to relativize or marginalize any possibility of the Albanian factor becoming dominant.

#### THE BEGINNING OF POLITICAL PLURALISM IN 1990

At the beginning of political pluralism in Serbia, Albanians in Southern Serbia founded the Albanian Democratic Association in Preševo on 5 August, 1990, which later grew into the Democratic Party of Albania (DPA). Ali Ahmeti, professor of biology at the “Skënderbeu” Education Center in Preševo, was appointed President. Because of his commitment to defending the name change of this educational center, Ahmeti was fired a year before becoming head of the DPA. Because of his activities, Ahmeti came under attack

from the Milošević regime, which is why he left Preševo and went to Germany.

The Party for Democratic Action (PDD) was also founded in Preševo, headed by Riza Halimi until 2018. Halimi and 10 other professors of Albanian nationality lost their jobs because they opposed changing the name of the “Skënderbeu” Education Center.

Both Ahmeti and Halimi were in constant communication with academician Rexhep Qosja, Adem Demaçi and the leadership of the Democratic League of Kosovo (usually with Fehmi Agani and Ali Aliu), in order to “coordinate national activities with the general national movement in the former Yugoslavia”.<sup>93</sup>

The Party for Democratic Action (PDD) was widely accepted as a branch of the Democratic League of Kosovo (LDK). Halimi points out that the PDD “has had direct cooperation with the LDK since its formation, but that they have tried to establish close contacts with other political entities in Kosovo as well”.<sup>94</sup> Riza Halimi warned that “it must not be forgotten that they are also part of the territory where Albanians are indigenous!”<sup>95</sup> Albanian parties in Southern Serbia demanded to be part of the Kosovo government, but the LDK would not agree to this.

Inter-Albanian tensions led to a rift between the two Albanian parties, especially over the first multi-party elections in Serbia in December 1990. The PDD participated in the elections, while the DPA was against it. The PDD took over local government in Preševo and secured one seat in the Serbian Parliament. Behlul Nasufi thus became the only Albanian MP at the level of the republic who represented Albanians until 1997.

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93 Latifi, Skënder. *Rrugëtimi nëpër Luginë të Preshvës*. Prishtina, 2006. (Eng. *A Journey through the Preševo Valley*).

94 Ibid.

95 ZËRI weekly, 15 January, 2005, Prishtina.

## REFERENDUM ON AUTONOMY

After the failure of the Hague Conference (1991), at which Serbia rejected a document that largely met its interests, the Badinter Commission declared the republic's borders were international. The establishment of a "hard" border between Serbia and Macedonia greatly changed the status of Albanians in the municipality of Preševo.<sup>96</sup> In fact, Preševo and Bujanovac then became an important geopolitical point, but at the same time, with the newly established international borders, the territorial integrity of Albanians, which they used to have in the SFRY, was gone. Albanians in Southern Serbia also lost direct support in Kosovo, where a kind of state of emergency was declared.

During the process of disintegration of Yugoslavia, Albanians in Southern Serbia decided to organize a referendum for the territorial political autonomy of "Eastern Kosovo" (which later became known as the "Preševo Valley"). Ali Ahmeti points out that "the idea of autonomy for the three Albanian municipalities was the product of political circumstances and the political strategy of the Albanian factor in the former Yugoslavia". The Coordination Council of Albanian Parties was led by the Democratic League of Kosovo (LDK), headed by Ibrahim Rugova. Ahmeti believed that "the issue of autonomy was envisaged as a transitional phase in the establishment of the political identity of 'Eastern Kosovo', which would eventually end with the reunification of these territories with the Republic of Kosovo".<sup>97</sup>

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96 With the establishment of border crossings, two villages in the municipality of Preševo – Miratovac inhabited by Albanians, and Slavujevac inhabited by Serbs – gained "importance" at that time and became the two most popular settlements in this part of Serbia. The life of Albanians in Miratovac became more difficult, primarily due to the impossibility of free movement, but also because of the property that remained as part of the territory of another state. However, for Serbs from Slavujevac, crossing the border was not a problem, and their children continued to attend school in the village of Tatarinoc, which remained in Macedonia.

97 Latifi, Skënder. *Rrugëtimi nëpër Luginë të Preshvës*. Prishtina, 2006. (Eng. *A Journey through the Preševo Valley*).

After the referendum on 22 March, 1992, a meeting was convened at which “the Referendum Assembly was to be transformed into an Assembly for Political and Territorial Autonomy with the right to unite with Kosovo”. However, Riza Halimi’s PDD did not accept the Assembly for Autonomy.<sup>98</sup> Halimi believed that the Assembly for Autonomy would not succeed, since it had not succeeded in Sandžak, and that parallel organizations, such as those in Kosovo, would have catastrophic consequences, because there would be a total cleansing of Albanians from Southern Serbia.<sup>99</sup>

The political will of Albanians, expressed in the 1992 referendum, remained as political capital used by Albanian political actors in every local election in Preševo, Bujanovac and Medveđa, while the Assembly for Autonomy was dissolved.<sup>100</sup>

Despite the participation of Albanians in the political life of Serbia, the functioning of local self-governments in Preševo, Bujanovac and Medveđa was difficult because no cooperation between the Government of Serbia and local self-government could be established.

The monopoly of local government in the Preševo Valley in the 1990s was in the hands of two or three Serbian leaders. It was unthinkable for Albanians to take over local government in Bujanovac, even though they were the majority. In fact, the electoral machinery created such mechanisms in that municipality that an Albanian candidate could not win a council seat with several thousand votes, while Serbian candidates won seats with only a few hundred votes.

The PDD always participated in elections, while the DPA remained faithful to their boycott of the parliamentary elections. However, in 1993, at the December elections, the PDD and the DPA managed to form a joint coalition that proved to be “productive”, because Albanians from Preševo, Bujanovac and Medveđa managed to secure two Albanian MPs in the Serbian Parliament.

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98 Ibid.

99 Ibid.

100 Latifi, Skënder. *Rrugëtimi nëpër Luginë të Preshvës*. Prishtina, 2006. (Eng. *A Journey through the Preševo Valley*)



However, Serb citizens in those municipalities, especially in Preševo, declared themselves “victims” and boycotted the 1993 local elections. One Serb councilor explained this with the following argument: “During our last term, we often wondered why we were in this assembly, where a foreign language is spoken, a language we do not understand!”<sup>101</sup>

The leader of the local socialists, Randel Veljković, stood out with his anti-Albanian sentiment and was the instigator of an attack on education in the Albanian language. When he became the head of the local government in the 1990s, he started a campaign to expel the few Albanians from the municipal administration, but also from other organizations where Albanians were employed in very small numbers.

In the meantime, the Yugoslav United Left (JUL) appointed as its local leader Stojanča Arsić, a doctor from Bujanovac, who was more acceptable to Albanian councilors, but who also had a good reputation in Bujanovac. Taking advantage of divisions and disagreements between Serb parties, local PDD leaders began to look for a way out of the closed circle created by the Serbian state in the municipality. In the January 1997 elections in Bujanovac, Riza Haljimi’s PDD, with 10 councilors, and the local branch of JUL, with 13 councilors, constituted the local government. The Socialist Party of Serbia (SPS) won 14 council seats, and the alliance of PDD and JUL was meant to remove the unpopular SPS candidate.

PARTITION AS AN OPTION  
SINCE THE BEGINNING OF THE  
DISINTEGRATION OF YUGOSLAVIA

Already in the 1990s, much was said and written about the partition of Kosovo, including the possibility of exchanging territories. Information on this topic was put forward with caution. Dobrica Ćosić, writer and ideologue of Serbian nationalism, was

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101 Ibid.

the first to speak about it. Ivan Mrkić, who was the head of Ćosić's cabinet, stated that the former President of the FRY, Dobrica Ćosić, had agreed with Albanian leader Ibrahim Rugova in 1993 on the partition of Kosovo and Metohija, but that Slobodan Milošević had prevented this. Mrkić revealed that the Serbian side would own about 30 percent of Kosovo and a part of Metohija. He points out: "When Ćosić was President, the idea of dividing Kosovo and Metohija began to develop. Ćosić managed to reach some preliminary agreements with Rugova. But status was not discussed. It explored all the possibilities and then there was progress. Rugova wanted an agreement, but everything was prevented by a political clash between Milošević and Ćosić."<sup>102</sup>

And then the President of SANU, Aleksandar Despić (1996), came out with a proposal for partition. In those years, the Bishop of Raška and Prizren, Artemije, together with Dušan Bataković, visited world capitals with elaborate maps on the partition of Kosovo and the demarcation between Serbs and Albanians.

However, most Kosovo leaders at that time publicly supported broad autonomy for Southern Serbia, avoiding comments on the exchange of territories. However, the ice was broken by academician Rexhep Qosja, who stated: "Why not include the problem of Eastern Kosovo in resolving the Kosovo question? Why solve the problem of Albanians in Preševo, Bujanovac and Medveđa separately? I am sure it would be better for Serbia to solve this problem in its entirety. Perhaps you think that 'the question of Albanians in Preševo, Bujanovac and Medveđa does not exist at all'"<sup>103</sup>

On the other hand, the opinion of professor Fehmi Agani, who was the most influential politician speaking on behalf of Kosovo in discreet talks with the Serbian side, was that "the Kosovo side is not thinking about borders, unless Albania, Serbia, Montenegro and

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102 <https://net.hr/danas/hrvatska/politika/dobrica-cosic-je-jos-1993-dogovorio-podelu-kosova/> .

103 Latifi, Skënder. *Rrugëtimi nëpër Luginë të Preshvës*. Prishtina, 2006. (Eng. *A Journey through the Preševo Valley*).

Macedonia want something like that, then our concept for resolving the question of Albanians in Preševo, Bujanovac and Medveđa and other territories would change... we supported the referendum of Albanians living there and of course we support the potential merging of those territories with Kosovo".<sup>104</sup>

In the meantime, Albanian politicians in Preševo, Bujanovac and Medveđa have commented on the idea of exchanging territories in various ways. "All these ideas are essentially disorienting, and the more time passes, the greater the deviation from the national question of liberation and the inevitable and territorial unification of ethnic Albanians,"<sup>105</sup> said Khalil Selimi, expressing his skepticism in the summer of 1996.

Ali Ahmeti, DPA leader at the time, was hoping for a final solution to Kosovo's status, in which case "Kosovo's independence would lead to the reunification of the territories of Preševo, Bujanovac and Medveđa with Kosovo, which would automatically mean a rejection of the option of exchanging territories".<sup>106</sup> For the President of the Assembly for Autonomy, Ibrahim Kadriu, the idea of exchanging territories is unacceptable: "The exchange of Preševo and Bujanovac for Zubin Potok and Leposavić is a false hypothesis. First of all, Preševo and Bujanovac have about 80,000 inhabitants, while Zubin Potok and Leposavić have about 17,000 inhabitants!"<sup>107</sup>

The leader of the local Albanians who did not reject the idea of exchanging territories was the President of the Albanian Democratic Party, Zeqirja Fazliu. "In my opinion, the idea of exchanging territories is possible, but depends on how it is understood. If it implies handing over Zubin Potok and Leposavić to Serbia in exchange for Preševo, Bujanovac and Medveđa, without creating the problem of

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104 Petrović, Momčilo. *Pitao sam Albance*. Belgrade: 1996, p. 120.

105 Ibid, conversation with Halil Selimi, 29 August, 1996.

106 Latifi, Skënder. *Rrugëtimi nëpër Luginë të Preshvës*. Prishtina, 2006. (Eng. *A Journey through the Preševo Valley*).

107 Ibid.

forced relocation of the population, then the idea would probably be quite possible and realistic.”<sup>108</sup>

Answering a question about the possibility of exchanging the municipalities of Leposavić and Zubin Potok for the municipalities of Preševo, Bujanovac and Medveđa, the then President of Kosovo Ibrahim Rugova, said (only seven months after the referendum): “The resolution of the Albanian question in ‘Eastern Kosovo’ is postponed for the future, because at the moment, the logic of war and the logic of force are prevalent in Serbia. What Serbs want for for their own people involves applying a double standard, and if it applies to them, it will also apply to us. Various options for the partition of Kosovo are being discussed in Belgrade, but have not yet been formalized.”<sup>109</sup>

#### NATO INTERVENTION: PERSECUTION, KILLINGS, DAMAGES

During the NATO intervention, a mass ethnic cleansing of Albanians was carried out (about a million). The anti-Albanian atmosphere escalated during the intervention. Albanians living in other parts of Serbia (Vojvodina, Belgrade, Southern Serbia) were subjected to abuse, intimidation and expulsion.

At the start of the NATO bombing, Albanians in Southern Serbia were in a very difficult situation. Preševo and Bujanovac were still able to maintain mutual contact, while ties with Medveđa were severed. In the first days of the bombing, Albanians from Preševo and Bujanovac helped Kosovo Albanians to flee to Macedonia through these municipalities.

It is estimated that after 24 March, 1999, about 25,000 Albanians left Bujanovac, Preševo and Medveđa and went to Kosovo, Macedonia, and through Sandžak to BiH and Western Europe. The army was particularly active in Preševo. Albanian property was looted, demolished and burned: 44 houses and 20 other buildings were set on fire and many were looted. The primary school in Cervjak was

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108 Ibid.

109 Jehona weekly, October–November, Trnovac, 1992.

demolished. The local center was set on fire, and five shops were destroyed and looted in Ranatovac. In mid-April, the Yugoslav Army (YA) set fire to 16 out of a total of 18 houses in the village of Bujić. Mosques in the villages of Miratovac and Trnava were demolished and looted. A large number of houses were looted in the villages of Trnava, Miratovac, Buštranje and Norča. The Yugoslav Army forcibly and illegally confiscated a large number of private houses in Miratovac, Trnava, Buštranje and Norča. Cars were also confiscated without any authorizing military documents.<sup>110</sup>

In the early spring of 1999, Serbian military forces mined a large part of the roads connecting the municipalities of Preševo, Bujanovac and Medveđa with Kosovo. Prior to the intervention, members of various units of the Serbian army were housed in empty houses of Albanian citizens, who had already been temporarily working in European countries for years.

Although Albanians in Southern Serbia did not put up any resistance during the intervention, Serb forces and paramilitary gangs killed 11 Albanians, a series of villages in the area of the Preševo Karadak along the Kosovo border were set fire to. The damage done to private facilities is estimated at around 3 million euros. Prior to the NATO intervention, 5,181 inhabitants lived in the municipality of Medveđa, together with the surrounding villages, while after the signing of the Kumanovo Agreement on 12 June, 1999, only 333 Albanians remained. After the signing of the agreement, about 3,000 citizens of Preševo, Bujanovac and Medveđa could not return to their homes.

A large number of schools were completely or partially destroyed. Many schools lost their pupils. The school in Zarbince, which had 360 pupils until March 1999, had none after the intervention. The number of students in Preševo was reduced from 240 before the war to 45. An additional problem was the lack of professional staff. Albanians

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110 Albanians fleeing in mass numbers ensued after phone calls, killings of civilians, confiscation of property, restrictions on freedom of movement, intimidation and abuse.

(30 of them) who had been employed in the Preševo health system either left or were fired during the war.

#### SOUTHERN SERBIA AFTER THE NATO INTERVENTION

After the signing of the Kumanovo Agreement between the Government of Serbia and NATO (June 1999), the Serbian army withdrew from Kosovo. According to the Agreement, a 5-kilometer-wide demilitarized zone was formed on the territory of Serbia in order to prevent incidents. The border zone, called the Ground Security Zone (KZB), was accessible only to lightly armed Serbian police. The presence of military and police units in the region has led to increased tensions and antagonism between Serbs and Albanians, as well as a number of incidents and human rights violations.

Farmers who owned land, meadows and forests had to have special permits (valid only for one day, issued by the YA) in order to cultivate their land. Smaller groups of soldiers raided properties and villages. All this restricted freedom of movement, and thus the cultivation of land. Albanians living in villages in hilly areas continued to emigrate.

The Albanian insurgency in Southern Serbia (2000–2001) was a reaction to the repression by the Serbian army and police after the signing of the Kumanovo Agreement, as well as an attempt by the Liberation Army of Preševo, Medveđa and Bujanovac (UÇPMB) to internationalize the situation in Southern Serbia. The UÇPMB<sup>111</sup> (numbering between 700 and 1,000 guerrilla fighters) operated within the Ground Security Zone (KZB) established by the Military Technical Agreement signed by NATO and Belgrade in June 1999. The conflict escalated in the spring of 2001 as both sides were provoking each

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111 The UÇPMB's goal of annexing the Preševo Valley to Kosovo was a reaction to an attempt by Serbs in Northern Kosovo to force the partition of Kosovo. Since Albanians from the Preševo Valley have always feared being sidelined in future talks on Kosovo's final status, they have sought to link the valley's future to a final solution for Kosovo. At the same time, they have also played a role in balancing Serbian efforts to divide Kosovo.

other, so it threatened to escalate into armed conflict. During the conflict, 60 lives were lost (30 members of the army and police were killed on the Serbian side, while 30 members of the UÇPMB were killed on the Albanian side).

The armed insurgency was successfully halted by a joint action of the then Belgrade authorities (Prime Minister Zoran Đinđić and Deputy Prime Minister Nebojša Čović, who was directly in charge of the operation) in cooperation with UNMIK, KFOR, NATO and other international actors. These efforts were crowned by the Demilitarization Statement (signed by the Albanians), while the Government of the FRY and Serbia adopted information on the entry of the Joint Security Forces into the Ground Security Zone, as well as the public statement “Amnesty is the way out”. These two documents colloquially became familiar as the *Končulj Agreement*.

Albanians from the Preševo Valley feared they would be excluded from talks on the final status of Kosovo. Faced with the fact that dividing and/or exchanging territories was an option the entire time, the Albanian population of Southern Serbia lived in a political vacuum until Kosovo’s independence (2008). Since Belgrade never even considered exchanging territories, the Albanians in the Preševo Valley tried to impose their problem as a counterweight to Belgrade’s efforts to divide Kosovo. Most of the armed incidents that took place in the Preševo Valley in the following years were part of the Albanians’ efforts to put Preševo on the agenda of negotiations on the final status of Kosovo.

Belgrade, however, continued its strategy of dividing Kosovo. Thus, in May 2001,<sup>112</sup> Nebojša Čović, who had skillfully led negotiations in Southern Serbia, outlined a plan of dividing Kosovo into two entities: the Serbian entity, which would include the majority of Serbian historical, religious and cultural monuments, and the Albanian entity with a majority Albanian population. The Serbian entity would be under the protection of the Yugoslav army and police. The Albanian entity, which

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112 At the international conference “Security in Southeast Europe on the Threshold of the 21st Century” in Belgrade.

would have the highest degree of autonomy, would remain under the protection of international forces. Yugoslav border forces and KFOR border troops would focus on preventing incursions from one entity to another. This proposal, as Čović said, implied “renouncing maximalist demands, meaning that both the Albanian and Serbian side need to give up on the illusion that the whole of Kosovo belongs to them”.<sup>113</sup>

#### SOUTHERN SERBIA THROUGH THE LENS OF SERBIA, NORTH MACEDONIA AND KOSOVO

Serbia and Macedonia viewed the conflict in Southern Serbia and Macedonia (2001) almost exclusively as an outpouring of violence from Kosovo and as part of the Greater Kosovo/Albania project. Serbian Deputy Prime Minister and President of the Coordinating Body of the Federal Government and Government of Serbia for Southern Serbia Nebojša Čović said in 2001 that Kosovo Albanians made up about 60 percent of members of armed formations in Southern Serbia and were “probably obsessed with the idea of Greater Albania”.<sup>114</sup>

The media generally pointed out that Albanians took advantage of a historic opportunity to initiate the realization of the concept of “all Albanians living in one state”. Macedonia stressed that “the unstable situation in Kosovo is leading to the export of terrorism... into the Macedonian state” and that “if the international community does not resolve the Kosovo crisis, if there is no final and decisive impact, militant extremism will continue and the Balkans will continue to face the destabilizing factor of Kosovo for a long time”.<sup>115</sup>

Albanian leaders in Kosovo had a different approach to the crisis in Southern Serbia and Macedonia. They saw it as a consequence of repression and discrimination against Albanians. Long-standing

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113 Danas, 21 May 2001.

114 NIN, 8 March 2001.

115 President of Macedonia Boris Trajkovski at a meeting of the Secretaries of Defense of the Countries of Southeast Europe, held on 5 April, 2001, in Skopje.



frustration over the unresolved issues of Albanian communities in Serbia and Macedonia, as well as a lack of political will to address them, had led to violence as the only way to resolve the status of Albanians. Kosovo leaders condemned the violence, but considered Albanian demands in Southern Serbia and Macedonia to be legitimate and advocated a political solution. In addition, they opposed the changing of the borders of Kosovo, Macedonia and Serbia, and called for respect for the territorial integrity and sovereignty of Serbia and Macedonia. They also opposed the territorial autonomy of Albanians in Serbia and the federalization of Macedonia. They believed that the anti-Albanian lobby had put forward the idea of Greater Albania and Kosovo in order to discredit Albanians and thus influence the final status of Kosovo.

SERBIAN GOVERNMENT'S PROGRAM  
FOR RESOLVING THE CRISIS BY  
PEACEFUL MEANS ("ČOVIĆ'S PLAN")

Intensive NATO and US activities resulted in a peace agreement between Albanians and Serbs, the dissolution of the UÇPMB (*Končulj Agreement*) and the return of Serbian security forces to the Ground Security Zone (KZB). At the same time, the so-called *Čović's Plan* was adopted (aimed at resolving the crisis in the municipalities of Bujanovac, Preševo and Medveđa)<sup>116</sup>. The implementation of the plan began with the participation of the international community, i.e. international organizations (such as the OSCE) and individual governments, especially the US government.

The plan aimed to address institutional discrimination and integrate Albanians into the Serbian state and force them to give up "Eastern Kosovo". The main four provisions of the plan were the removal of any threat to Serbia's sovereignty, the security, freedom of movement and right of Albanians to return to the Preševo Valley provided that

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116 Čović presented his plan at a seminar of the Helsinki Committee for Human Rights and the United States Institute of Peace on 30 January in Belgrade.

“terrorists” be disarmed and “the region demilitarized”, the development of a multicultural and multi-religious society and social development. The plan envisaged the integration of Albanians into the social, economic and political community over a three-year period.

The Coordinating Body was established to implement the policy of the Government of Serbia and of security structures. The OSCE played an important role in implementing the plan. Particular attention was paid to the police, which had been harassing the Albanian population for years. The state maintained its presence in Southern Serbia through the regional police administration in charge of supervising the multiethnic police, together with the Serbian Army and the special forces of the Ministry of Internal Affairs (MUP), i.e. the Gendarmerie.

Initially, the plan brought about progress in all three municipalities, especially in Bujanovac. Local elections were held and an Albanian-language TV channel and print media were established. Progress was also made in integrating Albanians into the judiciary, local police and other services.

However, the multiethnic police was operating under the shadow of the Gendarmerie, which used every opportunity (depending on the political situation) to arbitrarily arrest Albanians, detain them on various charges and harass them in other ways. The Vice-President of the Coordinating Body, Sima Gazikalović, claimed at the time that the Gendarmerie “was competing” with local police forces in the security sector and that the Coordinating Body of the Government of Serbia was not functioning. In his opinion, “the Serbian state has not solved a single problem in Southern Serbia in a systematic way... and is making the same mistakes it made in Kosovo, that is, it is not doing anything useful in the field”. As an illustration, Gazikalović pointed out that no Albanian from the three municipalities had received a loan from the Development Fund of Serbia and that no Albanian could participate in a privatization process.<sup>117</sup>

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117 Ibid.

Despite Čović's *Plan* and the investments of the international community, the economic situation in Southern Serbia has not improved. Although there have been a number of international donations aimed towards building institutions, very little has been done to revive the economy, which remains the main cause of all the problems faced by both Albanians and Serbs.

#### BELGRADE'S WISHES: GREATER ALBANIA

Belgrade has always sought to find a partner in Albania to divide Kosovo. Theses about Albania's ambition to create Greater Kosovo/Albania have always been in Serbia's interest in order to preserve its own aspirations towards its neighbors. In early March 2001, Serbian print media, in an attempt to portray Albanians as a key destabilizing factor in the Balkans, published a series of articles on the emergence of Albanian armed groups in Montenegro and maps of Greater Kosovo/Albania covering parts of Eastern Montenegro, Southern Serbia, Kosovo, Western Macedonia and Albania.

Professor Slavenko Terzić, former Director of the Historical Institute of the Serbian Academy of Sciences and Arts, stated that "following a peaceful phase of creating Greater Albania by ethnic cleansing of Serbs from Kosovo and Metohija during the SFRY, the Albanian mafia has entered a new phase, backed by the United States and NATO, and the armed struggle is now spreading to the Vranje basin, the western part of Macedonia and in the foreseeable future possibly to Montenegro, and perhaps even to the Greek Epirus".<sup>118</sup>

Dobrica Ćosić had long advocated the partition of Kosovo between Serbia and Albania. He presented his position on several occasions, especially during the Belgrade-Prishtina talks on the status of Kosovo. His position can be summarized as follows: "To put it briefly, the solution to the centuries-old antagonism between Serbs and Albanians in Kosovo and Metohija was, in my opinion, a compromise between historical and ethnic law. This compromise implies

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118 Svedok, 3 April 2001.

the right of Albanians to unite with their native Albania, with the territories in which they represent the majority. The territorial partition of Kosovo and Metohija and the demarcation of Serbs and Albanians should be achieved without striving for ethnically clean territories, and with reciprocity in the contents and forms of guaranteed national and civil rights for minorities. Kosovo in Serbia, which is in biological decline and in demographic depression, would turn Serbia into a federation of two nations with permanent differences within two decades. Life in such a society would be difficult, and progress would be slow.”<sup>119</sup>

During his visit to Macedonia (2012), Serbian President Tomislav Nikolic<sup>120</sup> reiterated the thesis on the Greater Albania project. He said that “an Albanian state is being created on the territory of the Balkan Peninsula, which will not be developed like Macedonia and Serbia for another 30 years, and in those 30 years a lot of things will happen”. He warned his Macedonian hosts that “when they [Albanians] exercise their rights within the territory of Serbia, they will invoke those rights in all other countries. How could anyone claim that they have the right to their own state in Kosovo, but not in Macedonia, how could anyone claim that they have the right to a state on the territory of Kosovo, but that they do not have the right to autonomy in Greece or Montenegro?”.<sup>121</sup>

#### SECURITY CHALLENGES IN SOUTHERN SERBIA

When it comes to the security of Serbia, municipalities in Southern Serbia (Preševo, Medveđa, Bujanovac) are perceived as an area of instability, primarily due to the possibility of instability in Kosovo spilling over. The migrant crisis and the conflict

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119 Večernje novosti interview with Dobrica Ćosić, 20 March 2008.

120 Served as the President of Serbia from 2012 to 2017.

121 <http://arhiva.alo.rs/vesti/politika/nikolic-prave-albansku-drzavu-od-balkana/2307>.

in Kumanovo (2015)<sup>122</sup> strengthened official Serbia's fears that the region is a red-flag in terms of security. Especially because the area is inhabited by an Albanian population which is socially, politically and economically gravitating towards Kosovo.

After the conflict in Kumanovo (Macedonia) in 2015, the issue of security came to the fore once again. Belgrade reacted promptly by taking the side of official Macedonia. Taking advantage of the conflict, the thesis on the creation of Greater Albania was put forward once again, to which the media paid great attention. Serbian media reported in a biased manner on the conflict, avoiding the fact that both Macedonians and Albanians rebelled against the government, and that an Albanian party was a participant of the then government. Such theses also affect the treatment of Albanians in all countries in the region and consistently suggest that they have a destructive role. This also applies to Southern Serbia.

Most of the comments in the Serbian media dealt with the possibility of the conflict spilling over into Serbia through Albanians in Kosovo and Southern Serbia, while Serbian security services informed the public that Serbia was safe and that there was no indication that the crisis could spread from Macedonia into their country. Chairman of the Committee on Kosovo-Metohija Milovan Drecun said at the time that the army in the south of the country had increased its level of combat readiness and was capable of maintaining stability. He assessed that "the formation of armed Albanian terrorist groups in the territories of Preševo, Bujanovac and Medveđa has not been noticed and the Albanians are behaving very responsibly, about 700

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122 In 2015, there was an armed conflict in the town of Kumanovo, between an armed group of Albanians and the police, considered to be the bloodiest incident since the 2001 conflict, between security forces and Albanian rebels, but did not lead to broader ethnically motivated conflicts. Many believe that the government was involved in this conflict in order to divert attention from the political blow inflicted on Prime Minister Nikola Gruevski. The conflict erupted amid a political crisis sparked by opposition claims that Gruevski had ordered the illegal wiretapping of about 20,000 citizens.

Albanians from the area of Kumanovo were in the south of Central Serbia for a while and there were no incidents.”<sup>123</sup>

The migrant crisis further raised the security surveillance of that region. According to some data, between 5,000 and 7,000 people used to enter Serbia through Preševo for some time.

The Military Base “South” near Bujanovac was opened in 2009 and is perceived as an important point for maintaining security in Serbia itself, especially in the context of the “Greater Albania project”. The base was built in agreement with the North Atlantic Alliance. Albanians from Preševo and Bujanovac had complained at one time about the construction of this base, arguing that the funds invested in the base would have been more profitable had they been invested in the economy of the region. In the territory of the municipality of Preševo, the first line of defense of the administrative line consists of the bases: Cvore, Mučibaba, Ukmemet, Debelo brdo, Kozjak, Pečeno brdo and Mađere. In their background are Ševarske livade and police stations Depce, Oraovica, Reljan and Miratovac. On the territory of Bujanovac: Golema čuka, Dobrosin, Devojačka čuka and Kadrova čuka, with Tašlak and Guri Gata in the background and police checkpoints: Končulj, Dobrosin and Breznica. From the territory of Vranje, the administrative line is protected by the bases: Ornice, Jezerska mahala, Debela glava, Trstena and Vrtogoš.

The Center for Simulations for the Training of Multinational Units was opened within the base, in the presence of Lieutenant General Frederick Ben Hodges, Commander of US Army Europe, which donated equipment worth 2.1 million dollars to the Serbian Army.<sup>124</sup> Members of multinational forces from all over Europe, who are trained here for complex operations in various countries of the

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123 <http://rs.n1info.com/a60798/Vesti/Nema-prelivanja-krize-iz-Makedonije-na-jug-Srbije.html>.

124 <http://www.blic.rs/vesti/drustvo/otvoren-centar-za-simulacije-u-vojnoj-bazi-jug/lplsc94>.

world, are helped by the Center to first get acquainted with what awaits them in the field by means of simulation in cabinets.<sup>125</sup>

NATO's decision led to Serbia also signing an agreement on the abolition of the no-fly zone in Southern Serbia, thus regaining its territorial integrity over a part of its airspace. This means that Belgrade can use that part of the airspace without the prior consent of KFOR, which was the case until recently. Such a decision also implies Serbian military patrols and police aviation monitoring the area along the border with North Macedonia, Kosovo, as well as the borders with Montenegro and Albania.

#### SOUTHERN SERBIA, THE FINAL STATUS AND KOSOVO'S INDEPENDENCE

Negotiations on the final status of Kosovo began in February 2005. Shortly before that, 61 of the 66 members of the Council from Bujanovac, Preševo and Medveđa adopted a statement defining the Preševo Valley “as a constitutional and territorial region”. The document clearly calls for decentralization in the fields of local government, education, health, justice, culture and economy. It also calls for the withdrawal of the Serbian army and police from the region and exemption from military service in the Serbian army. Councilors demanded proportional representation in the local government, the use of national symbols and a special relationship with Kosovo (including the possibility of unification with Kosovo in accordance with the 1992 referendum). The message contained in the document was clear enough: if Serbia does not take action regarding their demands, Albanians from Southern Serbia will make the same demands within the negotiations between Belgrade and Prishtina. The then President of Serbia Boris Tadić rejected this because, as he said, the negotiations referred only to the status of Kosovo.

Politicians from Prishtina and Preševo have made themselves quite clear: “Our demands will be more radical if only Kosovo is

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125 Ibid.

divided.” The coordinator of the Kosovo Albanian negotiating team Blerim Shala said: “If Kosovo is divided, which means the annexation of its northern part by Serbia, Eastern Kosovo, i.e. Bujanovac and Preševo must belong to Kosovo.”

After its declaration of independence, Kosovo entered a phase of consolidating its statehood, which Serbia wanted to prevent at all costs. For this reason, Belgrade focused its diplomatic efforts on lobbying against the recognition of Kosovo. The decision to seek an advisory opinion from the International Court of Justice in The Hague on the independence decision was part of that effort.

However, Belgrade’s real goal was to renew dialogue with Prishtina, with pressure towards the partition of Kosovo, which would mean that Serbia would retain Northern Kosovo.

#### STRATEGY FOR THE INTEGRATION OF NORTHERN KOSOVO AS OPPOSED TO THE PARTITION OF KOSOVO

After the declaration of the independence of Kosovo, the Kosovo government, together with the International Civilian Office made a plan for the integration of the northern part of Kosovo into the institutions of the Republic of Kosovo. The document entitled “Strategy for Northern Kosovo”, states among other things that decentralization, i.e. the establishment of a separate municipality of North Kosovska Mitrovica, is the most important step in Prishtina’s efforts to take control of the north. The intention of the author was to show Serbs living in that part of Kosovo that decentralization would be in their best interest, i.e. to emphasize the “practical benefits” of decentralization, in order to overcome the biggest problem – “the feeling that the establishment of a new North Mitrovica municipality also means the acceptance of Kosovo’s independence”.<sup>126</sup>

Belgrade’s rejection of the Strategy for the Integration of Northern Kosovo encouraged Albanians in Southern Serbia to reiterate

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126 [https://www.slobodnaevropa.org/a/strategija\\_sever\\_kosova\\_podrska/1941337.html](https://www.slobodnaevropa.org/a/strategija_sever_kosova_podrska/1941337.html).



their position from the beginning of 2000. Kosovo Assembly Speaker Jakup Krasniqi said that if Serbs wanted to secede, they needed to be aware that Albanians in Preševo and Bujanovac were ready to unite with Kosovo. He said that the exchange of territories “should be carried out by mutual agreement and in cooperation not only with local Serbs, but also with politicians in Belgrade”. The statement indicates that Belgrade, which is keeping Southern Serbia under constant “surveillance”,<sup>127</sup> could face new pressure on territories that it has always considered to be of strategical importance.

### **REAL PROBLEMS OF THE THREE MUNICIPALITIES**

In seeking their civil rights, Albanians in Southern Serbia rely on the Plan for the peaceful resolution of the crisis in the area of south-central Serbia, or, as Albanians call it, the so-called “Končulj Agreement” (2001),<sup>128</sup> by which the federal government (FRY) undertook to establish the rights of Albanians, the 2007 agreement on the reorganization of the Coordinating Body for Preševo, Bujanovac and Medveđa for integrating Albanians into state and public institutions, and the “Seven Points Plan” from 2013.

The situation in Southern Serbia may be peaceful at the moment, but the problems surrounding the region still exist in the long-term, making the region unstable.

Serbia is the first in Europe in terms of the number of poor citizens; the average poverty rate of 25 percent conceals huge differences between different parts of the country. The Poverty Map, a publication of produced by the World Bank in cooperation with the Statistical Office of the Republic of Serbia,<sup>129</sup> shows that poverty is most prevalent in the region of Southern and Eastern Serbia, where three

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127 *www.B92.net*, 10 February 2010.

128 Demilitarization Statement signed only by the UÇPMB.

129 *Poverty Map of Serbia. Method and Key Findings*. Statistical Office of the Republic of Serbia and World Bank Group, 2016.

of the four poorest districts (Jablanica, Pčinja and Toplica) are located, with poverty rates above 40 percent.

Southern Serbia is one of the most underdeveloped regions in Serbia, with poor infrastructure and low prospects for serious investments that would revive this region. In addition, those municipalities, above all Bujanovac and Preševo – where the share of the population working abroad back in 1981, and in 1991, was noticeably higher than the national average – are among the poorest municipalities.

Both Albanians and Serbs are looking for work. The region is also burdened by unresolved relations from the past. Tensions between Albanians and Belgrade are constant, regardless of the promises coming from Belgrade. In addition, both Albanians and Serbs in Northern Kosovo are hostages to unresolved relations between Belgrade and Prishtina. Although the Brussels Agreement should be a stabilizing factor for the status of both, the situation on the ground is changing very slowly or not at all. The life problems that Albanians face (nostrification of diplomas, textbooks, etc.) indicate that a true normalization of relations between Prishtina and Belgrade has not yet been achieved.

Albanians have complained about frequent arrests when they hoist the Albanian flag at celebrations. Young men who were celebrating the victory of the Albanian national football team were arrested. They have complained that they do not have access to IPA funds, that their names are being written in Cyrillic, that all court proceedings are conducted only in Serbian, although the law also guarantees the use of the Albanian language. They demand that Serbia start respecting its own Constitution and human rights guaranteed by European and other international acts. Albanians from Southern Serbia who work in Kosovo are also scrutinized, the police keep them at border crossings for a long time or turn them away from the border.

The President of the Municipality of Preševo Ragmi Mustafa points out that between 2000 and 2021, no Serbian government has done anything to solve the largest number of issues in Southern Serbia, especially political ones, and that the current government

in particular is not doing anything. He says that not a single one of the 13 points from the agreement on the cessation of the conflict in Southern Serbia has been resolved.<sup>130</sup>

Albanians in Bujanovac and Preševo are not satisfied with their position in Serbia even almost 20 years after the conflict. They blame official Belgrade for the slow integration into state institutions, problems with the exercise of collective human rights and economic backwardness. During his tenure as President of the Municipality of Bujanovac, Shaip Kamberi once pointed out that sometimes, “I have the impression that Belgrade treats us as a foreign element, as if we were unwanted in Serbia.”<sup>131</sup>

In the municipality of Preševo, the unemployment rate is approaching the figure of 60 percent, and in Bujanovac it has exceeded 40 percent. The number of inhabitants in these two municipalities has been declining since 1991 due to the departure of the able-bodied population to other countries and the largest cities in Serbia, but also due to low population growth.

Nexhat Behluli, a businessman from the village of Lučani, says the situation is similar in other villages along the Kosovo border. “Young people are leaving in great numbers for Western Europe, primarily to Germany. They are mostly drivers, car mechanics, builders... They first get a visa for six months and then return with 10,000 euros in savings, and that is money that they cannot earn in Serbia.”<sup>132</sup>

As many problems have not been solved, Albanians are increasingly turning to international actors, the EU and the United States for help, and are asking for their problems to be solved within the Belgrade-Prishtina dialogue. They believe that Belgrade-Prishtina relations cannot be normalized without the Preševo Valley and that the Albanian question in Southern Serbia is identical to the

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130 <http://www.naslovi.net/2015-12-16/akter/mustafa-ova-vlada-ne-resava-probleme/17718507>.

131 <https://javno.rs/istrazivanja/srbi-i-albanci-na-putu-za-zapadnu-evropu>.

132 <https://javno.rs/istrazivanja/srbi-i-albanci-na-putu-za-zapadnu-evropu>.

Serbian question in Northern Kosovo.<sup>133</sup> By ignoring their problems, Belgrade prevents them from being legitimate citizens of Serbia.<sup>134</sup> “Everything is at a standstill in Southern Serbia because it remains unknown what will happen in the dialogue between Serbia and Kosovo,” people have told the Helsinki Committee.

Western embassies are monitoring the situation in Southern Serbia, hence the frequent visits of their representatives to this region. During his visit to these municipalities, German Ambassador Thomas Schieb pointed out that the state of the economy there was unsatisfactory, “unlike the political situation, which is stable”.<sup>135</sup> He also indicated that he would do everything to bring as many investors from his country as possible to Southern Serbia and help reduce unemployment, primarily of young people, which is the most difficult issue in this area.<sup>136</sup>

During his visit to the region, US Ambassador Anthony Godfrey also said: “We insist on the improvement of the economic situation in Southern Serbia and preventing people from leaving the area.”<sup>137</sup>

The Government of Kosovo has announced the establishment of an Office for Assistance to the Citizens of the Municipalities of Bujanovac, Preševo and Medveđa in Prishtina, which would deal with the issues of the people living there. Prime Minister Albin Kurti is expected to establish it. A large number of Albanians who left Preševo for Kosovo after 2001 have not returned, are not registered and are legally invisible citizens in Kosovo.

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133 <https://www.slobodnaevropa.org/a/mustafi-zloupotreba-zakona-u-srbiji-za-politi%C4%8Dki-progon-albanaca/31129112.html>.

134 Shqiprim Arifi, <https://www.slobodnaevropa.org/a/mustafi-zloupotreba-zakona-u-srbiji-za-politi%C4%8Dki-progon-albanaca/31129112.html>.

135 <https://www.infovranjske.rs/info/ambasador-nema%C4%8Dkete%C5%A1ka-ekonomska-situacija-na-jugu-srbije>.

136 Ibid.

137 <https://www.infovranjske.rs/info/godfri-zaustaviti-iseljavanje-sa-juga?fbclid=IwAR1-ncAjvA143ky5RLePoZgNGIFw9TQlqEXKepVd7ntzQBfE4kdQNssgWCA#.XilpI83oiPo>.facebook.

That office should help the municipalities of Preševo, Bujanovac and Medveđa, just as the Kosovo Government helped during the pandemic with 500,000 euros (200,000 euros was allocated for Preševo, 200,000 for Bujanovac and 100,000 for Medveđa).<sup>138</sup> They also expect help from the Government of Serbia. The pandemic has emphasized the need for a hospital. That project, as a request of the Albanians, is in the “Seven Points Plan”, which was agreed with the Government of Serbia. The Helsinki Committee has spoken to people who claim that there is fear of going to health institutions in Nis or Belgrade, and that health workers often tell them “why don’t you go to Kosovo for treatment”. Many go to Gjilane for treatment, where they pay for healthcare services. In fact, the seventh point refers to the organization of the system of secondary healthcare for the residents of Preševo, Bujanovac and Medveđa. In 2015, a maternity hospital was opened in Preševo, envisaged by “Čović’s plan”. The maternity hospital employs Serbian doctors, while Albanians who have completed their studies in Macedonia have to have their diplomas nostrified, a procedure that takes a long time to complete.

The daily campaign of the Serbian media against Kosovo and Kosovo Albanians is also reflected in the situation in Southern Serbia. Shaip Kamberi estimates that the smear campaign that is often carried out by the media and state officials towards Kosovo also affects Albanians in Serbia.<sup>139</sup> The biggest ethnic distance in Serbia is in relation to Albanians, and has been for decades. Kamberi points out that nothing has been done to address this issue: “We live here, we strive to exercise our rights within the institutions of the system. We have tried multiple times to participate in the dialogue with the Government, but a political solution is only possible if there is political will in Belgrade. We have not seen such a will displayed so far.”<sup>140</sup>

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138 <https://www.juznevesti.com/Ekonomija/Kosovska-Vlada-uplatila-pola-miliona-evra-za-Prevesku-dolinu.sr.html>.

139 <https://rs.n1.info.com/vesti/a547948-kamberi-poruku-srpske-desnice-u-bujanovcu-shvatiao-sam-kao-poruku-vucica/>

140 Ibid.

## POLITICAL LIFE

The political scene in the south has consolidated in recent years. Shqiprim Arifi, former President of the Municipality of Preševo, points out that the new leadership “has been strengthened not only in Preševo, but has also helped to simplify the political spectrum, so since 2015 the number of parties has halved, so we now only have four”. This is not only a great success for the political system, but also for the population that voted for those parties, and it has contributed to better cooperation between the parties. And we know that it is always a challenge to cooperate and to work together.”<sup>141</sup> He also points out that “as a minority in Parliament with only three representatives, we do not have significant influence, although we have done a really good job so far.”<sup>142</sup>

In the current convocation of the National Assembly of Serbia, three Albanian deputies with representatives of the Bosniak minority make up the parliamentary caucus that is also the only opposition to what is practically a one-party parliament (the majority of opposition parties did not participate in the 2020 elections). Shaip Kamberi, MP from the list “Albanian Democratic Alternative – United Valley” (DAAUD), held several very important speeches – in one he called for “recognition of war crimes”, but was warned during the speech against using terminology that the President of the Assembly Ivica Dačić labelled as “inappropriate”.<sup>143</sup>

Kamberi estimates that the minimum norm is for the state to have a moral and political obligation to shed light on the cases of mass graves in the process of European integration and approach that issue from a civilizational perspective.

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141 <https://www.slobodnaevropa.org/a/%C5%A1%C4%87iprim-arifi-politika-brisanja-prebivali%C5%A1ta-albancima-u-srbiji-moralni-zlo%C4%8Din/31069346.html>.

142 <https://www.slobodnaevropa.org/a/%C5%A1%C4%87iprim-arifi-politika-brisanja-prebivali%C5%A1ta-albancima-u-srbiji-moralni-zlo%C4%8Din/31069346.html>.

143 <https://www.slobodnaevropa.org/a/30925752.html>.

His speech in the Assembly of Serbia, on 28 October, 2020, caused a large number of reactions in the public and on social networks. In it, he pointed out that not even Slobodan Milošević could have produced such a parliament, and assessed that it was a sad day for democracy. He began his speech with the words “Mirdita, good day!”, in order to remind Prime Minister Ana Brnabić of the threats right-wingers made to the organizers of the eponymous festival and to provide support to the festival in that way.<sup>144</sup> On that occasion, he also pointed to “the everyday language of hatred, sexism and the smear campaign against the opposition”.<sup>145</sup>

Kamberi very convincingly highlighted all the weaknesses of the regime and pointed out that President Vučić was in Bujanovac twice, once while he was Prime Minister, once as President, but that he never visited the local self-government. He only met with people from the Serbian Progressive Party (SNS) in a cafe. He did not gather Albanians, he did not come to the local self-government to hear what key people have to say regarding the problems that the population of that municipality is facing. Kamberi says he does not believe that the position of Albanians will improve if an Albanian becomes minister. “I believe that the position of Albanians will improve when this state decides to employ Albanians in government institutions, in proportion to the population in these municipalities.”<sup>146</sup>

At the latest local elections, Albanians formed a government in Bujanovac and Preševo, while in Medveđa, the President of the Municipality is a Serb. After the last elections, Albanians won a majority for the first time in Bujanovac and are a part of the government themselves, while in Medveđa, for the first time, only Serbs are part of the government. Serbs in Bujanovac are boycotting all parliamentary committees because they are not part of the local government.

There has been no agreement on the multiethnic composition of the municipal government because Belgrade does not respect its

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144 Ibid.

145 Ibid.

146 <https://www.slobodnaevropa.org/a/30925752.html>.

obligation to integrate Albanians into state and public institutions. Local Albanians in all three municipalities have no objections to relations with local Serbs. These relations are fair and friendly, although the local police and state institutions are pursuing Belgrade's policy, which discriminates against Albanians.<sup>147</sup>

### ECONOMIC RECOVERY

There has been no significant economic recovery or development over the last two decades in these three municipalities. Most state-owned/socially-owned enterprises have been closed down. The privatization of several of them did not yield the expected results. As these companies have been in the process of liquidation for years, they are now failing. The company Gumoplastika in Bujanovac, for example, has been in bankruptcy proceedings for 20 years. The Tobacco Industry has been sold, but tobacco production has also stopped, which endangered about 300 families who were living from it. The JUGKOP meat processing factory was also shut down.

For a long time, there has been talk about spa tourism and great potentials, but many spas and rehabilitation centers have become dilapidated in recent years, overgrown with weeds, closed to tourists and patients, because of a dispute between the state and the Pension Fund, which had allocated money for their construction in previous decades. The special hospital Geyser, i.e. Sijarinska Banja near Medveđa, is on the list of facilities that are to be sold. On an annual level, this institution hosts several thousand tourists, and is one of the spas that have the most springs and natural geysers.

Albanians have not had access to the privatization. They live off the remittances of the diaspora, which still shows great solidarity. Albanians from the diaspora would like to invest in these municipalities, but they are highly distrustful due to various restrictions and discrimination. Passivation of residence is also a limiting factor.

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147 Interview conducted by the Helsinki Committee with citizens in Medveđa, Bujanovac and Preševo.



Muharem Salihu (pictured on the right), a businessman originally from the village of Tupale in the municipality of Medveđa, who lives and works in Italy, bought an old factory for the production of socks which will allegedly be put into operation in June 2021.<sup>148</sup> The factory will employ both Albanians and Serbs, a total of 400 workers. The machines have already been installed, and the training of workers has been completed. The President of the Municipality of Medveđa has never visited this factory. Salihu bought several houses in Sijarinska Banja, and was planning to buy a hotel complex in Sijarinska Banja and the Lece mine. However, some Serbian media are campaigning against Salihu, who they say is in charge of implementing Albanian plans in Medveđa.

The Helsinki Committee has learned from one of its interlocutors that there is the impression that the central government in Serbia is in control of the economy in Southern Serbia, and that “it has made sure that nothing is produced in the south.”<sup>149</sup>

The infrastructure, and thus the connection of this region with central Serbia and Kosovo, would significantly contribute to the interest of foreign investors, especially from Germany. Preševo Mayor Ardita Sinani says the state does not subsidize small and medium-sized businesses in Preševo, even though the municipality is in a highly favorable location – on Corridor X, on the border with North Macedonia and Kosovo – and has a railway station.<sup>150</sup>

Albanians are engaged in agriculture, livestock and trade, but have difficulty accessing the market, both in Kosovo and in Serbia. The consequence of the spread of hate speech, prejudice and stereotypes regarding Albanians is a below-par willingness to purchase products that have a label in the Albanian language, which is why Preševo producers are not in the market in other cities in Serbia.

Employment of Albanians in public enterprises and institutions remains very low. It is particularly noticeable that no Albanians are

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148 He was not able to participate in the process of privatization, it was later resold to him by the new owner.

149 Interview conducted by the Helsinki Committee.

150 Interview conducted by the Helsinki Committee.

employed at the Public Company “Roads of Serbia”. The toll booth in Bujanovac employs citizens from Niš and other cities in Serbia, but no Albanians from Bujanovac. No Albanians work at the cadaster in Bujanovac, nor does anyone at that institution speak Albanian. Out of a total of 15 judges in Bujanovac, 3 are Albanians, while two deputy prosecutors and only one notary public is Albanian. At the police station in Bujanovac, only one Albanian is the deputy commander, and there are no inspectors of Albanian origin. The Preševo court was moved to Vranje, and only hearings can be conducted in Preševo.<sup>151</sup>

#### ALBANIAN NATIONAL MINORITY COUNCIL

In 2009, the two most important laws for the exercise of minority rights were adopted: the Law on the Prohibition of Discrimination and the Law on National Councils of National Minorities. The former is crucial for establishing civil equality, while the latter establishes the basis for bridging the legal gap faced by national councils after the expiration of the majority of their terms of office. The Law on the Prohibition of Discrimination was also one of the preconditions for putting Serbia on the Schengen White List, while the Law on National Councils of National Minorities enables the implementation of local minority self-government.

The Albanian National Minority Council was established in 2010. Riza Halimi’s list won the majority of votes for the National Council. Some Albanian politicians believe that national councils cannot solve problems. However, others think that a directly elected national council provides greater legitimacy and can thus contribute to more efficient solution to many problems in talks with the Government. They see the role of the national council mainly in preserving the identity of the Albanian minority.

The Albanian National Minority Council is financed by the Government of Serbia. As Albanians boycotted the 2011 census, the Serbian government is funding the council, taking into account the figure

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151 Interview conducted by the Helsinki Committee.

of 5,800, which corresponds to the number of Albanians recorded. The Albanian National Minority Council filed a lawsuit with the Administrative Court, requesting the annulment of the decision on determining the funds for the work of that Council for 2017, stating that they were denied the funds that belong to them by law. Director of the Office for Human and Minority Rights Suzana Paunović reminded at the time that the Government Decree on the procedure of distribution of funds from the budget of Serbia for the financing and work of national councils, which has been in force since 2010, stipulates that in the procedure of distribution of funds from the budget to national councils of national minorities, the number of members of a national minority is determined by the results of the latest census.<sup>152</sup>

The Government's rigid attitude towards the financing of the Council greatly limits its activities. The budget mainly comes down to covering the salaries of employees. In the meantime, the Albanian government has made a decision "on regular funding of the Albanian National Minority Council", demonstrating its readiness to help Albanians.<sup>153</sup>

Minister for Human and Minority Rights and Social Dialogue Gordana Čomić said that the ministry's goal is to improve the rights of national minorities, which she said "will be visible in improving poor assessments from relevant international reports and, more importantly, in accepting critical remarks made by national minority councils on what the ministry is obliged to do in order for them to function normally".<sup>154</sup>

All national minority councils reacted to the possibility of reducing the budget for national councils by 20%.<sup>155</sup> Ragmi Mustafa has

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152 [https://rs-lat.sputniknews.com/politika/201705161111191927-albanci-savet-srbija-tuzba./](https://rs-lat.sputniknews.com/politika/201705161111191927-albanci-savet-srbija-tuzba/)

153 <https://beta.rs/politika/112014-mustafa-nacionalni-savet-albanaca-ce-se-finansirati-i-iz-budzeta-albanije>.

154 <https://www.slobodnaevropa.org/a/finansije-zajedni%C4%8Dki-problem-nacionalnih-saveta-u-srbiji/30968206.html>.

155 According to Jasna Vojnić, President of the National Council of the Croatian National Minority, Serbia allocates 2.1 million euros for

pointed out that national councils receive funds from the state for the implementation of program activities and operational costs, but the problem is that those funds are insufficient and irregular, which is why an initiative has been launched towards doubling them next year.<sup>156</sup>

Albanians in Southern Serbia also have problems displaying national symbols. The President of the National Council, Ragmi Mustafa, points out that the legal pressure of the Government on Albanians is increasing day by day. He was summoned to a hearing at the Magistrates Court in Vranje, because he was accused of violating the law relating to the flag of Serbia – more precisely, the article that prohibits displaying the flag of a foreign country unless it is accompanied by the flag of Serbia. In fact, on 28 November, 2020, as in previous years, on Albanian Flag Day (the national holiday that marks Albania's independence), the Albanian flag was displayed at the headquarters of the Albanian National Council in Bujanovac.<sup>157</sup>

The Council made the decision that it is precisely that flag (the flag of Albania) that is the flag of the Albanians that they display every 28 November. Mustafa believes that this does not violate the Law on the Design and Use of the Coat of Arms, Flag and Anthem of the Republic of Serbia. What is problematic, as he states, is that "it is a politically motivated persecution through that law, that is, through that article of the law".<sup>158</sup> He notes that the Constitution of Serbia prescribes in Article 79 that national minorities determine their own symbols and have the right to display them in public places.<sup>159</sup>

Mustafa also emphasizes that only he received a summons to the Magistrates Court, primarily because he filed a lawsuit with the

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908,297 members of national minorities, while Croatia allocates 5.7 million euros for 328,738 members of national minorities.

156 Ibid.

157 <https://www.slobodnaevropa.org/a/mustafi-zloupotreba-zakona-u-srbiji-za-politi%C4%8Dki-progon-albanaca/31129112.html>.

158 Ibid.

159 Ibid.

Higher Court in Belgrade against the Minister of Police Aleksandar Vulin for hate speech and discrimination due his the use of the word “Shqiptar”.<sup>160</sup> The court dismissed the lawsuit.

Six and a half years ago, the Commissioner for the Protection of Equality of Serbia Brankica Janković gave an opinion that such a way of referring to members of the Albanian people was offensive, and the first final court verdict in which the word “Shqiptar” was characterized as hate speech was passed in 2018. There have been three court decisions (Higher Court in Belgrade) according to which the word “Shqiptar” is offensive in nature and which encourages discrimination against the Albanian national minority.<sup>161</sup>

On the occasion of Vulin’s statement, Shaip Kamberi, MP in the National Assembly of Serbia and President of the Party for Democratic Action (PDD), assessed that the Serbian judicial system was politicized, because it gave legal and institutional power to hate speech, intolerance and xenophobia against Albanians in general, especially those living in Serbia.<sup>162</sup>

However, it is not just the Minister of Police, but also the majority of MPs, as well as the media. It is noticeable how much the problems of Albanians are ignored in general. At every opportunity, Albanians point to the problems and the need to resolve the vital issues of Albanians living in Serbia, especially in Preševo, Bujanovac and Medveđa.

Ragmi Mustafi believes that “above all, Albanians in the Preševo Valley expect integration into the institutions of the system and representation in state bodies in proportional to the population in the region, but also resolving the issue of hoisting the national flag, using the mother tongue in state institutions, as well as issues in the fields of information, education and culture”.<sup>163</sup>

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160 Ibid.

161 Ibid.

162 <https://www.slobodnaevropa.org/a/31092398.html>.

163 Ibid.

Ragmi Mustafa underlines that “the Preševo Valley is still hostage to the relations between Belgrade and Prishtina. This is best shown by the measures and counter-measures taken by the Republic of Kosovo as well as the Republic of Serbia, which have mostly brought harm to Albanians living in the Preševo Valley. According to him, extreme centralization of power naturally results in institutional and social disintegration. For all principals of Albanian-language schools, centers for social work, cadaster, tax and all other institutions that should be accountable to citizens, they are forced to favor the central government. Because the decisions on dismissal and appointment are made by the line ministers, without any consultations with the local self-government or any political party.<sup>164</sup>

In its work strategy for 2020–2025, the National Council envisages, among other things, printing a catalog of the most common Albanian names and surnames, writing the names of institutions and streets bilingually and the use of the Albanian language in public institutions, improving the access to information of the Albanian minority by supporting the production of media in Albanian and professionalization of media workers. In the field of education, three topics were singled out – providing textbooks for primary and secondary schools, professional development of teachers who teach in the Albanian language and recognition of diplomas. In the field of culture, the following topics were singled out: setting up the online platform “Digital Museum”, enriching the book fund in the Albanian language in public libraries in the three municipalities and the establishment of a cultural institute.<sup>165</sup>

In the meantime, the catalog has been completed and contains 3,134 Albanian names and 530 Albanian surnames, which have been correctly written in Albanian and Serbian and in Cyrillic. It was

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164 Danas interview with Ragmi Mustafa, *Albanians in the south still hostage to relations between Belgrade and Prishtina*, 24 May.

165 <https://www.slobodnaevropa.org/a/mediji-manjina-kao-propagandno-orudje/30837638.html>.  
<https://www.srbija.gov.rs/vest/424833/nacionalni-savet-albanske-nacionalne-manjine-predstavio-nacrt-strategije-rada.php>.

prepared by the Ministry of State Administration and Local Self-Government in cooperation with the Coordinating Body of the Government of the Republic of Serbia for the municipalities of Preševo, Bujanovac and Medveđa, the Albanian National Minority Council and the OSCE Mission to Serbia. The catalog will help employees in hospitals, maternity hospitals and registry offices, who are in direct contact with representatives of the Albanian community, in the correct spelling of their names in official documents in Albanian and Serbian, which will contribute to more effective application of the right to a personal name and it being written in the language of a national minority.<sup>166</sup>

The National Council considers that the new law on national councils does not clearly define their role and field of authority. They have also complained that their opinion is not taken into account, for example, when school principals are appointed. Out of 23 councils in Serbia, only four are not under the control of the SNS.

Interlocutors from the National Council also point to the fact that a large number of murders, enforced disappearances, damages to property and tortures, committed by members of the Serbian police (MUP) and the Yugoslav Army, as well as paramilitary formations, in the period before the crisis in Southern Serbia (1999–2000), has remained unsolved until now, which also applies to human rights violations on both sides in the conflict from 2000 to 2001. The Committee for Human Rights in Bujanovac and the Humanitarian Law Center worked on documenting human rights violations, both in the period during 2000 (prior to the conflict), during the conflict (2000–2001) and in the period after May 31, 2001 (after the conflict).

The judicial authorities of the Republic of Serbia have not prosecuted a single case of human rights violations that occurred during the armed conflict in Southern Serbia. This has left lasting consequences when it comes to trust in the courts and the prosecution. In addition, social dialogue on the causes and consequences

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166 <https://www.osce.org/sr/mission-to-serbia/444103>.

of the armed conflict has not been enabled, nor has enough been done on the reintegration of former UÇPMB fighters into society. As much as 20 years after the conflict, there have been no initiatives to resolve mutual relations, which is one of the reasons for the tendency towards demarcation.

## **EDUCATION, CULTURE AND MEDIA**

### ALBANIAN-LANGUAGE MEDIA

Although Albanians have traditionally made up the majority of the population, there were no Albanian-language media in the three municipalities prior to the intervention. In early 1997, a broadcast license for a local television was sought, and was granted only after the *Končulj Agreement*. At that time, the distribution of Albanian media was prohibited, and only state-controlled media were allowed.

The agreement on the reorganization of local media (2002) enabled the formation of an Albanian-language newsroom within the already existing Radio Bujanovac, and immediately after that TV Bujanovac was established, also on the model of two newsrooms. Also established were Radio-Television Preševo (which also has a Serbian-language newsroom) and Radio Medveđa, where in 2004 an Albanian-language newsroom was formed. The radio in Medveđa broadcasts 5 minutes of programs in Albanian every day, and one 60-minute show per week.

The media in the languages of national minorities in Serbia face numerous problems, the most pronounced of which are those related to funding, political pressure and the influence of the Council of National Minorities on their editorial policy. This is evidenced by a report presented by the Organization for Security and Co-operation in Europe (OSCE) in Serbia. According to the report, entitled “Media Outlets in the Languages of National Minorities – Research and Analysis”, political parties of national minorities still do not view the media as a



means of informing the citizens of minority communities, but as a tool for their own propaganda.<sup>167</sup>

The analysis points out that the Albanian-language media in the municipalities of Preševo, Bujanovac and Medveđa are in an extremely difficult financial, personnel and program situation, and that they are not addressing the needs of Albanians. Moreover, economic and political pressures have led to the closure of almost all independent media, and the privatization carried out five years ago has not yielded the expected results in terms of economic and political independence.<sup>168</sup>

Ragmi Mustafa points out that “the privatization process, which promised to improve the media situation and program content in Albanian-language media, has not brought about any improvement. It is more difficult and worse now than it was then, and the program contents are in the negative, in terms of both quantity and quality”.<sup>169</sup>

In the municipalities of Bujanovac and Preševo, all media were privatized, but the relationship between the media and the government has not changed. Nexhat Beluli, owner of the Albanian-language private television Spektri in Bujanovac, says that “their editorial policies directly depend on the municipality, the Coordinating Body for Southern Serbia, or some ministry. The portals here are mostly run by people close to local authorities. For example, in the municipality of Bujanovac, the owners of five portals are people from the local self-government”.<sup>170</sup>

Jeton Ismaili, owner of the Folonline portal from Preševo, highlights the problem of discrimination against Albanian-language media at the competitions of the Ministry of Culture and Information,

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167 <https://www.slobodnaevropa.org/a/mediji-manjina-kao-propagandno-orudje/30837638.html>

168 Ibid.

169 Ibid.

170 Ibid.

as well as discrimination at media competitions announced by the local self-governments.<sup>171</sup>

Out of a total of 80 projects that passed the competition of the Ministry of Media in minority languages, six are in Albanian. One organization from Medveđa, four from Bujanovac and one from Belgrade, received a total of 3.3 million dinars (around 28,000 euros). However, in the opinion of Jeton Ismaili, part of the responsibility for the situation in Albanian-language media also falls on the National Council,<sup>172</sup> whose information boards do not include media professionals.<sup>173</sup> On the other hand, Ragmi Mustafa, President of the Albanian National Minority Council (NSA), states that this body does not have the financial means to help the media.<sup>174</sup>

Albanians in Southern Serbia are dissatisfied with the program in Albanian, which is broadcast on RTS 2 once a week, as well as the one on Radio Belgrade, because they do not contain any news about the Albanian community. Ragmi Mustafa suggests that the program for RTS be prepared by a media house from the Preševo Valley.<sup>175</sup>

No daily or weekly newspaper is sold in Albanian in Preševo, as there is no interest in the press. Serbian print media can be obtained

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171 Ibid.

172 According to Article 19 of the Law on Local Self-Government, the National Council may establish institutions and companies for the purpose of exercising the right to public information in the language of a national minority. This article gives national councils the right to nominate a member to the Council of the regulatory body for electronic media. Article 21 of the same law states that the National Council adopts a strategy for the development of information in the language of a national minority, in accordance with the strategy in the field of public information in Serbia. The Council makes a proposal for the allocation of funds for projects, as well as proposals and recommendations to the management boards and program councils of public media services regarding programs in the languages of national minorities. The Council also gives its opinion on candidates for editors-in-chief of minority language programs in public media services.

173 Ibid.

174 Ibid.

175 Interview conducted by the Helsinki Committee.

only in the part of the municipality where Serbs live (near the railway station).<sup>176</sup>

### RECOGNITION OF DIPLOMAS

Although an agreement on the recognition of university degrees obtained in Kosovo was reached in dialogue with Prishtina, it is not being implemented. About 1,000 young Albanians from Bujanovac, Preševo and Medveđa are studying at the University of Prishtina, and want to stay in the three local municipalities. Non-recognition of their diplomas prevents their employment in the state administration, health service and judiciary, which is also one of the reasons why young Albanians leave for Western European countries.<sup>177</sup> Apart from the University of Prishtina, Albanians from Southern Serbia are studying in Albania and at the University of Tetova in North Macedonia. Without young educated members, the Albanian community is threatened with marginalization and disappearance.

Albanian politicians blame the authorities for ignoring problems and failing to meet the educational needs of the Albanian community. During the December protest (2010) in Preševo, Albanian pupils and students demanded that Brussels mediate between Belgrade and Prishtina in order to speed up the resolution of the diploma issue. The protest, organized by the Human Rights Committee, was attended by about 3,000 pupils and students and ended without any incidents.<sup>178</sup>

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176 Ibid.

177 According to Riza Halimi, "the number of Albanians in those three municipalities in Southern Serbia has almost halved since 2001, and many villages in the Ground Security Zone along the line with Kosovo have been completely deserted". He said it was estimated that between 25,000 and 30,000 Albanians had emigrated from the three municipalities. Halimi estimates that unemployment is as high as 70 percent.

178 During the protest, its participants passed by large billboards showing the "diploma" of the Minister of Local Self-Government and the head of the Coordinating Body, Milan Marković, and where it was written that he successfully completed his studies at the University on 5 October (grade 10).

Chairman of the Bujanovac Committee for Human Rights Belzimir Kamberi said at the time that the aim of the protest was to point out the problem with diplomas: “The government is violating human rights in Preševo, Bujanovac and Medveđa... We believe,” says Kamberi, “that we should not be held hostage to politics in relation to Kosovo or the relations between Serbia and Kosovo.”<sup>179</sup> The demands of young Albanians were supported by 37 non-governmental organizations from Serbia, which pointed out in their statement that “solving the problem of diplomas should be a priority of the Government of Serbia, regardless of negotiations between Belgrade and Prishtina, because the right to education is not a political issue. It is a basic human right and one of the minority rights guaranteed by the Constitution of Serbia and international standards.”<sup>180</sup>

The implementation of the agreement on the recognition of diplomas is often opposed by academic circles in Serbia. Serbia has always underestimated the diplomas obtained in Prishtina and viewed Kosovo professors as incompetent. The Dean of the Belgrade Faculty of Law, Mirko Vasiljević, said that Serbia would not benefit from the recognition of diplomas. “It is my opinion and general belief that the quality of work at the University of Prishtina is far below the level practiced at universities in Serbia,” he said. Professor of the University of Kragujevac, Mileta Poskurica, politicizes the issue and claims that Serbia should not recognize the diplomas of the University of Prishtina, explaining that “such a capitulatory act would lead to the next move that could imply the final recognition of the Republic of Kosovo, and I think the state should not get involved in that.”<sup>181</sup>

Recognition of diplomas was also part of the Washington Agreement (2020), as well as the initiative on the so-called “Mini Schengen”. The Albanian National Minority Council (NSA) welcomed the

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179 *Albanians demand that the Government of Serbia recognize their diplomas*, Kurir, 10 December, 2010.

180 *NGOs demand recognition of diplomas*, [www.jugpress.com](http://www.jugpress.com).

181 [http://www.politika.co.rs/sr/clanak/183907/Najvise-koristi-ce-imati-Albanci-iz-Preseva-i-Bujanovca?\\_](http://www.politika.co.rs/sr/clanak/183907/Najvise-koristi-ce-imati-Albanci-iz-Preseva-i-Bujanovca?_)

signing of the agreement, especially the part on the recognition of Kosovo diplomas, i.e. point 6 of the Agreement, which states that “both sides will recognize diplomas and professional certificates”.<sup>182</sup> On the occasion of the agreement from Washington, Mladen Šarčević, the Minister of Education, stated that the problem of diplomas had been overcome and that it would mean signing various protocols. However, as he pointed out, “we will not allow our jurisdiction over the educational part that belongs to us to be called into question”.<sup>183</sup> This refers to the University of Prishtina, which has been relocated to Kosovska Mitrovica and which Prishtina does not recognize.

In the Serbian Parliament, Prime Minister Ana Brnabić answered a question about diplomas and, among other things, said that “as soon as Serbia has an adequate interlocutor in the temporary institutions in Prishtina who is ready to talk about it seriously, it will make compromises in order to reach a solution that will be in the interest of young people”. She also pointed out that “the Association of Serb Municipalities is a precondition for better talks.”<sup>184</sup>

#### THE TEXTBOOK ISSUE

The issue with textbooks arose when Kosovo declared independence, and Serbia banned the import of Albanian-language textbooks, so children in those territories could not receive an education in their mother tongue. This primarily refers to the curricula for geography and history. Milan Markovic, one of the former education ministers, said in 2011 that Albanians were justifiably frustrated with textbooks for primary and secondary schools, and that “the education system is the weakest link in the government’s policy in Bujanovac and Preševo” because “for almost 20 years, Albanian children

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182 <https://bujanovacke.co.rs/2020/09/04/nsa-srbija-u-vasingtonu-priznala-kosovske-diplome/>.

183 <https://www.vesti.rs/Va%20%20A1ington/Sarcevic-Priznavanje-diploma-dobra-vest-i-za-Srbe-i-Albance.html>

184 <https://www.tvmost.info/post/brnabic-priznavanje-diploma-sa-kim-cekamo-sagovornika-iz-pristinki>

have been learning from lecture summaries, illegal textbooks that deviate from the curriculum or from what they have written down” and that “it is high time that the Ministry of Education took a more serious approach to solving that problem in accordance with Serbian law and the practice that applies to other national minorities”.<sup>185</sup> Primary school students received a primer and workbooks in Albanian in 2011, which is in accordance with the Law on Textbooks of the Republic of Serbia. The textbook was imported from Albania on the basis of the approval of the Ministry of Education and Science, and on the recommendation of the National Council of Albanians. It was printed in Serbia with the support of the OSCE.

This actual solving of this problem started only recently. After 20 years, primary school students in Bujanovac, Preševo and Medveđa, who attend classes in the Albanian language, started the school year 2020 with new textbooks. Ragmi Mustafa, President of the Albanian National Minority Council, has pointed out that students (4,052 in total) will be able to learn from the same books as their peers from Tirana, Shkodra, Vlorë. In addition to the Albanian Ministry of Education, where the books came from, Kosovo authorities allocated around 140,000 euros for the textbooks, which were handed out free of charge.<sup>186</sup>

The history textbook is the most controversial one, because in it, among other things, the leader of the Kosovo Liberation Army, Adem Jashari, is described as a hero who fought against the security services of Serbia. More than 100,000 textbooks sent by the Ministry of Education from Kosovo to Serbia were detained at Serbian customs. Albanians asked the then Prime Minister Aleksandar Vučić for help, but he turned a deaf ear to the issue.

Albanian educators say “classes are conducted using textbooks approved by the ministry and translated into Albanian”. They believe

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185 [https://www.slobodnaevropa.org/a/albanci\\_trazili\\_udzbenike\\_na\\_maternjem\\_i\\_priznavanje\\_diploma/24327328.html](https://www.slobodnaevropa.org/a/albanci_trazili_udzbenike_na_maternjem_i_priznavanje_diploma/24327328.html)

186 <https://bujanovacke.co.rs/2020/09/08/albanski-osnovci-prvi-put-posle-20-godina-imaju-udzbenike/>

that the problem is not urgent and that it requires thorough coordination between the educational authorities of Serbia and the work of the Albanian National Minority Council, which deals with education, in order to harmonize the content of textbooks, primarily in social sciences. Another problem occurs when translating textbooks. In fact, the textbooks must be translated from Albanian into Serbian, and then translated back into Albanian. The translation into Albanian is quite poor, often riddled with absurd mistakes.

Following the adoption of the Law on Textbooks in 2018, the Ministry of Education believes that great progress has been made in providing textbooks in the languages of national minorities. All approved textbooks and textbook sets are in the Catalog of Textbooks in the Languages of National Minorities for the 2020/21 school year and are available on the website of the Ministry.<sup>187</sup> A total of 86 textbooks are available to students attending classes in the Albanian language, 46 of which are part of the new curriculum. The commission approved 31 textbooks for grades 1–8. Of that number, the Commission reviewed and approved 24 new textbooks in Albanian that were published in the new catalog for the 2021/22 school year in minority languages.<sup>188</sup>

Professors in Preševo point out that the state is not even attempting to teach students Serbian, even though there is a need for Albanians to know that language. Schools in Preševo do not have electronic gradebooks, and for two years now they have not even had a hard-copy gradebook in Albanian. There has been no Education Inspector for seven years, which is why many teachers are working without a license.<sup>189</sup> All this illustrates the conditions in which the teachers are working.

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187 <http://www.mpn.gov.rs/wp-content/uploads/2020/06/KATALOG-UD%C5%BDBENIKA-NA-JEZICIMA-NACIONALNIH-MANJINA-2020-21.pdf>.

188 <http://www.mpn.gov.rs/novi-udzbenici-na-albanskom-jeziku/>.

189 Interview conducted by the Helsinki Committee.

## FACULTY OF ECONOMICS IN BUJANOVAC

Taking into account the fact that education can play a key role in conflict prevention, immediately after 2000, the High Commissioner on National Minorities made significant efforts to improve the status of minorities, including their education. As education can foster a sense of opportunity and belonging, bridge gaps in diversity and between languages, and enable multiple different views of history. These were also the main motives of the High Commissioner on National Minorities to support the opening of the Faculty of Economics in Bujanovac.

The Faculty of Economics in Subotica opened a department in Bujanovac in 2011, while it moved into the new building in 2015, with the then Prime Minister Aleksandar Vučić also in attendance at the opening. This project was supported by the EU, Switzerland and the OSCE Mission. The construction of the faculty building cost close to 1 million euros, of which the European Union donated 615,000 euros, the Swiss Government 185,000 euros, while the Government of the Republic of Serbia allocated a total of 208,000 euros for participation and equipping the building. This project was supported by the High Commissioner on National Minorities (HCNM). The department in Bujanovac is the first truly multilingual and multiethnic institution of higher education in Southern Serbia. The first generation of students graduated in November 2015.

Classes are conducted in Serbian and Albanian, the total facility area is 2,350 square meters, and includes an amphitheater, modern classrooms, student parliament rooms, a library, a reading room and an Internet cafe. Professors from the Faculty of Economics give lectures in Serbian, while professors from the University of Tetova in North Macedonia teach in Albanian.

The initiative to open the Department of Albanology in Bujanovac was initiated by the President of the National Council Ragmi Mustafa, who addressed the Rectorate after consultations with the Head of the Department of Albanology at the Faculty of Philology in Belgrade, Professor Naila Imami, and according to Mustafa, they



reached the joint conclusion that the department would be “more than beneficial”. The request is justified by the fact that young Albanians from three municipalities from Southern Serbia would like to study Albanology, but that for numerous reasons this will not be carried out in Belgrade, primarily because of the geographical distance.

The Faculty of Economics, however, has not met the expectations of young Albanians. There are fewer and fewer of them studying there. Classes in Albanian language have also declined. In addition, the employment of Albanians, even with that degree, is problematic.<sup>190</sup> In the ten years of its existence, the faculty has not appointed a single assistant professor from Southern Serbia. Classes in Albanian cover less than 30 percent of the curriculum.<sup>191</sup>

## CULTURE

Cultural activities include the protection of cultural goods, the development of cultural activities and institutions (libraries, cultural centers, theaters, cinemas, etc.), festivals, literature, the use of new technologies. The legal framework for this field is the Constitution of the Republic of Serbia, Article 79, which states that “members of national minorities shall have a right to: expression, preservation, fostering, developing and public expression of national, ethnic, cultural, religious specificity”. The Council of Europe’s Framework Convention for the Protection of National Minorities (Article 5, paragraph 1) “obliges countries to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage”.

The National Council is an institution that has a mandate for this field, which is defined in its strategic work plan. However, the President of the National Council, Ragmi Mustafa, says that the institution

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190 Interview conducted by the Helsinki Committee.

191 Interview conducted by the Helsinki Committee.

has no influence on the election of directors of cultural institutions in Southern Serbia.<sup>192</sup>

According to people who have spoken to the Helsinki Committee, the existing capacities (technical and program-wise) are outdated and do not meet the modern needs of the population, especially young people. There are very few cultural events due to limited financial resources. The funds allocated by the competent ministry are meager.<sup>193</sup>

The most significant events include “Cultural Summer Bujanovac”, “Days of Albanian Comedy”, “Painting Colony Preševo”, as well as the activities of the Center for Youth Promotion.

Significant cultural institutions in this region are the Vuk Karadžić Cultural Center in Bujanovac, the Bujanovac Library (it has about 10,000 books in Albanian), the Preševo Cultural Center, the Ibrahim Kelmendi Library in Preševo and the Medveđa Library (with 40,000 books, 3,000 of which are in Albanian).

The issue of the right to express one’s national identity is most often mentioned in relation to displaying the Albanian flag. “Everything is fine until you declare yourself as an Albanian,” according to one of HC’s interlocutors.

#### COMMUNICATION BETWEEN YOUNG SERBS AND ALBANIANS

Young Albanians participate in projects that are multiethnic, but after the projects are finished, communication is mostly private and away from the public eye. They have better communication with Belgrade and other cities than with local Serbs. The NGO *Civic Initiatives* from Belgrade has been implementing projects for years that aim to build the capacity of local NGOs (primarily writing projects) and the integration of young people. For a while, they also had a permanent office in Bujanovac (until 2016). Young people are gathered around several local NGOs, but without the possibility

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192 Interview conducted by the Helsinki Committee.

193 Interview conducted by the Helsinki Committee.

for continuous action due to low funding.<sup>194</sup> In Preševo, the municipality also has an Office for Youth whose activities are related to education, culture and art. However, young people do not see a perspective for their survival, primarily due to discrimination, non-recognition of diplomas, economic conditions and poor living standards.<sup>195</sup>

Young active Albanians have not cooperated with organizations at the local level made up of Serbs, but participate in projects from Nis and other cities. Unfortunately, as they point out, these multi-ethnic projects lack sustainability. Young Albanians and Serbs do not hang out together in cafes, because each group sticks with their own. Albanians are more open to crossing the “ethnic line”, which some of them do.<sup>196</sup>

Schools are bilingual (under one roof, but due to previous incidents, they have different schedules so that they do not overlap, and there have been no more incidents). A small number of them study in Novi Sad with scholarships from the Coordinating Body.

#### “PASSIVATION” OF ALBANIANS WORKING ABROAD

One of the acute problems that Albanians have been pointing out for years, and which is now being reported by international organizations, is the massive and selective passivation of residence (practically, the annulment of addresses). For more than four thousand Albanians, their residence in Medveđa<sup>197</sup> was passiv-

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194 Beyond, Veliki Trnovac Čag, Center for the Advancement of Youth and Women Bujanovac, Alvet, The Future, Livret, BeActiv – these organizations organize cultural activities, assistance for vulnerable persons, Serbian and Albanian language courses...

195 Interview conducted by the Helsinki Committee.

196 Ibid.

197 Shqiprim Arifi, former Mayor of Preševo, points out that since 2011, 4,700 residential addresses have been annulled in Medveđa, which is a very large number. Kosovo President Vjosa Osmani says that according to the 2011 census, there were 7,438 Albanians living in Medveđa, and that now, as she claims, it is estimated that there are only 600 Albanians, although there are no official

ized, and the passivation in that municipality led to the number of Albanians being reduced to 400–500 people. Recently, passivation has intensified in Bujanovac (about a thousand people were left without an address)<sup>198</sup> and in Preševo. Not only does this suspend the civil rights of Albanians, but it is a very specific measure of administrative ethnic cleansing.

One of the explanations for the passivation that the authorities put forward is that these Albanians do not have good living conditions, which is a form of taking over of the competences of the Center for Social Work. And, in some cases, that becomes absurd, because the HC also spoke to families who not only have the conditions, but are also ready to invest in this area. Also, similar checks on living conditions do not happen to non-Albanians. The procedure of changing the name of the street is also used for passivation. Some citizens have asked for an explanation from the Republic Geodetic Authority, as well as documents of the decision on renaming streets, because the local self-government does not possess it. However, the damaged citizens avoid complaining, because they are afraid of being exposed to vindictiveness, which would make the damage even greater.<sup>199</sup>

Former Mayor of Preševo Shqiprim Arifi says that the process of systematically erasing Albanians' residences has been ongoing since 2011, and continues to this day. "A critical point has been reached in Medveđa, because we have very few Albanians whose address is registered in that municipality. If we compare the statistical data on the population living in the municipalities in the Preševo Valley and its surroundings, it is obvious that we have a larger number of suspended addresses than in all other villages and towns in the whole of Serbia. It is evident from this that the area is being targeted by the Ministry of Internal Affairs and that the policy of deleting residences is

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statistics. (<https://www.blic.rs/vesti/politika/osmani-optuzila-srbiju-za-etnicko-ciscenje-albanaca-u-medvedi-bujanovcu-i-presevu/rre3r9j>)

198 Interview conducted by the Helsinki Committee.

199 Interview conducted by the Helsinki Committee.

directed against the population, whose members do not stay in their homes during the week because they work in Kosovo.”<sup>200</sup> Arifi points out that everyone knows about this problem – the Government, the International Community, the Government of Kosovo and the EU – because they presented this problem to everyone, but, as he points out, “a solution needs to be found” and expects that this problem will be “part of the negotiations”.<sup>201</sup>

Dr. Flora Ferati-Sachsenmaier, a researcher at the Max Planck Institute for the Study of Religious and Ethnic Diversity, estimates that “this removal is systematic, politically motivated and accomplished by abusing the Law on the Residence of Citizens, which Serbia adopted in 2011. Known also as the ‘passivation of residential addresses’, this discriminatory measure is disproportionately applied against the Albanian minority in Serbia, particularly in the three municipalities where Albanians vastly outnumber ethnic Serbs.”<sup>202</sup>

According to the Law on Residence of Citizens in Serbia, Article 18 provides the legal basis for the Ministry of Internal Affairs of Serbia to check whether a citizen is living at the officially marked address of residence. The law is somewhat vague regarding the justification of the control of permanent residence, but the consequences are clear if a citizen does not prove that he/she is living at the registered address. Police visits to verify residential addresses are usually unannounced, and if they conclude during such visits that the citizen no longer lives there, they automatically “passivize” that address. There have been cases of passivation without any control on the ground, but this is carried out arbitrarily. Hence, the passivation of residences of citizens who live at the given addresses is also possible.<sup>203</sup>

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200 <https://www.slobodnaevropa.org/a/%C5%A1%C4%87iprim-arifi-politika-brisanja-prebivali%C5%A1ta-albancima-u-srbiji-moralni-zlo%C4%8Din/31069346.html>.

201 Ibid.

202 <https://exit.al/en/2020/05/10/serbia-is-depopulating-albanians-in-the-presevo-valley-at-alarming-levels/>

203 Interview conducted by the Helsinki Committee.

When the permanent residential address is “passivized” and removed from the registry book in Serbia, that person virtually ceases to exist. They cannot renew their expired ID card or passport, register a car, have access to healthcare or social services, buy or sell property, or vote in local or general elections. The village of Tupale, for example, is the largest constituency in the municipality of Medveđa. In 2015, there were 1,086 voters, while in the 2019 elections, that number was reduced to 307.<sup>204</sup>

Once the permanent address is “passivized” and the information is entered in the Civil Records registry, “passivized” citizens are considered to no longer be residing in Serbia. The Civil Records registry then forwards this information to the Election Commission of the Republic of Serbia, the institution responsible for generating electoral lists, which then deletes all “passivized Albanians” from the electoral lists. This step completes the process of transforming domestic Albanian citizens into foreign citizens.

The Ministry of Internal Affairs does not issue a written decision that the address of an Albanian has been deactivated. In most cases, the information is given orally, or placed on a bulletin board, making it virtually impossible for Albanians to initiate legal proceedings. The deadline for appeal is 8 days. Most learn without warning that they have been “passivized”, usually when they needed medical care, when they renewed their ID card or passport, or when paying property taxes. “Passivized” citizens have the possibility of complaining to the Police Directorate – Department for Administrative Affairs in Belgrade. It can happen, however, that the Directorate responds positively to the complaint, but that the local police avoids enforcing the decision on registering the residence. (Interlocutors of the HC in Medveđa).<sup>205</sup>

According to people interviewed by the HC’s, “passivized” citizens also have problems with Interpol. In fact, the Ministry of Internal Affairs of Serbia sends information about invalid documents to

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204 Interview conducted by the Helsinki Committee.

205 Interview conducted by the Helsinki Committee.

Interpol, which prevents citizens from coming to Serbia, and Interpol deports them to Kosovo. The problem is that the Albanians whose address have been passivized are not informed about it, and they usually find out only at the border that their documents are invalid.

The confession of an Albanian man from Medveđa that he recorded (AFEDS)<sup>206</sup> is typical of many cases:

*I started renovating my house this year. They turned off my electricity 10 years ago and they are not coming to install it again. When I go to complain, I have to deal with the whole process of 'passivation'. As I no longer have valid documents or an active permanent address, there is nothing I can do about it. We are under constant pressure.*

*My wife is an Albanian from Kosovo, and all three of my girls were born in Prishtina. I work there on certain days of the week, because I could never find a job in Serbia. However, I never managed to get any document for my Kosovo Albanian wife or for my three daughters. As a result of passivation, I was forced to find a different residence in Kosovo (more precisely in Kosovo Polje). He also states that there is no institution to which an appeal can be filed. No institution takes into account the complaints of Albanians. The entire state apparatus is working together to remove the last remaining Albanians in Serbia, from areas where they have lived for centuries. My family line comes from my great-grandfather from Medveđa, and today I am not sure whether my daughters will be able to claim my property in Medveđa.*

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206 Albanian Forum for Economic Development in Serbia (AFEDS). Survey with the Passivized Albanians in Serbia: the Case of Medveđa, 2020–2021.

Another testimony is symptomatic:

*I had a meeting with my doctor at the main clinic in Medveđa. I had to do a blood test that day, which means I had an appointment. Later, when I returned home, my neighbor told me that while I was visiting the doctor, the police came and inquired about me. I would like to emphasize that at that time I still had a valid ID card and passport. After they passivized me, Serbian state authorities deleted me from the list of voters. So, they took away my fundamental political right – the right to vote. In the meantime, my passport expired and the authorities refused to issue me a new one. They refused to issue me a travel document at this age. I am 75 years old and in poor health. I'm afraid that if I can't renew my ID, if this happens, I will not be able to receive a pension in the future. Without a valid ID card, one cannot receive a pension from the appropriate institutions in Serbia.<sup>207</sup>*

Third testimony:

*I found out that I was passivized when I personally went to the Office of the Ministry of Internal Affairs of Serbia in Medveđa to renew my passport. They told me “your address has been passivized”, but they refused to give me any written statement, in spite of my insistence. From (kkk 2019 to kkk 2019), the period during which I knew for sure that I had been passivized, I submitted a request for the reactivation of my permanent address. Chief of Police Saša Jakšić insisted that there was only one way: instead of filing a complaint, he said that I should fill out a form and pay a certain tax, and that they would return my address after the local elections. District police officer Danilo Doderović*

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207 Statement given to AFEDS.



*told me the exact same thing. He later spoke to his colleague Saša Jakšić, and since they both knew me well personally and professionally, they just wanted to show good will or find a way for me to leave their office. I didn't leave their office until I got an answer. That's when I started legal proceedings. As part of my appeal, I submitted a request for the reactivation of the address, proof of inheritance with my father's name, proof of regular payment of electricity bills, proof of residence in Switzerland and that they had issued me a passport twice at the Serbian Embassy in Bern, Switzerland. The Ministry of Internal Affairs of Serbia asked me to stay at home for 4 weeks, allegedly to check if I really live at that address. I did that from July to August 2019 (a period of isolation that resulted in financial, professional and family expenses), just so I could get my permanent address back. I have a valid ID card that will expire in 2025, but I no longer have a passport due to the passivation.<sup>208</sup>*

Fourth testimony:

*I went to renew my passport in Medveđa, and an officer working at the local police station told me that my address had been passivized. There was nothing I could do because I was not informed about what I needed to do in order to activate my address. Passivation of an address represents, above all, selective and collective discrimination of the Albanian minority in Serbia. In this context, this violates our basic rights and freedoms, such as the right to access and receive public services, equality with the majority population, the right to preserve identity and maintain a connection with cultural and spiritual heritage, the right to*

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208 Statement given to AFEDS.

*access and use property, etc. At the same time, the passivation of my permanent address deprives me of my freedom of movement in the country in which I was born and raised and where the graves of my ancestors are still located. In addition, passivation deprived me of my right to vote, and with it the right to elect my political representatives at the local and parliamentary/state level. As a result, no one can represent my interests as a member of the indigenous minority in municipal or parliamentary assemblies.*<sup>209</sup>

There are numerous other testimonies that point to the systematic discrimination against Albanians in order to reduce their numbers in Southern Serbia. This form of discrimination against Albanians in Medveđa has led to a serious crisis in the Albanian community: all of this increases the feeling of personal insecurity. One of the consequences of passivation may be the loss of the right to bilingualism in a municipality, if the number of Albanians living in it falls below 15 percent. Passivation has intensified since 2016, when the topic of the partition of Kosovo, i.e. the exchange of territories, was imposed.<sup>210</sup>

Also indicative is the behavior of the police, which, according to the citizens of Medveđa, on the order of the Ministry of Internal Affairs (MUP) of Serbia, is more frequently calling in citizens of Albanian nationality for questioning. In this way, the Ministry of Internal Affairs checks the place of residence of those who are temporarily working abroad. According to the information forwarded to the HC, about 1,000 citizens were called in for questioning and everyone was ordered to register their residence within eight days.<sup>211</sup> These actions of the Ministry of Internal Affairs take place prior to elections, which raises doubts about possible manipulation of voter lists. Albanians

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209 Ibid.

210 Interview conducted by the Helsinki Committee.

211 Interview conducted by the Helsinki Committee.

have also complained that the Ministry of Internal Affairs, based on a subjective assessment, determines whether a party intends to live at a certain address.

Albanians working in Medveđa do not want to speak out about their addresses having been passivized, because they are afraid that they will lose their jobs.

During the previous elections, many Albanians were barred from entering the country and thus denied the right to vote. On 23 July, 2015, Ramadan Jakupi, a resident of Medveđa of Albanian nationality, went to the local police station to get a new ID card. He then learned that, according to police records, he was not in fact a resident at the address where he had spent most of his life and where he still lives today.<sup>212</sup>

According to the testimony of Jakupi himself, the officers of the Medveđa police station told him that an inspection of the central records of that police station found that the address in his old ID card was allegedly fictitious, which is why his residence was taken away and why he will not be issued a new ID card. When he asked how it was possible to take away his residence at the address where he has lived all his life and from which he had never, even temporarily, moved, the police officers from Medveđa answered that it was possible that it was a mistake, but that the burden of proving that error was on him, as he is the injured party.<sup>213</sup>

Zeqir Simani (78) from the village of Tupale in the municipality of Medveđa committed suicide after Serbian police illegally deprived him of his Serbian citizenship, and thus his right to a pension, which he had acquired in Serbia. With his desperate act, Simani once again drew attention to the problem of the erased citizens of Medveđa of Albanian ethnicity, whose residences and citizenships were taken

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212 <http://www.e-novine.com/srbija/vesti/124612-Nastavak-terora-odmetnutih-dravnih-struktura.html>.

213 Ibid.

away after the security forces of the Milošević regime expelled them from that area in the summer of 1999.<sup>214</sup>

Simani's residence and citizenship were taken away during his recent short-term hospital treatment in Prishtina, where his sons are also living, having also fled Medveđa due to the terror of Milosevic's security forces after the end of the 1999 war and the withdrawal of military police forces from Kosovo.

Considering that the deprivation of citizenship entailed the suspension of his right to a pension realized in Serbia, Simani felt that his only alternative was to take his own life.<sup>215</sup>

The regime did everything to ensure a convincing victory at the local elections in Medveđa in 2019, the Serbian Progressive Party (SNS). After the election results were announced, Nebojša Stefanović, then Minister of Internal Affairs, stated: "It turns out that Medveđa is a Serbian municipality, that it is in Serbia and that Serbian national interests have been protected."<sup>216</sup> The importance given to the local elections in Medveđa can be seen by the fact that President Vučić personally attended the pre-election rally, during which he stated: "This was and will be Serbia" and announced that a lot of money would be invested in the local self-government for infrastructure, construction of water supply and sewerage, as well as local roads.<sup>217</sup> People interviewed by the HC have said that the President of Serbia is not interested in Albanians in Medveđa and that he only mentions Albanians in Bujanovac.

The Movement for the Development of Medveđa demanded the annulment of the elections, because residents testified that black SUVs and cars without license plates had been circulating around

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214 <http://www.e-novine.com/srbija/vesti/122628-smrt-zbog-oduzetog-dravljanstva.html>.

215 Ibid.

216 <https://www.kurir.rs/vesti/srbija/1930779/lokalni-izbori-sns-ubedljiv-u-medvedi>.

217 <https://www.srbijadanas.com/vesti/info/uzivo-video-vucic-stigao-u-leskovac-na-stadionu-ga-sacekao-ogroman-transparent-2019-09-03>.

town, which was confirmed by MP Dragan Šormaz, who said that these were SNS officials working like a machine and “crushing the opposition”.<sup>218</sup>

Vjosa Osmani, the current President of Kosovo, said in 2020 that “the systematic reduction of the Albanian population in Medveđa is no accident” and that due to “the denial of basic human rights to language, education, the right to work and constant pressure from the Serbian regime, without the right to complain”, Albanians were forced to seek better living conditions for their families.<sup>219</sup>

After a meeting with Kosovo Minister of Internal Affairs Xhelal Sfeçla, President of the Albanian National Minority Council (NSA) Ragmi Mustafa stated that “Kosovo should take responsibility and institutional care for Albanians in the Preševo Valley.”<sup>220</sup>

Nenad Mitrović, MP from Bujanovac, shifts the responsibility for the passivation of residences in Bujanovac, Preševo and Medveđa to the Albanians, because they did not want to participate in the regular census in 2011.<sup>221</sup> He stated that international experts estimated that there are 38,300 residents in Bujanovac, 28,000 in Preševo, and in 7,800 in Medveđa. “At the same time, we have 43,000 voters registered in the voter list of the municipality of Bujanovac, and 41,000 in Preševo.”<sup>222</sup>

The Serbian side claims through the local media that Albanians have been trying for years to gain ownership of land in Southern Serbia, in order to more easily implement their “extermination” ideologies and have an advantage over the Serb population in the region.

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218 <https://www.juznevesti.com/Politika/Konacni-rezultati-u-Medvedi-Koalicija-oko-SNS-moze-sama-da-formira-vlast.sr.html>.

219 <https://www.blic.rs/vesti/politika/osmani-optuzila-srbiju-za-etnicko-ciscenje-albanaca-u-medvedi-bujanovcu-i-presevu/rre3r9j>.

220 <https://bujanovacke.co.rs/2021/04/08/mustafa-kosovo-treba-da-brine-o-nama/>

221 <https://bujanovacke.co.rs/2021/03/31/mitrovic-u-skupstini-albanci-bojkotovali-popis-a-sada-se-zale-na-pasivizaciju-adresa/>

222 Ibid.

It is pointed out that the Serbian population is affected by Albanian immigrants who are trying to turn those places into their “mahalas” and centers through which they will then spread the idea of “Greater Albania”.<sup>223</sup>

Opposition councilor in the Leskovac city assembly, Nenad Zdravković, expressed his fear that Albanians would quickly start buying properties and building houses in Oruglica, a village on the territory of Leskovac near the border with Kosovo: “They will build houses for us on the border in Oruglica ...! And that is why the budget of Leskovac must always plan ahead regarding this issue, because we are facing a serious problem.”<sup>224</sup> Goran Cvetanović, on the other hand, points out that Albanians from Kosovo are already buying plots on the border between Medveđa and Lebane, in order to build mosques on them.<sup>225</sup> Such statements by Serbian politicians, which spread fear due to the alleged purchase of land by Albanians, influence the arousal of hostility towards the Albanian community in Serbia.

#### THE ACTIONS OF THE SERBIAN RIGHT

The Serbian Right party, led by Miša Vacić, became abruptly active in Southern Serbia after local elections were scheduled in Medveđa (2019). It came to power in several municipalities in Southern Serbia, such as Medveđa, Vranje and Niška Banja, and in addition to Bujanovac, the party also formed committees in Lebane, Bojnik, Svrljig and the Niš municipalities of Pantelej, Mediana and the Crveni krst.

For more than ten years, Miša Vacić has been associated with various extremist organizations whose activities border on fascism. Since returning to Serbia from Germany “for patriotic reasons” in

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223 <https://www.srbijadanas.com/vesti/info/jug-srbije-na-vecitom-udaru-albanaca-vijore-se-zastave-grad-dzamija-i-sve-pred-vratima-srpskog-2020-08-28>.

224 <https://jugmedia.rs/o-kosovu-i-u-leskovackoj-skupstini-mi-smo-sledeci-albanci-vec-kupuju-parcele-u-lebanu-da-grade-dzamije/>

225 Ibid.

2004, Vacić has often had problems with the law, and has been convicted in court.<sup>226</sup>

The rhetoric of the leader of the Serbian Right Miša Vacić during the election campaign was aimed at intimidating Albanians in this region. Vacić brought unrest among the citizens of Southern Serbia, as Shaip Kamberi points out, and fear was caused by the possibility that the state was behind this ultra-right figure.<sup>227</sup> Vacić threatened to expel local Serbs in power in Bujanovac, advertised himself as a “cure for traitors” in Svrlijig, and in Šabac he spoke of drowning his political opponents.<sup>228</sup> He called the media that reported Kamberi’s statement anti-Serbian, labelled some Serbian citizens as chauvinists, and told Kamberi that the Albanians who support him wear uniforms of the “terrorist” UÇPMB. He added that the only people who could believe their manipulations are politically small-minded Serbian mercenaries, and they the Serbian Right will be their eternal enemies. “And when we become part of the government,” as he pointed out, “we will fight for the complete destruction of international Islamic terrorism, along with our allies from the East and the West.”<sup>229</sup>

Due to his inflammatory statements, the Prosecutor’s Office in Vranje initiated proceedings against him, which Vacić called “idiotic”,

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226 In 2013, Vacić was sentenced to a one-year suspended sentence for three criminal offenses: spreading discrimination against the LGBT population, illegal possession of weapons and obstruction of performance of public duty. Although his suspended sentence had not yet expired, the Serbian government offered him a job in the Office for Kosovo and Metohija. The public found out about this during 2017, when a proud Miša was among the passengers in the icon-painted train, when he was handing out to his companions and journalists business cards, where it was inscribed that he was employed as an advisor in the Office for Kosovo and Metohija.

227 <https://www.juznevesti.com/Politika/Strah-na-jugu-da-je-Vacic-projekat-drzave-SNS-negira-vezu-sa-Srpskom-desnicom.sr.html>.

228 Ibid.

229 Ibid.

and said it was political pressure against him and the Serbian people in Bujanovac, but also in Serbia.<sup>230</sup>

Shaip Kamberi points out that the extremists, even though they are on the political margins, were sent on the orders of one part of the authorities. “It is a bad message that is being sent to all citizens of Bujanovac.” As he says, he understood the message of the Serbian Right as if it were coming from Aleksandar Vučić. “Wherever the SNS is not in power, they are attempting to come to power by any means necessary, even if that means creating a new conflict between Serbs and Albanians here.”<sup>231</sup>

## CENSUS

The behavior of the Government of Serbia towards the Albanians in Southern Serbia (primarily due to the passivation of residences) calls into question their participation in the upcoming census, and in turn its validity. People interviewed by the HC have said that, if the situation persists, they will not participate in the census.

Albanians did not participate in the 1991 census. However, the Albanian community did participate in the 2002 census, which enabled Albanians to integrate proportionately into local government structures in Bujanovac. The Albanian community boycotted the 2011 census again. According to the 2011 census, there are officially 5,805 Albanians in the three municipalities.

According to the President of the Albanian National Minority Council Ragmi Mustafa, the Albanian community receives a budget for about 5,000 Albanians, while it is estimated that there are 52,000 of them.<sup>232</sup>

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230 <https://www.juznevesti.com/Hronika/Tuzilastvo-trazi-od-policije-da-obavi-razgovor-sa-Vacicem-zbog-pretnji-u-Bujanovcu.sr.html>.

231 <https://rs.n1.info.com/vesti/a547948-kamberi-poruku-srpske-desnice-u-bujanovcu-shvatio-sam-kao-poruku-vucica/>.

232 Interview conducted by the Helsinki Committee.



After the population estimate following the 2011 census, international experts came out with statistics that determine the number of citizens in Southern Serbia. According to the data, 38,300 people live in Bujanovac, 29,650 in Preševo and 7,442 in Medveđa. The President of the Coordinating Body, Zoran Stanković, points out that these numbers are very close to the estimates of the state authorities of Serbia. Albanians believe that the numbers are higher and that there are about 25,000 more.

#### ASSOCIATION OF ALBANIAN MUNICIPALITIES

During its internal elections, the Albanian National Minority Council announced that it would advocate for the establishment of an association of Albanian municipalities. Albanians in Southern Serbia are seeking the same rights as Serbs in Northern Kosovo. This initiative has not been met with approval from official Belgrade. The proclamation of an association of Albanian municipalities was not supported by all Albanians or all Albanian parties.

A poor economic situation, constant police surveillance of the Albanian population, an inability to display national symbols, not permitting the use of the Albanian language in judicial and other institutions at the state level – these are all reasons, as Bujanovac Mayor Nagip Arifi points out, for which Albanian councilors from the municipalities of Preševo, Medveđa and Bujanovac made a decision on the establishment of an association of Municipalities inhabited by Albanians in the Preševo Valley. They are asking only for reciprocity, that is, “the same thing that Serbs living in Kosovo have, and what was agreed in Brussels.”<sup>233</sup>

Jonuz Musliu, former President of the Municipality of Bujanovac, and Ragmi Mustafa, Mayor of Preševo, claim to have the support of “Tirana and Prishtina” for the act. Neither Prishtina nor Tirana have denied this. During his visit to Serbia on the way through

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233 <http://balkans.aljazeera.net/vijesti/albanci-presevske-doline-zrtve-pristine-i-beograda>.

Bujanovac and Preševo (2014), Prime Minister of Albania Edi Rama stated that Albanians in the Preševo Valley should have the same rights as Serbs in Kosovo and Metohija, including the political framework of the Association of Serb Municipalities, established by the Brussels Agreement.<sup>234</sup> There has also been no reaction from the Western community thus far.

Belgrade fears that this could put additional geopolitical pressure on finally resolving the Kosovo question in line with a full acceptance of “reality”, i.e. as a condition for the final recognition of Serbia’s borders.<sup>235</sup> Milovan Drecun, Chairman of the Committee on Kosovo-Metohija, believes that the formation of an association of Albanian municipalities is extreme and unacceptable and that no parallel can be drawn with the Association of Serb Municipalities. He points out that the main goal is the implementation of the Brussels Agreement.<sup>236</sup> During his tenure as Minister of Foreign Affairs, Ivica Dačić warned Albanians in Preševo against drawing any parallels with the Association of Serb Municipalities in Kosovo and Metohija and told them not to play with fire and to respect the Constitution and abide by the legal system of the Republic of Serbia.<sup>237</sup>

#### THE ISLAMIC COMMUNITY

With the disintegration of the SFR Yugoslavia, the once unified Islamic community in Yugoslavia turned into several independent Islamic communities. The Meshihat of the Islamic Community in Serbia consists of four organizational units: the Mufti of Sandžak (Novi Pazar, Tutin, Sjenica, Rožaje, Bijelo Polje, Prijepolje, Priboj, Nova Varoš, Petnjica and Berane, Plav, Gusinje), the Mufti of Preševo (Preševo, Bujanovac, Medveđa), the Mufti of Belgrade

234 <http://www.politika.rs/scc/clanak/338540/Zasto-Zapad-cuti-o-ZAO>.

235 Ibid.

236 <http://www.rts.rs/page/stories/sr/story/9/Politika/2034557/Drecun%3A+Neprihvatljivo+formiranje+zajednice+albanskih+op%C5%A1tina+.html>.

237 <http://www.rts.rs/page/stories/sr/story/9/Politika/2034433/Da%C4%8Di%C4%87%3A+Upozoravam+Albance+sa+juga+da+se+ne+igraju+vatrom.html>.

(Zemun, Niš, Smederevo, Loznica, Krupanj, Kostolac) and the Mufti of Novi Sad (Novi Sad, Beočin, Subotica, Zrenjanin).

Muslims in the municipalities of Bujanovac, Preševo and Medveđa, among which, in addition to the majority comprised of Albanians, there is also a significant Roma community, have been organized since 1971 as the Council of the Islamic Community of Kosovo for Preševo, Bujanovac and Medveđa. However, in 2003, the independent Islamic Community of Preševo, Bujanovac and Medveđa was established, which operates independently of the Meshihat of the Islamic Community of Kosovo and was registered with the Ministry of Religion of the Republic of Serbia. The Council of the Islamic Community of Kosovo for Preševo, Bujanovac and Medveđa joined the Islamic Community in Serbia, headquartered in Novi Pazar, while the Meshihat of the Islamic Community of Preševo, Bujanovac and Medveđa is part of the Islamic Community of Serbia, headquartered in Belgrade.<sup>238</sup>

The influence on 60 mosques with about 70 imams in Bujanovac, Preševo and Medveđa is divided between Prishtina, Novi Pazar, Belgrade and Riyadh. Thus, the influence of the Islamic community is quite limited and insignificant. Despite the fact that Albanians have not “exported terrorism” to Serbia during or after the Kosovo crisis, any increase in tensions in the region has been accompanied by speculation about a “terrorist threat”.

The “terrorist threat” is mostly talked about by certain military commentators and security experts, who thus create a stereotype about Albanian terrorists and mafia members. In essence, this constantly justifies state repression of Albanians before the intervention, and indicates that they are still a potential danger. This particularly refers to the period when Wahhabis began to appear in the region and the departure of some of them to the front in Syria. Several young men from these three municipalities also went to the front. Albanians are reluctant to talk about it and it is believed that Wahhabi cells

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238 [https://ifdt.bg.ac.rs/wp-content/uploads/2008/09/Srdjan\\_Barasic-2-2008.pdf](https://ifdt.bg.ac.rs/wp-content/uploads/2008/09/Srdjan_Barasic-2-2008.pdf).

no longer exist and that the police have reliable information in that regard.<sup>239</sup>

When Serbian politicians like Nebojša Stefanović, the former Minister of Internal Affairs, visit the region, they often point out that “given the complex multiethnic environment, the region is at risk of potential extremism and organized crime, and there are always potential threats of terrorism and extremism”.<sup>240</sup>

A memorial complex is being built for Ridvan Qazimi, better known as Commander Lleshi, one of the commanders of the Liberation Army of Preševo, Bujanovac and Medveđa (killed in 2001). The initiators of the construction of the complex are his family and the Association of War Veterans of the Liberation Army of Preševo, Bujanovac and Medveđa. There is already a museum room within the local stadium in Veliki Trnovac dedicated to Qazimi, and the grave is located at the place of his death, where former members of the UÇPMB gather on the anniversary of his murder as part of the “Commander Lleshi’s Days” event.<sup>241</sup> Nenad Mitrović, councilor in the Municipal Assembly of Bujanovac and MP in the Assembly of Serbia, says that the construction of this complex is a deliberate provocation by Albanians from Southern Serbia, the aim of which is to raise tensions.<sup>242</sup>

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239 Interview conducted by the Helsinki Committee.

240 <https://bujanovacke.co.rs/2019/09/28/ministar-stefanovic-jug-srbije-je-stalno-izlozen-pretnjama-od-terorizma/>.

241 [https://www.alo.rs/vesti/drustvo/u-srbiji-dizu-spomenik-vodi-ovk-terorista/404611/](https://www.alo.rs/vesti/drustvo/u-srbiji-dizu-spomenik-vodi-ovk-terorista/404611/vest)vest.

242 Ibid.

## VELIKI TRNOVAC

Veliki Trnovac is often mentioned as a “notorious” place without convincing evidence, but it feeds the stereotype of Albanians as a mafia that controls organized crime in the region. Serbian media have been reporting for years that Veliki Trnovac was the center of drug distribution throughout the Balkans. According to the media, it is believed that at least 6,000 Albanians in this place are involved in drug smuggling, and that they have between 1.5 and 3 tons of marijuana and heroin “in stock” at any given time. According to the same estimates, they sell up to 60 tons of drugs per year. Apparently, all the world’s police know what is happening in this place, but cannot act on it.<sup>243</sup>

Alluding to that very stereotype, Dragan Marković Palma told the National Assembly of Serbia on 11 February, 2021 that the police should “deal with Trnovac”. Shaip Kamberi, who asked for the right to reply, but did not get the floor, sent a letter to the President of the National Assembly, pointing to “an attempt to criminalize as many as 10,000 inhabitants of Veliki Trnovac”.<sup>244</sup>

The constant presence of the police and the army in Trnovac is noticeable. Many of the people interviewed have pointed out that there are no indications of “significant problems” that differ from any other place. Also, prosecutors covering these municipalities have not had significant cases related to organized crime. The claim that there are drug depots is unrealistic given the presence of the police. It is possible, as they claim, that there is transit, though this in no way implies that the residents of Trnovac are criminals.<sup>245</sup>

According to the Global Initiative Against Transnational Organized Crime, the Western Balkans is a crossroads of trade in many illegal goods and is a geographical hub for smuggling migrants trying

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243 <https://www.telegraf.rs/vesti/860564-narko-raj-usred-srbije-zasto-je-veliki-trnovac-decenijama-drzava-u-drzavi>

244 The Helsinki Committee had insight into the letter of Shaip Kamberi sent to the National Assembly on 11 February, 2021.

245 From an interview conducted by the Helsinki Committee.

to enter Western Europe.<sup>246</sup> This mostly involves transit. However, people interviewed by the Helsinki Committee point out that prosecutors and judges (of the misdemeanor court) in this region do not have a significant number of cases – apart from those related to the E75 highway and border crossings. This also refers to the reports of various media in Serbia, which regularly and systematically exaggerate the scale of organized crime in this region. No cases of shooting at the police by drug gangs or smugglers (who are certainly hiding from the authorities and the police) have been reported. One case was reported, but not in Albanian municipalities but in a neighboring district.<sup>247</sup>

In its report “Global Terrorism Index 2020: Measuring the impact of terrorism”, the Institute for Economics & Peace (IEP) states that Croatia, Kosovo and Slovenia, along with Iceland, Portugal and Romania, are the best ranked countries in Europe and among the safest countries in the world, where the impact of terrorism is minimal. They are followed by Serbia, North Macedonia, Montenegro and Albania.<sup>248</sup>

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246 <https://globalinitiative.net/analysis/western-balkans-crime-hotspots-3/>

247 Interview conducted by the Helsinki Committee.

248 <https://www.slobodnaevropa.org/a/u-bih-najve%C4%87i-pad-teroristi%C4%8Dkog-utjecaja-kosovo-me%C4%91u-najsigurnijim-na-svijetu/30980157.html>.

## REGION OF CONTROLLED TENSIONS

Sandžak is the border and cross-border region of Serbia and Montenegro, extending from northern Kosovo to the Republic of Srpska, that is, Bosnia and Herzegovina. It covers an area of 8,409 sq.km of which 4,504 sq.km are in Serbia and 3,905 sq.km in Montenegro.

The Sanjak of Novi Pazar was the administrative unit of the Ottoman Empire with its seat in Novi Pazar. That is how the Sandžak got its name. The Sandžak was part of the Bosnian eyalet/vilayet until the Austro-Hungarian occupation in 1878. After the annexation of Bosnia and Herzegovina (1908) it was again handed over to the Ottoman Empire. Four years later (1912), Sandžak was occupied by the Kingdom of Serbia (1882–1918) and the Kingdom of Montenegro (1910–1918) and then divided between themselves.

Elizabeth Roberts and Kenneth Morrison, the authors of the book “The Sandžak – A History”, believe that Sandžak has gained great political and diplomatic significance. As they say, from the Berlin Congress in 1878 to the Balkan Wars 1912–1913), it occupied a central position in the Balkans being located between Serbia and Montenegro, on the one side, and Bosnia and the road to Istanbul, on the other side.<sup>249</sup>

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249 K. Morrison-E. Roberts, *The Sandžak: A History*, New York: Oxford University Press, 2013.

During the Kingdom of Yugoslavia, Sandžak administratively belonged to the Zeta Banovina. During the Second World War, under Italian occupation, it was part of the Kingdom of Montenegro-Independent State of Montenegro (1941–1944), while a smaller part was annexed to Albania. After the end of the war, the old borders of Serbia and Montenegro became the borders of the two constituent republics of SFR Yugoslavia and after May 2006 they became the international borders. The historical centre of Sandžak is the city of Novi Pazar, which was founded by Isa-beg Isaković, who was also the founder of Sarajevo.

However, as part of Yugoslavia, region was always a neuralgic point due to the attitude towards Muslims. Between the two world wars, Sandžak was one of the least developed regions. There was only a small number of educational institutions and was still a region affected by infectious diseases and epidemics. During the Kingdom of Yugoslavia, Bosniaks in Sandžak were subjected to terror and violence which, during World War, assumed the dimension of genocide.<sup>250</sup> After the war, in 1945, Sandžak was divided among Montenegro, Serbia and Bosnia and Herzegovina. One historical entity was divided into three parts, which especially affected the part that went to Serbia. The municipalities within Serbia were considered more developed, so that they could not use the funds earmarked for the underdeveloped. This changed only in the 1960s when the funds for the underdeveloped parts of the Republic of Serbia were formed. Since then, this region has started to develop. The part of Sandžak in Serbia was administratively divided: some municipalities were connected to Užice and some to Kraljevo in order to avoid the Muslims being the majority.<sup>251</sup>

Emigration to Turkey during the 1950s and 1960s is one of the traumatic themes from the Sandžak past. Muslims emigrated not

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250 R. Crnišaniin, *Političko-istorijska percepcija Sandžaka u modernoj Srbiji*, in: *Sandžak: identitet u procepu starog i novog*, Belgrade 2008, pp. 53–54.

251 *Ibid.*



only for economic reasons but also because they felt insecure. During the 1950s, about 15,000 Muslims emigrated from Novi Pazar, Sjenica and Tutin. Mass emigrations occurred in several waves, until 1970; the state encouraged emigration. After renouncing the Yugoslav citizenship, they would obtain a passport for single use. They sold their property very cheaply and could visit Yugoslavia only after living five years in Turkey. Since Turkey did not provide the most adequate living conditions, many wanted to return, but were not allowed. Only after the Brioni Plenum (1966) were they allowed to return<sup>252</sup>.

### **THE ATTITUDE TOWARDS MUSLIMS IN THE BALKANS**

The position of Bosniaks in Sandžak cannot be understood without considering the broader context of the attitude towards Muslims in the Balkans. The fate of Muslims in the Balkans is closely linked to the perception of “other” Balkan national elites about them. The history of Muslims in the Balkans after the collapse of the Ottoman Empire was marked by persecutions, overt or covert discrimination, genocide and wars. The occasional periods of relative peace were only an introduction to new repression and suffering. The disintegration of the Ottoman Empire created the so-called “Eastern Question”, which re-emerged under the new international circumstances after the breakup of Yugoslavia.

The disintegration of Yugoslavia generated the process of forming new states. The process was accompanied by new mass persecutions, crimes and genocide against Muslims. Propaganda against Yugoslav Muslims began with well-known stereotypes about their “corruption”, “laziness” and “fickleness”. Already in the early 1980s, the Serbian media began propaganda against Muslims, using the speech from the past and the terms like “Turks”, “Janissaries”, “Fundamentalists” and “Jihadists”.

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252 Interview with Ramiz Crnišanin in “Ramiz Crnišanin: Čovjek i vrijeme”, Sarajevo: Dobra knjiga, 2021

The huge majority of Muslims in the Balkans were Sunnis. They were concentrated in several regions some of which are of geostrategic significance – which had an impact on the behaviour of the Balkan governments. They were mostly perceived as the potential source of problems. Belgrade had an extremely discriminatory attitude towards Albanian Muslims in Kosovo and Muslims in Sandžak. They were exposed to pressure, while Serbian Orthodox Church (SPC) was most frequently the bearer of anti-Albanian and anti-Muslim propaganda.

Bosnian Muslims resisted pressures and, as the result of more liberal trends during the 1970s the national characteristics of all peoples and nationalities were recognized. Thus, Muslims were recognized their national specificity, that is, the status of people. The political recognition of Muslims in the 1970s did not automatically imply national equality. Serbian nationalists were especially dissatisfied and argued that the constitution of the Muslim nation directly endangered the Serbs in Bosnia and Herzegovina and that it is an “artificial nation whose identity originates from their religious specificity”.

According to historian Branko Petranović, Muslims in Sandžak in Serbia were viewed as a group that did not have the characteristics of a people, that is, a nation. However, their way of life, historical circumstances under which they have evolved, mentality, psychology and religion have formed a specific ethnic group, but a people “cannot be inaugurated by an enactment or decree”.<sup>253</sup> Attempts to make Muslims “nationally aware” and become “Serbs of the Muslim faith” have not succeeded. In preparation for the war of the 1990s, this thesis gained significance, because it was claimed that Muslims were “Serbs of Muslim faith” or that Serbs and Muslims are the people having the same language and origin or, as pointed out by Vuk Drašković at one time, one people.

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253 B. Petranović, *Jugoslovensko iskustvo srpske nacionalne integracije*, Belgrade 1993, p. 114.

In the 1960s, when economic development started, several industrial facilities were built and the building of community infrastructure (roads, water supply, sewerage, transmission lines, electrification) also started. Greater attention was devoted to education, health, trade, hospitality and tourism. The educational system was raised to a higher level – dozens of new schools were built and new secondary schools were opened. Apartment houses were built, while the inflow of educated staff raised the educational level of the whole region. The establishment of cultural institutions also contributed to the development of Sandžak.

The people of Sandžak showed high entrepreneurial skills during the Slobodan Milošević regime, when almost everything built up to then was destroyed. At that time, the people of Novi Pazar were developing their own business, launching the production of clothing and footwear, and reviving trade and the like.

At that time, however, they were also exposed to enormous pressures, including intensive repression, propaganda and demonization. They were proclaimed to be a disruptive factor, whose religion orders them to destroy the state and commit violence against Serbs, thus forcing them to emigrate. They were also labelled as fundamentalists, fanatics, separatists linked to the “green transversal” and dumb, and that they can no longer live with Serbs and Croats. Such propaganda prepared the ground and justification for violence, massacres, kidnappings and plundering not only in Bosnia but also in Sandžak. A total information blockade of Sandžak was imposed and even radio amateurs were banned from broadcasting.<sup>254</sup> The Serbian government, nationalists, dominant media and the Serbian Orthodox Church promoted open hostility towards Islam. Such an attitude towards all Muslims was justified by the argument that Muslims are not a European people.

In the process of disintegration of Yugoslavia and emergence of the very fragile new states tending to become ethno-national states,

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254 Ramiz Crnišanin, intervju, “Ramiz Crbašanin – svjedok i vrijeme, Sarajevo: Dobra knjiga, 2021.

Sandžak also sought autonomy. In October 1991, it held an unofficial referendum that was supported by more than 90 per cent of those who voted, but Serbia proclaimed it unconstitutional and brought charges against its organizers. As the main organizer, Sulejman Ugljanin therefore went to Turkey and stayed there until 1996. After his return the charges against him were no longer mentioned.

## **SANDŽAK IN THE NINETIES**

The Sandžak issue, involving exclusively Bosniaks, that is, Muslims, became relevant in the process of disintegration of Yugoslavia. During those years, the Serbian regime led a campaign against Bosniaks. Among other things, it intimidated them by constantly carrying out searches of their houses in search of alleged weapons, police torture and military shelling of villages. It was the period of repression in Sandžak and the mass emigration of its population to European countries (Germany, Scandinavian countries, Turkey). About 70,000<sup>255</sup> people fled before the terror.

Although Sandžak was not directly affected by the war of 1991–1995, it was under siege and repression. Semiha Kačar, President of the Sandžak Committee for the Protection of Human Rights and Freedoms, points out that this period was characterized by serious violations of human rights: murders, kidnappings (Štrpci, Sjeverin), intimidation, mass police torture, politically motivated trials and various discriminatory actions. Since the regime never completely and resolutely abandoned the policy that caused the deep trauma of the Bosniak community and its insecurity, Semiha Kačar points out that this hinders the integration of Bosniaks into Serbian society. As she emphasizes, trauma and the distrust of institutions hinder the integration of the community fearing that the traumatic experience can be repeated.<sup>256</sup>

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255 Informator No. 1, Udruženje povratnika Reintegracija, Novi Pazar 2006, p. 6.

256 "Srbija mora da se suoči sa zločinima počinjenim na njenoj teritoriji", *Danas*, 27 August 2019, accessible

In early 1994, there began the marathon mock trials in Novi Pazar and Bijelo Polje against a group of Sandžak Bosniaks who were falsely accused of wanting to create the “state of Sandžak” by violence. The aim was more intimidation of Sandžak Bosniaks. The trials also served as a showdown with the Sandžak Party of Democratic Action and its leadership.<sup>257</sup>

All forms of terror led to the mass emigration of Sandžak Bosniaks in the period 1992–1995/96, primarily to Turkey, Germany, the Netherlands, Sweden and other European countries, and also to Bosnia and Herzegovina later on.<sup>258</sup>

A significant number of victims sued the state of Serbia for torture, unlawful detention, kidnappings, murders and other human rights violations, but a large number of cases were rejected due to an inadequate interpretation of the statute of limitations on claims for damages. In rare cases, when the right to compensation for damage was exercised, the amounts awarded to the victims were humiliatingly low.

Not one regime in Belgrade distanced itself from the policy of state terror pursued by Slobodan Milošević, nor did it address its consequences for Serbian citizens of Bosniak nationality living in Sandžak. Thus, most citizens of Sandžak feel rejected and marginalized. In the mainstream media Sandžak is always mentioned in a negative context. Tensions were high due to the constantly conflicting interests of its three leaders (Rasim Ljajić, Sulejman Ugljanin and Muamer Zukorlić), which caused numerous clashes. All issues relating to the status of Bosniaks and Sandžak as a region are still open. The administrative services, police and judiciary in Sandžak are still dominated by Serbs, which is not in compliance with the

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at: <https://www.danas.rs/drustvo/suocavanje/srbija-mora-da-se-suoci-sa-zlocinima-pocinjenim-na-njenoj-teritoriji/>.

257 Muhedin Fijuljanin, Sandžački Bošnjaci, Centre for Bosniak Studies (CBS) 2010.

258 Ibid.

demographic picture as well as the laws that guarantee minority representation in institutions.

## **GEOSTRATEGIC AND SECURITY CHALLENGES**

Serbian geostrategists perceive Sandžak as a zone of Serbia's geopolitical control. For Serbian interests, as they say, the biggest problem is posed by the events in Novi Pazar, as the largest urban environment. Given the fact that Novi Pazar is small according to the Serbian parameters, they point out that its complete geopolitical isolation is possible.<sup>259</sup> They also point out that, given the fact that Sandžak is located on the route of the Belgrade-South Adriatic highway, it must be active in connecting central Serbia and the Adriatic by a modern road and railway lines, including a series of accompanying projects.<sup>260</sup> By various announced projects, which would include the areas where Serbs constitute a majority, Novi Pazar, as a neuralgic point of Serbian geopolitics, would be isolated on all sides and unable to use its political-institutional, infrastructural and demographic potential to form a "green transversal".<sup>261</sup>

Sandžak gained strategic importance in the process of disintegration of Yugoslavia, because it is part of the so-called "green transversal" (connecting Turkey and Kosovo to Sarajevo), which was the target of Serbian propagandists during the 1990s. Since the 1980s, Serbian Orientalists (Darko Tanasković, Mirosljub Jevtić, Nada Todorov) have been at the forefront of the anti-Islamic movement and have contributed to the genocide against Muslims in Bosnia and Herzegovina.

Such an attitude toward Sandžak was not essentially changed even 25 years after the war in Bosnia. On the contrary, it gained strength and was interpreted in the subsequent contexts – the

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259 Dušan Proroković, *Gepolitika Srbije*, Belgrade: Službeni glasnik, 2018, p. 879.

260 Ibid.

261 Ibid.

terrorist attack on the United States (2001) and the emergence of ISIS in the Middle East in 2011. As a territorially compact region inhabited by Muslims (Bosniaks), Sandžak is therefore continuously in the focus of Belgrade's strategists. It is indicative that the "green transversal" is still treated as a danger not only for Serbia but also for Europe. Thus, for example, on 14 July 2019, the daily newspaper "Politika" published Srđa Trifković's feuilleton titled "Zelena transversala: balkanski koridor nestabilnosti" (The Green Transversal: The Balkan Corridor of Instability), which is a kind of reaffirmation of the Serbian nationalist narrative from the 1980s, emphasizing the "Islamic threat", while Albanians and Bosniaks are profiled as a part of the pan-Islamic network aiming to gain victory over Europe. The feuilleton began to be published in the week when Bosniaks in Srebrenica marked 11 July as the genocide remembrance day.<sup>262</sup>

With the appearance of the Salafis in the Balkans, Sandžak additionally found itself in the focus of security institutions both in the country and abroad. After a small number of young people joined ISIS on the Middle East battlefield, Sandžak was treated as a risky region. However, there was no mass mobilization or any incident. The local police always kept all those suspicious on any grounds under control.

In light of the current events in Montenegro and Bosnia and Herzegovina, Belgrade's attempts to radicalize the situation in the two neighbouring countries are underway in order to challenge their independence and borders, thus achieving the recomposition of the Balkans.

Serbian strategists often point to the Bosniaks' affection for Kosovo Albanians, whose independence they "welcomed" and emphasize that all three current leaders in Sandžak are of Albanian origin. And since "Bosniaks and Albanians have traditionally good historical, friendly and family relations for centuries", it is implied that

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262 Harun Karčić and Ivan Ejub Kostić, *Media Discourse on Islam in the Western Balkans*, Sarajevo: CNS, 2020, p. 72

the following also applies to the citizens of Sandžak: welcome to “Kosovo”!<sup>263</sup>

## **THE BOSNIAK POLITICAL SCENE OF SANDŽAK, THE PAST, THE PRESENT AND THE FUTURE**

### THE POLITICAL PAST OF THE THREE SANDŽAK LEADERS

Although they are now in different political parties and often angry political opponents, Ugljanin, Ljajić and the late Zukorlić began their political careers in the same party – the Party of Democratic Action (SDA). In May 1990, the Party of Democratic Action was founded in Sarajevo with the task to gather the Bosniaks-Muslims in the former SFRY and it formed its branches in the then Yugoslav republics. The branch for Serbia, which actually still represents Sandžak’s SDA, was founded on 29 July 1990 in Novi Pazar, at a large rally held at the football stadium. SDA leader Alija Izetbegović also attended the rally. Dentist Sulejman Ugljanin was elected President of the SDA for Serbia. Apart from Vuk Drašković, he is the only party leader who has led the same political party since the re-establishment of the multi-party system in the 1990s. The number two of the party became its General Secretary Rasim Ljajić, a doctor from Novi Pazar. The youngest, Muamer Zukorlić, was an SDA youth activist.

At the first multiparty elections in Serbia in 1991, Bosniaks, under the then official national name of Muslims, voted almost plebiscitarily for the SDA, while Ugljanin won the fourth place in the presidential elections with nearly 110,000 votes. The Muslim National Council of Sandžak (MNVS) was established in Novi Pazar in May 1991, which later changed its name to the Bosniak National Council of Sandžak.

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263 <https://sveosrpskoj.com/komentari/velikobosanske-i-velikoalbanske-pretenzije-na-sandzak-zasto-se-samo-srbi-prave-da-se-nista-ne-dogadja/?script=lat>.



Ugljanin was also the President of the Council, which was supposed to represent a kind of assembly, while Rasim Ljajić was elected President of the Executive Council of the MNVS. In October 1991, the SDA and MNVS organized a referendum at which, as they claimed, about 185,000 citizens voted. Mostly Bosniaks went to the polls and 98 per cent of them voted for “full political and territorial autonomy” of Sandžak and, in the event of the disintegration of Yugoslavia, for the right of the region to join one Yugoslav republic. Official Belgrade refused to recognize this referendum, qualifying it as an attempt to destroy the state.

In the summer of 1992, the MNVS adopted the Memorandum on the Special Status of Sandžak, which was banned by the state and declared a separatist document. The Memorandum called for broad autonomy for Sandžak and its legislative, judicial and executive powers. The following year, the state of Serbia filed an indictment against 24 Bosniaks, members and supporters of the SDA, for terrorism, threatening the territorial integrity of the country and the attempt to create the “Republic of Sandžak“. An identical trial was launched in Bijelo Polje against the leaders of the Montenegrin branch of the SDA. The first accused in the Novi Pazar case, Sulejman Ugljanin, went “on an official trip” to Turkey immediately before the filing of the indictment and returned only in 1996. At the trial that began in Novi Pazar in 1994, most of the accused were sentenced to long prison terms. Appeals followed, the trial was repeated, several convicts passed away in the meantime and in 2013, due to the statute of limitations, the Supreme Court of Serbia brought the decision to terminate the court proceedings. Upon his return to the country, although the trial against him was still officially conducted, Ugljanin was elected a member of the Republican Assembly and later became the Mayor of Novi Pazar.

During the long absence of Sulejman Ugljanin, the members of the party rallied around Rasim Ljajić moved in a different political direction, which resulted in their complete rift. Even during Milošević’s rule, Ljajić established a dialogue with official Belgrade.

The first official talks between the SDA and the Serbian Government were held in May 1995 and were attended by Rasim Ljajić, who led this party at that time, and Svetozar Krstić, an official of the New Democracy Party and Vice-President of the Republican Government.

Ljajić's Sandžak Democratic Party (SDP) was formed in 1994 by breaking away from the SDA. It went first under the name "Coalition for Sandžak" and from 2000 onwards as the Sandžak Democratic Party. Before the 5 October regime change, Ljajić undoubtedly had better relations with the then Serbian opposition. He was a member of the Presidency of the Democratic Opposition of Serbia (DOS), but Esad Džudžević, a member of Ugljanin's party, won a seat in the then Federal Parliament on the DOS list. It turned out that this was agreed between the DOS, that is, Zoran Đinđić and Ugljanin, while Ljajić was given the "consolation" position of the Federal Ministry for Human and Minority Rights. Ljajić later became the head of the Coordinating Body for Southern Serbia and the National Council for Cooperation with the Hague Tribunal, so that he seemed to be Belgrade's main actor in Sandžak and favourite Bosniak politician. He also remained in power and held various ministerial positions during the time of Prime Minister Koštunica and the governments of the Democratic Party (DS), but also after the Serbian Progressive Party (SNS) came to power in 2012. He retired only after the 2020 elections as the minister with the longest tenure in Serbia. Although he is no longer a minister, both of his parties are part of the ruling coalition led by Aleksandar Vučić's Serbian Progressive Party.

In the early 1990s, the youngest of the three Sandžak leaders, Muamer Zukorlić, was not politically active, because he attended Islamic studies in Algeria and Lebanon, and graduated in 1993. The following year, he was elected the first President of the Meshihat of the Islamic Community of Sandžak. He also became the Chief Mufti. His election was certainly not possible without Ugljanin's approval, but the two of them came into conflict ten or so years later. The conflict led to the division of the Muslim religious organization and the formation of two Islamic communities: the Islamic Community in

Serbia, led at first by Zukorlić, and the Islamic Community of Serbia, which is believed to be under the influence of the SDA. The division was based on political and not religious reasons. Ugljanin sought unreserved support from the Islamic Community, while Zukorlić began to harbour political ambitions.

#### TOGETHER IN THE GOVERNMENT

Conflicts and quarrels alternated with reconciliations and, due to a strange combinatorial politics, in the Government of Prime Minister Mirko Cvetković and the first government of Ivica Dačić, the then fierce political opponents, Ljajić and Ugljanin, found themselves as ministers. It seemed to Belgrade that all problems in Sandžak were solved by the entry of the two leading politicians and the two main Bosniak parties into the republican government. However, the dissatisfaction of Bosniaks, caused primarily by a disastrous economic situation, continued to smolder. The dissatisfaction of the people in Sandžak coincided with the dissatisfaction of Mufti Zukorlić, who supported Boris Tadić, Rasim Ljajić and the single list “Together for European Serbia” at the 2008 elections. According to Zukorlić, Tadić and the Democratic Party (DS) betrayed the pre-election promises, especially when it came to the advocacy for a unified Islamic community, which was a sufficient reason for the Mufti to become a sharp critic of the DS Government. He soon established contact with the newly formed SNS and, to the surprise of the entire Serbian public, in early October 2011 in Novi Pazar, he met with the then opposition leader, Tomislav Nikolić, President of the Serbian Progressive Party and then Serbian President. Zukorlić and Nikolić said that their first meeting in Novi Pazar “opened a new page”<sup>264</sup> and that the Bosniak problems could be solved through dialogue and in the interest of all citizens. They claimed that they discussed all open issues and problems afflicting Serbia’s Bosniaks and not politics or any coalition.<sup>265</sup>

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264 [https://rtv.rs/sk/politika/zukorlic-i-nikolic-otvorili-novu-stranicu\\_277104.html](https://rtv.rs/sk/politika/zukorlic-i-nikolic-otvorili-novu-stranicu_277104.html).

265 Ibid.

In 2016, due to his entry into politics, Zukorlić first froze his religious function and then withdrew from it. In December 2017, the Bosniak Democratic Union of Sandžak was renamed into the Justice and Reconciliation Party (SPP) with an aim to expand its activities beyond Sandžak and offer a programme acceptable to Serbs, Bosniaks and members of other national communities in Serbia. Zukorlić also established close ties with Aleksandar Vučić, so that at one moment it seemed that he would take the unofficial title of “Belgrade’s favourite Bosnian” from Ljajić. At least it seemed so if all his functions were considered. Namely, during the period 2016–2021, Zukorlić served as a member of the National Assembly of the Republic of Serbia, Vice-President of the National Assembly and Chairman of the Parliamentary Committee for Education, Science, Technological Development and Information Society.

#### LOOKING TOWARDS BELGRADE

Muamer Zukorlić died suddenly in early November 2021, which opened a new chapter in the political calculations within Sandžak and with Belgrade.

The premature death of the leader of the Justice and Reconciliation Party, Muamer Zukorlić, will affect the situation in Novi Pazar, Sjenica and Tutin where Bosniaks make up the majority of the population. Since Zukorlić was the only true authority in the party and that the public does not see anyone among his associates with even the slightest charisma, it is realistic to expect factional struggles for the leadership position. At the session of the Presidency of the Justice and Reconciliation Party (SPP), convened in an extended composition, Zukorlić’s son Usame was unanimously elected Acting President.

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The elections expected in the spring of 2022 may also bring changes on the Sandžak political scene. However, one thing is certain: Bosniaks may have their hearts in Sarajevo or Istanbul, but at

least those who live in the part of Sandžak that belongs to Serbia know that Belgrade is the city where decisions are made. That is why they will always listen and prefer to vote for those who have closer ties with Belgrade. Emotions are something else, while pragmatism has always been a Sandžak trait. And Bosniak political representatives will always look towards Belgrade or, more precisely, what they can get from the connections with the ruling structures in Serbia.

This opens up space for other two Bosniak parties: SDA and SDP, in the forthcoming campaign. It is difficult to predict in which direction the events will unfold. The collocutors of the Helsinki Committee had different assessments about the fate of Zukorlić's party, but the conclusion is that it is too early to forecast the outcome.<sup>266</sup>

### **\*MESSAGES OF THE 2020 ELECTIONS**

After the parliamentary elections and the elections in the majority of local governments (21 June 2020), the Bosniak parties in Sandžak started celebrating immediately after the announcement of the preliminary results. Flags, trumpets, chanting and fireworks could be heard and seen in Bosniak-majority areas and all three leading Sandžak Bosniak parties seemed to have won. The supporters of all three parties celebrated in different places and at a different time, some more quietly, some more loudly. And no one paid attention to the then still valid epidemiological measures against the spread of the corona virus, which "came due" a few weeks later when Novi Pazar became "Serbian Bergamo" and a hotbed for epidemics.

The loudest celebration was organized by the Sandžak Democratic Party (SDP), whose founder is the former longtime minister Rasim Ljajić and its President Nihad Hasanović, Deputy Mayor of Novi Pazar. They celebrated because they retained their longtime rule of the largest Sandžak city Novi Pazar and whoever rules Novi Pazar rules Sandžak or, more exactly, Sandžak Bosniaks. At the elections the *European Novi Pazar – Rasim Ljajić* list, along with smaller

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266 Interviews made by the Helsinki Committee in November 2021.

coalition partners, won nearly 19,000 votes and 21 seats in the City Assembly (out of 47). Muamer Zukorlić's second-ranked Justice and Reconciliation Party won slightly less than 10,000 votes and 11 councillors, while Sulejman Ugljanin's Party of Democratic Action won a record low number of nine councillors and about 8,000 votes. "This is the purest victory that anyone has ever achieved in Novi Pazar. We did not say a single ugly word, we did not tear a single poster. Our results speak about us, we have the best results, the best people, members, supporters", Ljajić said to his supporters.<sup>267</sup>

The SDA also lost an absolute majority in its bastion, the municipality of Tutin, where it ruled for decades. By the way, Tutin is known as the "most Bosniak municipality", because Bosniaks constitute about 95 per cent of the population. In Tutin, the SDA won 18 seats, Zukorlić's SPP 11, the Citizens' Group Bajro Gegić (the former member and SDA MP who gathered dissatisfied Ugljanin's supporters) five, Ljajić's SDP two and the SNS one seat. However, SDA candidate Salih Hot was elected President of the Municipality of Tutin by the votes of his party, the SDP and SNS. The SDA celebrated in Sjenica, where it won the most, 25 per cent of the vote, SPP 21 and SDP was the third with 17 per cent of the vote. It was Ugljanin's "Pyrrhic victory", since a representative of the SPP (Munib Mujagić) was elected President of the Municipality of Sjenica, with the votes of the SNS and Citizens' Group.

Muamer Zukorlić also celebrated in Novi Pazar. Zukorlić, President of the SPP and MP, said after the announcement of the results that his party scored a "convincing victory over the SDA of Sandžak at the parliamentary elections" and that it fared better at the local elections in the Sandžak municipalities than in the previous ones. "As of today, there is no doubt who is the real, legal, legitimate and convincing representative of the Bosniak people in the Serbian Assembly," Zukorlić said.<sup>268</sup>

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267 <https://dev.nedeljnik.rs/ljajic-ovo-je-najcisitija-pobeda-u-novom-pazaru-nismo-rekli-niti-jednu-ruznu-rec-niti-jedan-plakat-pocepali-nismo/>.

268 <https://insajder.net/sr/sajt/vazno/19050/>.

On the same day, 21 June, parliamentary elections were also held. They were boycotted by the majority of the Serbian opposition parties, but not by the Bosniak parties. Their major parties appeared in three columns. Although he was the target of criticism and attacks for months by Vojislav Šešelj, the leader of the Serbian Radical Party and political mentor of Serbian President and SNS leader Aleksandar Vučić, to which the “Progressives” reacted very mildly, both Ljajić’s parties (the SDP, founded him and de facto led by him, and the Social Democratic Party of Serbia, whose President he is) appeared again on the SNS – Aleksandar Vučić list. The SDP got two MPs on Vučić’s list. The SPP list, reinforced by a Macedonian party, won 32,000 votes and four seats. The SDA participated alone in the elections and won about 25,000 votes and three seats. A few days after the elections, Ugljanin, due to poor results, replaced the Party Secretary, Ahmedin Škrijelj, Director Merfid Kamenščanin, as well as the members of the SDA Executive Committee.

### **FROM TWO ANGLES TO A TRIANGLE**

What do the results of last year’s declaration of Sandžak Bosniaks show? The long-standing Ugljanin-Ljajić “duo” of the Bosniak political scene turned into the Ugljanin-Ljajić-Zukorlić triangle a few years ago, which was confirmed by the June elections. All three parties and their leaders got their share of the pie. The smallest share, the rule in Tutin, obviously went to Ugljanin, the only critic of the current government in Belgrade. Apart from Novi Pazar, the SDP also holds several positions in the republican government, at the level of state secretaries. The same is the case with the SPP, which also has several state secretaries and got (uncertain) power in Sjenica.

It is interesting to note that, although Novi Pazar, Tutin and Sjenica have a convincing Bosniak majority, Vučić’s SNS still participates in the local government or has influence on it. This is justified by the desire to respect their multiethnic character, but there is also politics in it. It is interesting to note that the SNS had a decisive role in having

the SDA remain in power in Tutin, although it sharply criticized this party and often called out its leader Ugljanin because of his disloyalty to the state and separatist ideas. The election of the SDA members for the municipality and municipality council heads would not have been possible without the support of the local SNS.

Apart from consolidating the power of three Bosniak leaders and their parties, the June elections (2020) also showed that most Bosniaks no longer voted for the parties and politicians offering ambitious nationalist projects, but rather for those solving their everyday problems. War crimes committed against Bosniaks in neighbouring Bosnia and Herzegovina as well as those in Sandžak (Sjeverin, Štrpci, Kukurovići...) are only occasionally mentioned, usually at the time of their anniversaries.

The SDA and its leader persevered in demanding special status and autonomy for Sandžak and resolving the constitutional status of Bosniaks. Unlike Ljajić and Zukorlić's parties, which form part of Aleksandar Vučić's ruling coalition, this party has not only remained in opposition, but also fiercely criticizes the current government's attitude towards Sandžak and Bosniaks. Ugljanin even spoke of a "fascist state",<sup>269</sup> much to the dismay of Belgrade. Ugljanin's harsh rhetoric and attempt to connect the issues of Sandžak Bosniaks and Kosovo Albanians, advocated by the SDA, do not seem to be favoured by the majority of Bosniaks. That is why they preferred to vote for Ljajić and Zukorlić and their options which, thanks to ties with Belgrade and the republican authorities, can help them solve at least some local problems. It seems that Bosniaks are no longer interested in special status and autonomy, but they are very interested in road and other infrastructure.

Over the decades, the idea of Sandžak autonomy has been the "mantra" for getting votes, especially for the SDA and Ugljanin, who are now the only ones to consistently advocate it. Naturally, during their short participation in the Serbian Government, they did not

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269 <https://www.slobodnaevropa.org/a/bosnjak-ugljanin-saveti-nacionalnih-manjina-izbori-srbija/29583926.html>.



talk much about the autonomy and status of Bosniaks. The other two Bosniak political leaders, Ljajić and Zukorlić have long since abandoned the rhetoric of Sandžak autonomy, although Zukorlić sporadically mentioned it, especially when he wanted to irritate neighbouring Montenegro. Then he talked about Sandžak as a modern European cross-border region, naturally, without mentioning the interstate borders.

The SDA of Sandžak marked the 28th anniversary of its existence and activity with a solemn session and the adoption of the Declaration of the SDA of Sandžak in Novi Pazar on 29 July 2018.<sup>270</sup> The Declaration emphasizes that Bosniaks are an autochthonous people in the region of Sandžak and form part of the single Bosniak national corps together with Bosniaks in Bosnia and Herzegovina and other states created after the collapse of the SFRY. They have the right to establish and develop all forms of relations and cooperation with Bosniaks in Bosnia and Herzegovina, which cannot be lesser than special, parallel relations and cooperation of the Serbian people in Bosnia and Herzegovina with their people in Serbia, while the status of Sandžak must be in compliance with the 1991 referendum. The other two parties, SDP and SPP, dismissed these demands as unrealistic and anachronous.

The special ties of Sandžak Bosniaks with Bosnia and Herzegovina are a vain story in which neither Novi Pazar nor official Sarajevo have shown interest, not even in response to the separatist ideas of Milorad Dodik and other Serbian politicians. Everyone is aware that the smaller entity of Bosnia and Herzegovina, the Republic of Srpska, and Sandžak cannot be compared and, unlike Serbs on both sides of the Drina, Sandžak Bosniaks have not established stronger political ties with their native Bosnia and Herzegovina. There are many reasons and it seems that the Sarajevo authorities are not interested in this kind of ties, which can be partly explained by the rather

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270 <https://sandzacke.rs/featured/sda-sandzaka-usvojila-politicku-deklaraciju-rijesiti-status-bosnjaka-i-status-sandzaka/>.

negative image of the people from Sandžak who emigrated to Bosnia and Herzegovina.

## **OTHER SANDŽAK MUNICIPALITIES**

In the Serb-majority municipalities of Sandžak, Prijepolje, Priboj and Nova Varoš the political scene is rather uniform. The exception is Prijepolje, a municipality where the percentage of Serbs and Bosniaks is about 50:50. After the recomposition of the local government, Prijepolje is currently (2021) ruled by almost all parties, that is, the coalition of SDP, SNS, SPP and DPS. Only the SDA with one councillor is in opposition. In Priboj and Nova Varoš a convincing victory was won by the coalition rallied around Aleksandar Vučić's SNS. In Priboj, among Bosniaks the SDP won a majority vote – 7.71 per cent. It was followed by the SDA of Sandžak – 5.76 per cent and SPP with 5.68 per cent. In Nova Varoš, the percentage of Bosniaks is about 10 per cent, but the Bosniak parties did not participate in the local elections.

## **DECLARATION ON STRATEGIC PARTNERSHIP**

Of 120 or so political parties being officially in the Register of Political Parties, 11 are Bosniak. Cooperation among them is rather rare, but the two oldest, SDA and SDP, signed the Declaration on Strategic Partnership in 2016 and agreed on coalition rule in all three majority Bosniak communities: Novi Pazar, Sjenica and Tutin. The signing of the Declaration and reconciliation between Ugljanin and Ljajić was also influenced by official Ankara, whose former Minister of Foreign Affairs, Ahmet Davutoğlu, mediated in reconciliation between the SDA and SDP leaders in 2012.<sup>271</sup>

The Declaration states that these two parties support Serbia's European and Euro-Atlantic integration, the rule of law, legal security

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271 <https://www.sda.rs/vijesti/1902-sda-sandzaka-i-sdp-potpisale-deklaraciju-o-strateskom-partnerstvu.html>.

and equality before the law, market economy and competitiveness. In the statement issued after the signing of the Declaration it is written: “At the same time, the conditions have been created for the harmonization of the national structure in the prosecutor’s office, judiciary, police and other public bodies with the national composition of the Sandžak municipalities”.<sup>272</sup> The problem is still posed by the harmonization of the national structure of employees in state bodies, which is also the legal obligation of Serbia. This especially applies to the police.

An earlier inquiry made by Radio Free Europe to the Novi Pazar Police Administration about the ethnic composition of its employees, was answered that they do not keep such records, since the employees are not obliged to declare their national and religious affiliation. According to the unofficial data, in Novi Pazar, where Bosniaks constitute 80 per cent of the population, only about 30 per cent of them are in the police force. The situation in the judiciary is much better: out of 17 judges of the Novi Pazar Basic Court, eight are Bosniaks. Even more than by the inadequate ethnic composition of the state bodies, Bosniaks in Sandžak are bothered by the fact that the state, which boasts of big foreign investments, has not opened a single factory in Bosniak majority areas.

This year, ten Tax Administration employees retired and 10 new persons were employed. However, all of them were of Serbian nationality.<sup>273</sup>

## **THE PANDEMIC IN SANDŽAK**

The already difficult situation was further aggravated by the Covid-19 pandemic. Sandžak was one of the hotspots of the pandemic during the summer of 2020. A large number of citizens were infected and many died. Reporting on the number of people

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272 <https://sandzakhaber.net/ekskluzivno-tekst-deklaracije-koju-su-potpisale-sda-i-sdp/>.

273 Collocutors of the Helsinki Committee, November 2021.

infected with Covid-19 in Novi Pazar upset its citizens, because the figures provided by the Director of the Novi Pazar General Hospital, Meho Mahmutović, differed from the actual situation. Many more serious patients were taken to hospitals in Kragujevac and Belgrade.<sup>274</sup>

The visit of Prime Minister Ana Brnabić and Health Minister Zlatibor Lončar to the Novi Pazar Hospital in order to hand over additional medical equipment was met by dissatisfied citizens, primarily SDA supporters. On that occasion, they stated that the situation was under control. The Prime Minister accused Sulejman Ugljanin's supporters of being political activists who took this opportunity to politicize the situation and show lack of disrespect for medical workers by whistling to the Belgrade delegation. Lončar denied the figures that appeared in the social media and pointed out that only 28 patients died of coronavirus in Novi Pazar and that there was enough medical equipment.<sup>275</sup>

President Aleksandar Vučić also spoke out. He said that the situation in Belgrade was ten times worse than in Novi Pazar but the situation in Novi Pazar was suitable for politicization due to a large number of Bosniaks.<sup>276</sup>

The President's accusations that Bosniaks were to blame for the escalation of the coronavirus and that a large number of people were infected during the religious holiday Eid, were denied by Dr Rešad Plojović, Vice-President of the Meshihat of the Islamic Community in Serbia. He pointed out that the Islamic Community – even before the proclamation of a state of emergency and the imposition of lockdown – adopted a series of measures to protect the health of believers, so that it was absurd to blame the mosques for spreading the disease. He said that such an accusation was an escape from one's own

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274 Sandžak Danas, 26 June 2020. "Bolnica puna novozaraženih".

275 Kurir, 1 July 2020. "Suljina bruka, Brnabićeva donela pomoć u Novi Pazar, Ugljaninovu ljudi napali državni vrh!"

276 Politika, 2 July 2020. "Predsednik Srbije o politizaciji situacije u Novom Pazaru".

responsibility and emphasized that the escalation of the coronavirus disease in Novi Pazar started immediately after the elections, so that the Islamic Community could not be blamed for the escalation, because it did not participate in them. Effendi Plojović told the President that it was deplorable that he did not know the basic customs of his “Muslim friends” for whom Eid is the greatest holiday. And that the responsibility for the situation with the coronavirus must be sought on the other side.<sup>277</sup>

There were protests in Novi Pazar due to the situation in the General Hospital. The citizens were also joined by doctors who signed a petition for the removal of Acting Director Meho Mahmutović due his inadequate protection of citizens from the coronavirus. The petition for Mahmutović’s dismissal was signed by 37 out of 108 specialists working in the General Hospital. The doctors sent this petition to three addresses: Serbian President Aleksandar Vučić, Prime Minister Ana Brnabić and Health Minister Zlatibor Lončar. The signatories clearly emphasized that there was no political interest or political party behind their request, and that their motive was to restore the honour and reputation of “white coats”.<sup>278</sup>

After a very bad situation with the coronavirus disease, the General Hospital in Novi Pazar got 40 residents and about 100 new workers, mostly Bosniaks. The building design for the Clinical Centre in Novi Pazar was also finished. The Public Health Institute, which was based in Kraljevo, is now in Novi Pazar. Thus, Novi Pazar is now a larger regional centre than Kraljevo in this respect.

## **A GENERAL IMPRESSION OF THE SITUATION IN SANDŽAK**

Most of the interlocutors of the Helsinki Committee point out that the marginalization and general control of all actors in Sandžak have been intensified, so that it seems as if the region has

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277 Danas, 10 July 2020. “Sramota je, Vučiću”.

278 Danas, 14 August 2020. “Traže se smene i odgovornost”.

lost any importance. Sandžak is getting poorer and the most capable young people are leaving because there is no place for them. The policy of the current regime is very skilful in controlling the main actors, in particular. Due to the fragmentation of three centres of power, the capacity to resist Belgrade's levelling policy has been weakened.

Beneath the ostensible peace there are the ongoing dual processes, capacity implosion and the potential explosion of accumulated discontent. Since the civic conceptions of political actors have been eliminated, the framework for relaxing these issues and processes has disappeared. As it is pointed out, the biggest problem is the decline of the intellectual and critical dimension without which societies and communities are doomed to dryness and extinction. The collocutors of the Helsinki Committee have pointed out that the situation has "never been worse" and that they do not expect anything from Belgrade, bearing in mind that it has forsaken all their expectations.<sup>279</sup> Sandžak Bosniaks are becoming more and more distant and ghettoized, and it is becoming increasingly less important to them what Belgrade says and does. Citizens have started to distance themselves and organize themselves, while politicians have taken the line of least resistance.<sup>280</sup>

Belgrade's policy towards Sandžak is based on continuous divisions and control, because Sandžak is the region of controlled tensions. One of the indicative examples of Belgrade's attitude towards Sandžak refers to the signposts on the main roads near Kraljevo: in the 1990s there was no signposts pointing to Novi Pazar, which was changed during the construction of the "Miloš the Great" highway, but soon returned to the previous state. Thus, instead of pointing to Novi Pazar, these signposts now point to the nearby but smaller town Raška. Similarly, the map of cultural and historical monuments in Serbia, which was made in 2007, does not point to the sites of Peter's Church and Sopoćani Monastery just to avoid mentioning Novi Pazar.<sup>281</sup>

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279 Interviews made by the Helsinki Committee, November 2021.

280 Ibid.

281 Ibid.dovde

The Novi Pazar Handball Club withdrew from the Arkus League of Serbia due to the events during the match against Crvena Zvezda in Belgrade (10 October 2021) when the hosts insulted the handball players from Novi Pazar on national and religious grounds. An insulting banner was also displayed at the stands of Crvena Zvezda fans, who also chanted to Ratko Mladić, shouted “poturice” (converts to Islam) and sang chauvinist songs.<sup>282</sup> The decision on the withdrawal from the League was made unanimously. The Novi Pazar Handball Club acted preventively. When the police warned it about possible riots during the match, it wrote to the Crvena Zvezda Club and the Handball Federation, asking for additional security, but they did not respond.

Banners with nationalist and chauvinistic inscriptions also appeared at matches in Novi Pazar, but they were a response to provocation. For example, when at one match Rad fans unfolded the banner with the inscription “Solve the puzzle: knife, wire, Srebrenica”, at the next match Novi Pazar fans unfolded their banner with the inscription “The puzzle solved: Yellow House”. At the moment of an incident situation at the match in Belgrade, the Novi Pazar team also included the players of Serbian nationality who said after the match that they were ashamed. Apart from Bosniaks, in the songs sung by fans all the time, Turks were also insulted.<sup>283</sup>

The Turkish Ministry of Foreign Affairs also reacted to this incident, stating that “it is a question of racist slogans and posters with the images of war criminals which were displayed by Crvena Zvezda fans. Those slogans insult not only our Bosniak brothers and sisters, but also the memory of our common history with this region. We hold that sport should be the instrument of strengthening peace and friendship among communities and we believe that those responsible for this incident will be punished as soon as possible”.<sup>284</sup>

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282 <https://www.slobodnaevropa.org/a/rukomet-turska-novi-pazar/31510977.html>.

283 Interview made by the Helsinki Committee.

284 <https://www.slobodnaevropa.org/a/rukomet-turska-novi-pazar/31510977.html>.

This incident upset Bosniaks in Sandžak, because Serbian nationalism has exploded in recent years, reminding them of the atmosphere in the 1990s. Due to the incident in Belgrade, Ministers Vanja Udovičić and Tomislav Momirović visited Novi Pazar to pay tribute to the male and female athletes who won gold medals in the preceding period, but they actually came to relax the situation involving the Novi Pazar Handball Club. However, at no point did they publicly distance themselves from Crvena Zvezda fans. None of the fans was arrested nor was any procedure initiated. Crvena Zvezda was fined 20,000 dinars for having its fans throw pieces of paper on the field and not because of the incident due to which the Novi Pazar Handball Club left the League. If they were someone else's fans the state would have found a solution. However, the state does not have it for Crvena Zvezda and Partizan fans.<sup>285</sup>

Another recent incident involves Adela Melajac Karahmetović, a teacher at the “Rifat Burdžović Tršo” Elementary School in Novi Pazar, who put on the Bosniak anthem “I Am Your Son” for students on 1 September. The teacher put on the anthem “God of Justice” for first graders in the first class and the Bosniak anthem in the second class, as part of the welcome programme for first graders, which is performed every year. Due to the coronavirus pandemic there was no big gathering, so that she put on these anthems only for her students. The teacher was questioned at the Novi Pazar Police Department, while citizens gathered in front of its building to protest. Enis Imamović, an MP of the SDA of Sandžak, pointed out that the “Bosniak anthem played on by her for her students is part of the curriculum in the Bosnian language and part of the advancement of Bosniak identity, which is to be achieved through education. We received the explanation from the police and the Prosecutor’s Office that the proceedings were initiated on the basis of a video on social media. And it shows the teacher doing her job in accordance with the Constitution and the relevant laws”.<sup>286</sup>

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285 Interview made by the Helsinki Committee.

286 <https://www.nedeljnik.rs/imamovic-odgovorio-vulinu-himna-ja-sin-sam-tvoj-je-deo-skolskog-programa/>.



Ratko Mladić's murals in Serbia and his glorification have particularly upset Bosniaks in Sandžak. After the protest by a number of citizens demanding the removal of Ratko Mladić's mural painted in the city centre and the reaction of right-wing groups against it, some MPs raised the question about war crimes and the glorification of war criminals. Thus, Enis Imamović, MP of the SDA, asked in the Serbian Assembly what the prosecutors did when the genocide was celebrated in Serbia under police protection, war criminals were glorified and religious and national hatred was spreading, and whether they would react to the rise of fascism which is prohibited by law. He also called on them to answer "whether Ratko Mladić is a criminal or a hero for them".<sup>287</sup>

According to Hajrudin Balić, Professor at the Faculty for Islamic Studies, Sandžak is a region where Bosniak-Muslims constitute the majority of the population, but they have been living in harmony and maintaining good inter-ethnic and inter-religious relations with other peoples and confessions for centuries. However, as he points out, violent extremism occurs in Sandžak in many forms. It is most evident in the form of extremist organizations that promote Islamophobia, xenophobia and racism. These are the organizations that bring together right-wingers and extremists from among the Serbian people. In Sandžak there are also groups of routers who often have extremist and violent outbursts.<sup>288</sup>

The collocutors of the Helsinki Committee hold that the Serbian Progressive Party will probably never be able to have Bosniaks vote for it again due to all these messages sent to them and, in particular, the behaviour of Milorad Dodik, Interior Minister Aleksandar Vulin and routers, as well as the protection of Ratko Mladić's murals. Therefore, Rasim Ljajić is certainly in trouble. Either the voter turnout will

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287 Danas online, 16 November 2021, <https://www.danas.rs/vesti/politika/imamovic-danas-je-opasno-biti-bosnjak-u-srbiji-ministar-organizator-huligana/>.

288 <https://www.danas.rs/vesti/drustvo/nacionalizam-kao-najopasniji-ekstremizam/>.

be reduced or the people will cancel their ballots. They also state that nobody from the opposition ever came to Novi Pazar, or talked to them, except Saša Janković, who himself ended up with Aleksandar Vučić.<sup>289</sup>

The incident at the Novi Pazar–Crvena Zvezda handball match as well as the incidents associated with Ratko Mladić’s murals in Belgrade are interpreted by many of them, especially the representatives of the opposition parties, as part of the April 2022 election campaign. However, the explosion of Serbian nationalism has a deeper meaning and is based on numerous official government documents. Those are above all else the Strategy of the Relations of the Homeland with the Serbian Diaspora (2011), Charter on the Serb Cultural Space, signed by the Ministers of Education of the Republic of Serbia and the Republic of Srpska (2019), the Law on the Cyrillic Alphabet (2021) and the Cultural Strategy of the Republic of Serbia 2021–2029 (2020). Belgrade holds that the current international context provides a historic chance for the implementation of the “Serbian World” project, which anticipates an ethnic state. Belgrade’s attitude towards Bosniaks should be viewed in that light. The escalation of Serbian nationalism is turning Bosniaks away from Belgrade and their mistrust and fear are growing. In such an atmosphere that lasts too long, the Bosniak National Council and Islamic Community are gaining importance as the pillars of identity.

According to the interlocutors of the Helsinki Committee, the death of Muamer Zukorlić will certainly affect the political scene in Sandžak. One can already sense certain moves such as, for example, the announcement of the SDP that it will directly participate in the elections for the Bosniak National Council. It is obvious that the SDP sees a chance to regain its monopolistic position on the Sandžak political scene. The Justice and Reconciliation Party must solve its internal problems, thus opening up room for other two parties.<sup>290</sup>

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289 Interview made by the Helsinki Committee.

290 Interview made by the Helsinki Committee.

The parties of Ljajić and Ugljanin are already using the new situation. The fact that the SDA did not attend the Janazah prayer for Muamer Zukorlić on the pretext that “like any other prayer, praying the Janazah prayer depends on the personal decision of every individual and their attitude and practice are well known”, testifies to the political struggle for new positions. All newly elected members of the bodies of the branches and new members of the SDA of Sandžak have been informed that the SDA of Sandžak is an opposition parliamentary party that represents and protects the interests of the citizens of Sandžak and the Bosniak people in Serbia. Since the Justice and Reconciliation Party is a member of Vučić’s Greater Serbian coalition, which denies the genocide against Bosniaks and glorifies war criminals, the SDA of Sandžak did not want to send its delegation to the funeral or authorize anyone to appear there on behalf of the SDA of Sandžak.<sup>291</sup>

The collocutors of the Helsinki Committee also pointed to many other details that testify to the fact that nobody is interested in this region. Thus, Novi Pazar does not even exist on the RTS weather forecast map.

## **THE CONSTITUTION OF BOSNIAK IDENTITY**

The process of Bosniak national constitution lasted for a very long time – from the Ottoman Empire to the Congress of Berlin (1878), then from the Congress of Berlin to the end of the First World War, then during the Kingdom of Yugoslavia and SFR Yugoslavia and, finally, until the post-communist era.

After the collapse of Yugoslavia and the collapse of the value system, in the created vacuum, the emphasis on religious affiliation and its observance as the main element of identity, became more

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291 [https://indiksonline.rs/2021/11/sda-niko-u-ime-nase-stranke-nije-isao-na-dzenazu-zukorlicu/?feed\\_id=22243&\\_unique\\_id=618e7c71028ee&fbclid=IwAR3XaEfqsdlmTOJG8Bx27K3\\_chhZgSWqEAcKCLsTK7ERqZE--h3RA8Yw43o](https://indiksonline.rs/2021/11/sda-niko-u-ime-nase-stranke-nije-isao-na-dzenazu-zukorlicu/?feed_id=22243&_unique_id=618e7c71028ee&fbclid=IwAR3XaEfqsdlmTOJG8Bx27K3_chhZgSWqEAcKCLsTK7ERqZE--h3RA8Yw43o).

widespread than 50 years ago. Namely, religion has become a spiritual and identity refuge for all peoples in the post-Yugoslav space. However, the collapse of Yugoslavia has turned many peoples, including Bosniaks, into minorities. In essence, Bosniaks do not accept the minority status and refer to their previous status as people. Like Croats, Bosniaks became a minority upon adoption of the Law on Minorities (2003).

The traumatic experience of Bosniaks from the 1990s, constant attempts to assimilate and reduce Bosniaks to a religious community, as well the territorial division of the Bosniak municipalities into two districts, make it difficult to consolidate the Bosniak minority and stabilize its infrastructure. In 2003, the Bosniak National Council adopted the Declaration on the Status of Sandžak Bosniaks in the Republic of Serbia, which calls for the fulfilment of the defined standards in the area of advancing minority rights. The adequate representation of Bosniaks in republican institutions (such as the judiciary, police and others) is required in proportion to their percentage of the population. It is also required that six Sandžak municipalities (Priboj, Prijepolje, Nova Varoš, Sjenica, Tutin and Novi Pazar), where there is a significant number of Bosniaks, become a part of one region and form one district.

## **BOSNIAK NATIONAL COUNCIL**

The Bosniak National Council, as an institution of the Bosniak National Council, is the most important Bosniak institution through which Bosniaks, as a national minority, exercise their rights to self-government in the areas of culture, education, information, and the use of language and literature. The Councils were established upon adoption of the Law on the National Councils of National Minorities in 2009.

The Muslim National Council of Sandžak (MNV Sandžaka) was formed on 11 May 1991; in 1993, it was renamed the Bosniak National Council of Sandžak (BNV Sandžaka), while in 2010 it changed its name to the Bosniak National Council (BNV). The Bosniak National

Council of Sandžak organized a referendum calling for a political and territorial autonomy. This mostly remained the main topic of this organization. The constitution of the Bosniak National Council was also a reason for the clashes over its political control, which also involved Belgrade, the Islamic Community in Serbia, the Meshihat of Sandžak and the Islamic Community of Serbia, which was also supported by the authorities. Subsequently, 11 May was declared the Day of the Bosniak National Flag.

At the 2014 elections, the SDA gained control of the Bosniak National Council. However, at the 2016 elections, the SDA lost its monopoly on it, which significantly affected its activities.

The official use of the Bosnian language partially gained ground in the municipalities of Novi Pazar, Tutin and Sjenica. Their local governments use the Bosnian language and Latin script in their services, with the exception of the municipalities of Prijepolje (which adopted the name of the language as Bosniak-Bosnian, but is still not used in local-government enactments) and Priboj (where there is no mention of introducing the Bosnian language). They point out that teaching in the Bosnian language is conducted in 39 educational institutions in the Sandžak municipalities and include 16,500 students.<sup>292</sup>

Like other councils, the Bosniak National Council failed to resolve the problems relating to Bosniak identity. The Bosnian language was introduced in schools, but without adequate preparations, including specifically teaching staff. However, the situation with textbook is not any better. That is why parents prefer to enrol their children in Serbian classes.

The representatives of the Bosniak National Council express their discontent with the Law on Minorities, because it generalizes the minorities and does not respect the specifics of the Bosniak minority. They also point out that discrimination is constant. They also complain that Belgrade does not recognize the Bosnian language. Instead, it emphasizes the Bosniak language, thus violating

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292 Sandžak Danas, 2 April 2021. "Više đaka se obrazuje na maternjem".

the European Charter for Regional or Minority Languages. They are also dissatisfied with the Action Plan for Exercising the Rights of National Minorities, because it did not upgrade the minority issues. Since the coming of the SNS to power, the situation has suddenly worsened. The Bosniak National Council submitted 400 proposals for the Action Plan which were not considered, nor did they receive any response. It is claimed that they are a disruptive factor, while about 30,000 young people in Novi Pazar have no perspective and Serbia wins gold medals thanks to Bosniak athletes.<sup>293</sup>

The Bosniak National Council also complains that Belgrade treats them exclusively as a religious group, denying their national identity. They advocate the position that, if they cannot obtain autonomy, the status of the region can be satisfactory, although, as they point out, Article 182 of the Constitution of the Republic of Serbia talks clearly about the establishment of new autonomous provinces. They also point out that Belgrade applies a double standard. Thus, it is considered legitimate for Serbia to seek the Association of Serbian Communities in Kosovo, while such a request by Bosniaks would be considered disruptive.<sup>294</sup>

They especially point out that the competent institutions do not take care of Bosniak cultural heritage. The Bosniak National Council submitted numerous requests to the inspection, especially when something was illegally demolished or renovated. They never received answers to their complaints. They consider the Cultural Strategy of the Republic of Serbia for the Period 2021–2029 to be deficient and the same applies to the Action Plan. They also complain that the names of the famous Bosniaks were not used sufficiently or were not used at all for various institutions. They gave the example of Prijepolje where the national composition is 50:50, but none of the eight elementary schools bears the name of a famous Bosniak.<sup>295</sup>

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293 Interviews with the BNV representatives made by the Helsinki Committee.

294 Ibid.

295 Ibid.

The international community is not present to such an extent as before. The Bosniak National Council cooperates with the OSCE, which has the office in Novi Pazar.

However, the interlocutors of the Helsinki Committee point out that the Bosniak National Council is completely under the monopoly of one political party. They especially criticize the fact that there are no textbooks in the Bosnian language. They state that the Bosniak National Council is a very important institution, but became a caricature of itself, because it deals with everything except identity. The Matica Bošnjaka councillors emphasize that they actively participated in the work of the Bosniak National Council in the past. However, it is now completely closed for any cooperation with external actors, including various experts. For example, the International University of Novi Pazar (IUNP) was never invited by the Bosniak National Council for any cooperation relating to the development of the Bosnian language, although it has a high-quality Bosnian Language Department.<sup>296</sup>

## **THE ISLAMIC COMMUNITY AND THE FACULTY FOR ISLAMIC STUDIES**

The Faculty for Islamic Studies in Novi Pazar holds a prominent place in the educational system of the Islamic Community in Serbia. In 2016, the Faculty became a full member of the Union of Islamic Universities of the World, which operates under the auspices of the Islamic Organization for Education, Science and Culture, founded by the Islamic Conference Organization, which enables it to maintain intensive contacts with almost all renowned Islamic universities in the world<sup>297</sup>.

In essence, apart from the Bosniak National Council, the Islamic Community is the only Bosniak institution. In Serbia, however, there are two Islamic Communities: the Islamic Community in Serbia and the Islamic Community of Serbia. The Meshihat of the Islamic Community

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296 Interview made by the Helsinki Committee.

297 Ibid.

in Serbia retained the status and structure it had in SFR Yugoslavia, with its seat, that is, the Riyaset in Sarajevo. The politicization of the Islamic community and its leadership comes from the support of the Belgrade authorities (that is, Vojislav Koštunica), which led to an open interference in the internal relations in the Islamic community and its split.

The Islamic community in Sandžak has been politically passive for decades. Its political activation and the renewal of its influence were contributed by the collapse of the socialist values and the restoration of religiosity in all Yugoslav republics (which is also observed in other regions in the world). As the religion in the Balkans is equated with ethnicity, radicalization on this basis was characteristic of all Balkan communities. It was especially intensive in Serbia due not only to the construction of new identities, but also due to its preparations for redefining Yugoslavia according to its idea, which ended in the brutal breakup of the state.

The need to strengthen identity is also an understandable response to the long-standing discrimination and “invisibility”, as well as police terror, abductions and killings during the war in Bosnia. The Islamic Community is the key identity matrix for the Bosniak community in the absence of other institutions. This is why it was under attack from Belgrade and its “services” with the aim to destabilize it completely. This resulted in the split of the Islamic Community and rising tensions within the Bosniak community, which can turn quickly into a crisis point if necessary.

In early 2014, Mevlud Dudić, Zukorlić’s close associate, formally took over the role of the President of the Meshihat of the Islamic Community in Serbia (IZuS) from him. He enjoys some reputation among believers, has organizational skills and is considered Zukorlić’s successor. However, the premature death of Muamer Zukorlić opened the question of both his successor in the party (his 22-year-old son was temporarily appointed to this position) and the relationship between the two Islamic Communities.<sup>298</sup>

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298 <https://sandzacke.rs/stav/previranja-na-vidiku-sandzak-nakon-muamera-zukorlica/>.



Several attempts to reconcile and unite the parallel religious Islamic communities in Serbia proved to be unsuccessful, even in the case of direct mediation by Turkey and Serbia. The Turkish Diyanet, the supreme religious authority that recognizes the Riyaset of the Islamic Community of Bosnia and Herzegovina, proposed general elections within the Islamic Community in Serbia, which was resolutely rejected by the then Mufti Zukorlić. Zukorlić's death and possible weakening of Dudić open up the scope for reopening the issue of unification of the two Communities.

The interlocutors of the Helsinki Committee hold that the revival of old antagonisms that led to the division is possible.

The interlocutors from the Islamic Community of Serbia (IZS) expressed their concern over the disturbing developments in the region causing fear among Bosniaks. They state that the crisis has been going on since the 1990s and that the incidents occurring on a daily basis are not accidental.<sup>299</sup>

They point out that the IZS is apolitical and does a lot of humanitarian work, but not because it is its main activity, but because it is greatly needed due to rising poverty. Their religious rights are not much endangered, religious education is regularly taught in schools. There are numerous challenges – ideological divisions, economic crisis and extreme currents – and they wish to achieve reconciliation, but have not yet found an interlocutor in the other Islamic Community.<sup>300</sup> In addition to the Diyanet, the Gulenists also tried to be the mediators in the dialogue with Muamer Zukorlić on a number of occasions, but he was fastidious from the beginning and did not want to talk. The influence of the Gulenists in Serbia is insignificant.<sup>301</sup>

Wahhabism was rather represented, but that is no longer the case. There were 5–6 Salafist groups, which are under police surveillance. The members of these groups do not come to mosques; they have their own tekkes. They used to lease them in the past. As they

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299 Interview made by the Helsinki Committee.

300 Ibid.

301 Ibid.

pointed out, one group is now building its own tekke, which is not very encouraging.<sup>302</sup>

They believe that there is no political option which can represent the Bosniak interests. Such an atmosphere was created so as to have Bosniaks kill each other over the issue of waqf property. It would be necessary to determine which of the two Islamic Communities has historical continuity. Both Islamic Communities have been registered, but it has not been specified which one lays legitimate claim to the restitution of waqf property.<sup>303</sup> Without solving the status of the Islamic community it will not be possible to solve the question of wakf property.

The Islamic Community of Serbia maintains very good cooperation with Turkey's Diyanet; it fights against extremism and radicalism. It also maintains good cooperation with the Turkish Cooperation and Coordination Agency (TIKA), which renovated the Valide Sultan Mosque in Sjenica and Bajrakli Mosque, and organized numerous seminars. Erdogan is regarded as a great leader, but they also state that Turkey is not the only one to be interested in the Balkans. They hold that the Islam offered by Turkey is "tested" and that it has not had any negative influence, which is why there is no place for radicalism where such an understanding of Islam is present.<sup>304</sup> Institutionally, they have no common ground with Sarajevo. The other Islamic community, the Islamic Community in Serbia, is more attached to it.<sup>305</sup>

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302 Ibid.

303 Ibid.

304 Ibid.

305 Ibid.

## THE INTERNATIONAL UNIVERSITY OF NOVI PAZAR

The International University of Novi Pazar is the project based on Zukorlić's "specific weight" and political influence, which began at the time of Zoran Đinđić's Government and has remained to the present day.

In 2002, the Minister of Education in Đinđić's Government personally brought the work licence for the Faculty in Novi Pazar. However, Zukorlić promoted it very quickly into the University, which has never been recognized by the Commission for Accreditation and Quality Assurance of Serbia. The University continued to work and still exists only on the basis of the Decree of the Republic of Serbia arising from the political agreement on support in the Serbian Parliament between Vučić and Zukorlić.<sup>306</sup>

The fate of the International University of Novi Pazar will depend on its ability to overcome the chaotic situation caused by the sudden loss of its founder and the balance of political power in the future.

Apart from the International University, there is also the so-called State University founded in 2006 (it includes the Faculty of Philosophy, the Faculty of Law and Economics and the Faculty of Technical Sciences). There are also several centres such as the Centre for Quality Assurance, the Computing Centre, the Research Centre and the Regional Centre or Energy Efficiency.

## MATICA BOŠNJAKA

Matica Bošnjaka is one of the four institutions – in addition to the Bosniak National Foundation, the World Bosniak Congress and the Bosniak Academy of Sciences and Arts (founded by Muamer Zukorlić), which are oriented towards the supranational preservation of the cultural identity of Bosniaks. Matica Bošnjaka already had several important projects and its main focus is currently

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306 <https://sandzacke.rs/stav/previranja-na-vidiku-sandzak-nakon-muamera-zukorlica/>.

on publishing major works. Its first journal, "Letopis", is also being prepared. It also represents the last legacy of Muamer Zukorlić.

## **BOSNIAK ACADEMY OF SCIENCES AND ARTS**

The Bosniak Academy of Sciences and Arts (BANU) was founded on 11 June 2011 in Novi Pazar and its Senate was constituted in Sarajevo in December of the same year. It was chaired by Mustafa Cerić, Reis-Ul Ulema of the Islamic Community of Bosnia and Herzegovina. The Academy has 21 members, but a small number of them are intellectuals. The establishment of the Bosniak Academy of Sciences and Arts did not provoke overly positive reactions of intellectuals in Bosnia and Herzegovina. They hold that this institution is neither scientific nor artistic, because it was founded under the auspices of a religious community, that is, Reis-Ul Ulema Mustafa Cerić and Sandžak Mufti Muamer Zukorlić.<sup>307</sup>

Some Bosnian academicians have held that the founding of the BANU, in addition to the existing Academy of Sciences and Arts of the Republic of Srpska and the Scientific Society of Croats, imposes the question as to whether their role is to split science according to the ethno-principle as well.<sup>308</sup>

In 2015, despite criticism, after four years of existence, the BANU opened the Scientific Centre of the Bosniak Academy of Sciences and Arts in Novi Pazar. The building of the Scientific Centre covers an area of 2,000 square metres and is located in the suburbs of Novi Pazar. After the completion of construction work and equipping it was handed over to the first scientific institution of this Academy.<sup>309</sup>

Several well-known members of BANU (Ejup Ganić, Asim Kurjak) left this institution and, according to media reports, are working

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307 [https://www.slobodnaevropa.org/a/bosnjacka\\_akademija\\_nauka\\_ili\\_politika/24430736.html](https://www.slobodnaevropa.org/a/bosnjacka_akademija_nauka_ili_politika/24430736.html).

308 Ibid.

309 <http://saff.ba/otvoren-naucni-centar-bosnjacke-akademije-nauka-i-umjetnosti-u-novom-pazaru/>.

hard to establish a new academy of sciences and arts in Bosnia and Herzegovina.<sup>310</sup> It is held that the time has come for the Bosnian academy.<sup>311</sup>

## **THE CULTURAL CENTRE IN NOVI PAZAR**

The Cultural Centre is the focal point of cultural events not only in Novi Pazar, but also in the entire Sandžak region. During the last few years, cultural production was significantly improved. The Cultural Centre was renovated, which significantly increased the capacity of the Centre for the production and exhibition of artistic contents. Over the past few years, a serious critical audience has been created and, as its Director Husein Memić points out, it is the “most open Cultural Centre in Serbia. Projects and programmes for improving the position of culture in the city are constantly being worked on and three years ago it received an award from the Ministry of Culture for the best Cultural Centre in the country. This was achieved thanks to the programmes of the Cultural Centre and good editorial staff. In October 2021 alone, it had 20,000 visitors”.<sup>312</sup> They received 11,5 million dinars from the Ministry of Culture and 10 million dinars for audio equipment from the cities in focus. The city of Novi Pazar covers 70 per cent of the Cultural Centre’s budget.<sup>313</sup>

Sandžak has a very significant and respectable intellectual and cultural elite. Many individuals won significant awards for their work. Elena Zajmovič from Nova Varoš won the third prize at the “My European Community” Art Contest, which has been organized in Serbia for ten years under the auspices of the EU through the EU PRO

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310 <https://sandzacke.rs/featured/napustaju-zukorlicevu-banu-kurjak-i-kurtcehajic-formiraju-novu-akademiju/>.

311 Ibid.

312 Interview made by the Helsinki Committee.

313 Ibid.

Programme.<sup>314</sup> The drama “Lavina“ (Avalanche) coproduced by the Novi Pazar Regional Theatre and Puls Teatar from Lazarevac was also performed in Novi Pazar.<sup>315</sup> The collection of poems “Kafkin kalfa” (Kafka’s Apprentice) by Šaban Šarenkapić, who won the “Sulejman Tabaković” Award last year, was presented in Novi Pazar.<sup>316</sup> The performance “Srebrenica. Kad mi ubijeni ustanemo” (Srebrenica. When We Who Were Killed Rise Up), directed by Zlatko Paković and produced by the Helsinki Committee for Human Rights, was also shown in Novi Pazar. Enes Halilović from Novi Pazar received the “Zlatno slovo” (The Golden Letter) Award for the best collection of short stories. With this award for his book “Čudna knjiga” (A Strange Book) Halilović became one of the most awarded authors in Novi Pazar.<sup>317</sup> “Ako dugo gledaš u ponor” (If You Look into the Abyss for a Long Time), a play performed by the Novi Pazar Regional Theatre and the Cultural Centre in Novi Pazar, based on Enes Halilović’s novel of the same name, and directed by Zlatko Paković, was proclaimed the best performance of the 66th Sterijino Pozorje Festival.<sup>318</sup>

The funds for cultural events and the protection of cultural monuments have also been planned. The Novi Pazar City Administration will allocate 19.9 million dinars from its budget for the maintenance of the Watchtower.<sup>319</sup>

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314 Sandžak Danas, 17 January 2020. “Priznanje za kreativnost i empatiju”.

315 Sandžak Danas, 24 January 2020. “Lavina u Novom Pazaru”.

316 Sandžak Danas, 24 January 2020. “Predstavljen Kafkin kalfa”.

317 Sandžak Danas, 24 January 2020. “Još jedna nagrada za Halilovića”.

318 <https://www.novosti.rs/kultura/vesti/1011051/najbolja-predstava-novog-pazara-svecanim-urucenjem-nagrada-novom-sadu-posle-devet-dana-spustena-zavesa-66-sterijino-pozorje>.

319 Sandžak Danas, 5 February 2021. “Za Kulu motrilju 19,9 miliona dinara”.

## **ECONOMY: IT STAGNATES DUE TO THE LACK OF INFRASTRUCTURE**

The main problem of the stagnation of economic life in Sandžak is the lack of infrastructure, due to which there is almost no investment. The state is building the Novi Pazar-Sjenica road as well as a road near Tutin, with a Turkish loan which is repaid by Serbia. However, as it is emphasized, the road near Tutin is probably in the service of Zvonko Veselinović, because he is building “something” on Mount Golija. Some rural roads are also being built. The most is expected from the Belgrade-South Adriatic highway, which would be the extension of the Miloš the Great highway, through Pešter, up to Crna Gora. It was announced a long time ago, but its construction has not yet started. According to some collocutors, this road will be built because this is in the interest of the European Union and not because Serbia wants to build a road for its citizens in Sandžak. Bosniaks believe that the highway will make a significant contribution to economic recovery.<sup>320</sup>

The company INKOP, headed by the Kosovo businessmen Zvonko and Žarko Veselinović and Milan Radoičić, bought one of the largest companies specializing in road construction and maintenance, “Novi Pazar put”. They have been linked to numerous scandals and various lawsuits have so far been filed against them.<sup>321</sup> However, they have an absolute monopoly on all tenders in Sandžak, so that nobody dares to participate in them anymore.<sup>322</sup>

Otherwise, it is relied a lot on the potential of the Peštar Plateau for the development of animal husbandry and organic food production. Although there are ideal conditions and recognizable products from this region throughout the country, investments in the development of this idea are very small.<sup>323</sup>

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320 Interview made by the Helsinki Committee.

321 Danas, Firma Veselinovića i Radoičića novi vlasnik preduzeća za izgradnju puteva iz Novog Pazara, 10 January 2020.

322 Interview made by the Helsinki Committee.

323 Sandžak Danas, 24 January 2020. “Potencijali Peštara za organsku proizvodnju”.

There are no foreign investments just due to poor infrastructure. The government is reducing its subsidies for this region when it is a question of foreign investments. So, for example, if a foreign company employs our citizen in Leskovac, it will receive 10,000 euros and if it employs our citizen in Novi Pazar, it will receive 5,000 euros.<sup>324</sup>

Most collocutors complain about centralization which prevents any greater local initiative. They also complain about the lack of marketing education, for example. All collocutors point out that there are no interethnic problems and tensions and that coexistence is very harmonious. However, official Belgrade is bringing unrest into interethnic relations.<sup>325</sup>

In general, the economic situation has not changed much, which can also be judged by the number of young people leaving the region on a daily basis, mostly for the West. The only noticeable activity is construction, which is financed by diaspora money, but the bulk of funds comes from money laundering. One source of funds (although to a much lesser degree than before) includes drugs, which traditionally pass through this region. There is also talk about some circles which are linked to the mafia in Kosovska Mitrovica and Belgrade, as well as Montenegro.<sup>326</sup>

During the last fifteen years, Novi Pazar still started to change: road infrastructure investments were made, while the buildings and centre of the city were renovated. The revival of Novi Pazar already began during the rule of the Democratic Party. After the SNS came to power there was also some progress in other areas, such as public health, for example. It started during the pandemic, because the hospital had a shortage of doctors and other medical staff.

Private business remained focused on ready-made clothing, jeans and meat production. Since salaries are low, citizens prefer to go abroad for a few months and then come back. It is a question of “circular migration”.

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324 Interview made by the Helsinki Committee.

325 Ibid.

326 Ibid.



Sandžak also has the potential for tourism, which is just beginning to develop. They still have no tourist guides and agencies that will be able to promote Sandžak tourism. There are no signs in front of cultural and historical monuments that will provide basic information to tourists.

In cooperation with the US Agency for International Development (USAID), the Sandžak Economic Development Agency (SEDA) supports the development of small and medium-sized enterprises by awarding grants for the purchase of equipment. One such example is PAZARNICA (which produces and sales souvenirs). It received a grant worth \$7,500. Some companies from Serbia do not want to cooperate with it, because some souvenirs have the inscription “Sandžak”. There are also an increasing number of women entrepreneurs, although most women are still entrepreneurs only on paper. The state has a step-motherly attitude towards women wanting to have children.<sup>327</sup> The state is implementing the “My first salary” programme, but this programme is inefficient, since the exodus of young people continues.

The largest investments come from the Bosniak diaspora, but they are primarily used in the construction industry, because there is no legal security for more serious investments. There is also a problem of illegal construction in Novi Pazar. There are examples that despite the inspection decisions ordering the suspension of construction it continues. One of the many examples is the building in the centre of Novi Pazar which is located next to one of the symbols of the city, Vrbak Hotel. The building was appropriated by the Islamic Community in Serbia, invoking the Law on the Restitution of Property to Churches and Religious Communities, with the explanation that the building belonged to it before the Second World War.<sup>328</sup>

The entry of Priboj's factory FAP into the Serbian Defence Industry Group will contribute to the revival of this region.<sup>329</sup> A delegation

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327 Ibid.

328 Sandžak Danas, 6 November 2020. “Inspekcijska rešenja niko ne poštuje”.

329 Sandžak Danas, 17 January 2020. “Spas za pribojsku fabriku”.

from Sandžak led by Novi Pazar Mayor Nihat Biševac participated in the Economic Diaspora Forum, which was held in Berlin (February 2020).

Economic relations with Kosovo are more developed than with Sarajevo. Sandžak has profited a lot since the construction industry began to flourish in Kosovo. They exported construction materials and many workers went to Kosovo to work. The relations with Kosovo are the most natural, and Sandžak will benefit the most from the settlement of Kosovo's status. Otherwise, there is great closeness between them due to similar customs and experience.<sup>330</sup>

Environmental protection is one of the priorities for Sandžak, especially for Novi Pazar, which is one of the most polluted cities in Serbia. The route of the gas pipeline that should contribute to air pollution reduction was designed but, in general, not much was done to resolve the pollution problem. The city is already subsidizing certain projects for the replacement of individual fireplaces, but insufficiently. There are also several pellet making plants, but since some of them make low-quality pellets, they additionally contribute to air pollution. Many textile and light clothing firms use the remnants of materials for heating, which is extremely detrimental to air quality.<sup>331</sup>

The increasingly difficult social and economic situation triggered the “self-organization” of citizens within various nongovernmental organizations, primarily humanitarian ones. Thus, the humanitarian organization “Open Hand” is implementing the project “Improving the Provision of Health Services in the Roma Settlement Blaževo in Novi Pazar” aiming to mitigate the consequences of the pandemic in the substandard Roma settlements. The project is financed by the Swiss Government.<sup>332</sup>

There are an increasing number of humanitarian organizations that have a religious missionary role, which is also a consequence of the negligence shown for this region. The Centre for Humanitarian

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330 Interview made by the Helsinki Committee.

331 Interview made by the Helsinki Committee.

332 <https://rtvnp.rs/2021/04/19/grad-novi-pazar-i-ho-otvorena-ruka-realizovace-vazan-projekat-za-rome-u-blazevu/102517>.

Work “Hajrat”, for example, helps orphan families and single mothers by sending Ramadan gifts for children.<sup>333</sup> The “En-Nisa” Association was founded a few months ago. According to the data on its website, it is also known for its project “Make the Orphans Happy”. This group has been operating as an informal group for years. At first, it promoted women for whom the hijab was part of their identity. Over time, it has turned to humanitarian actions such as fighting for a better refugee status and help to refugees accommodated in collective centres in Sandžak, and the activities for children with disabilities.<sup>334</sup>

## THE RELATIONS WITH TURKEY

Turkey is a very present actor in Sandžak. Local political actors often (mis)use it in mutual clashes. The popularity of Turkey and its President was best evidenced by the welcome scene during Erdogan’s visit to Novi Pazar in 2017. All three political leaders, who are often in conflict, went to Ankara to support Erdogan after the 2016 coup.

Due to a large Bosniak diaspora in Turkey, the Turkish Consulate was opened in Novi Pazar on 1 September 2021. It covers the territory of the municipalities of Novi Pazar, Sjenica, Tutin, Prijepolje, Nova Varoš and Priboj. On that occasion, the Minister of Foreign Affairs, Melvüt Çavuşoğlu, stated: “Our brothers in Sandžak and Turkish citizens of Sandžak origin are a strong link between our countries. This Consulate covers a wide area from Pirot to Užice, so that I hope that after its opening the investments of our companies in this region will increase, which we encourage, and that our relations and cooperation will be enhanced.”<sup>335</sup>

Regardless of the orientation towards Turkey, its attempt to form a Turkish minority in Sandžak a few years ago failed. Turkey’s tendency

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333 <https://hajrat.org/zenska-mreza-hajrata-u-posjeti-samohranim-majkama-i-jetimima/>.

334 <https://tutinskenovine.com/novopazarke-iz-udruzenja-en-nisa-brinu-o-jetimima-i-samohranim-majkama/>.

335 <https://rtvnp.rs/2021/09/01/cavusoglu-turska-nikada-nec-zaboraviti-podsku-naroda-sandzaka-novi-pazar-u-srcu/111365>.

to treat Bosniaks as a Turkish minority provokes strong opposition in both Sandžak and Sarajevo. The Association of Turks in Serbia was formed in Nov Pazar in 2015. It called on citizens to register, so that a Turkish national minority could be formed. Although the invitation was allegedly sent only to the citizens of Turkish origin, many Bosniaks saw it as the provocation aimed at undermining Bosniak identity. For the formation of a national minority it is necessary to have 400 registered citizens and there are not so many of them.<sup>336</sup>

As the General Secretary of the Bosniak Academy of Sciences and Arts, Muamer Zukorlić claimed that the people were surprised and panicked, and that many called them asking why some people call Bosniaks Turks. He claimed that there is not a single Turk in Novi Pazar, not even statistically.<sup>337</sup>

Many Bosniaks consider it as an attempt to “Turkify Bosniaks” and a dangerous idea and brutal aggression against the being and identity of the Bosniak people. Esad Džudžo holds that this idea was directed from “Greater Serbian intelligence circles with the aim to impair the capacity of the Bosniak national community and disrupt good brotherly relations between the Bosnian and Turkish people, as well as the relations between Serbia and Turkey”. Muamer Zukorlić also pointed out that underneath this initiative one could recognize the manuscripts of different policies and ideologies.<sup>338</sup>

Bosniak leaders view the whole situation as a “precedent in interethnic relations in modern history” and announce sending protest notes to both Turkish diplomats in Serbia and the Belgrade authorities, urging Bosniaks to “resolutely reject this assimilative act and humiliating project, and remain true to their national identity”.<sup>339</sup>

Despite many promises, Turkey has not significantly invested in Sandžak and is much more focused on other regions in Serbia.

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336 <https://balkans.aljazeera.net/teme/2015/8/14/poziv-koji-je-uznemirio-sandzak>.

337 <https://balkans.aljazeera.net/teme/2015/8/14/poziv-koji-je-uznemirio-sandzak>.

338 Ibid.

339 Ibid.

Close cooperation between Turkey and Serbia has been intensified in recent months, both in political and economic terms. The Parliament in Ankara has ratified the Free Trade Agreement between Serbia and Turkey. During 2018, Erdogan and Vučić met five times in connection with numerous projects to be realized by Turkish firms.

Turkey has invested about 20 million dollars in Sandžak through its Agency for International Cooperation and Coordination (TIKA). This Agency mainly helps the restoration of cultural heritage and the reconstruction of buildings from the Ottoman period. Its plans include the building of one bridge, reconstruction of the Isa-Bey's Hammam in Novi Pazar, reconstruction of the court building, etc. A large number of projects are waiting. The reconstruction of the Novi Pazar–Tutin road is underway.<sup>340</sup> However, it is a question of the loan that Serbia is repaying. In addition, Çavuşoğlu ceremonially opened the Sports Hall in Novi Pazar, the renovation of which was financed by Doğuş Company. The Turkish Ambassador added that the two countries have good bilateral relations and that he expects the realization of a regionally important project, that is, the construction of the Belgrade-Sarajevo highway, which should be done by Taşyapi.<sup>341</sup>

The benevolent attitude of Sandžak people towards Turkey is the result of historical, religious, cultural and family ties, as well as the consequence of Serbia's attitude towards Sandžak and Bosniaks as a minority people. Bosniaks blame the Serbian Government for the lack of infrastructure and investments, but also because the centre for many things is still neighbouring Kraljevo, despite the fact that, considering the number of inhabitants, it should be Novi Pazar. Bosniaks also add post-war traumas to this list, which is why they are looking for a protector in Turkey.<sup>342</sup>

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340 <https://www.slobodnaevropa.org/a/turska-generalni-konzulat-novi-pazar/31438570.html>.

341 <https://www.slobodnaevropa.org/a/srbija-i-turska---sve-dublja-bliskost/29763206.html>.

342 <https://avaz.ba/globus/region/256697/bosnjaci-u-sandzaku-i-turska-mozda-jesmo-braca-ali-nam-kese-nisu-sestre>.

Regardless of the orientation towards Turkey, the Helsinki Committee's collocutors point out that they do not have a special relationship with Turkey. What Erdogan had promised has not been fulfilled such as, for example, the export of meat and "mantije" to Turkey. More is exported from other parts of Serbia. Instead, they send religious officials from Turkey to perform religious services in Sandžak in Turkish. They point out that the second Islamic Community was created by Turks and that they maintain it.<sup>343</sup>

### **"FRIENDS OF SANDŽAK"**

International actors and representatives of international organizations have been present in Sandžak since the 1990s. The presence and interest of international organizations (such as the OSCE, Council of Europe, EU, international and local non-governmental organizations and embassies) point out that the international community is aware of the possible destabilization of this region.

In January 2009, an informal group named "Friends of Sandžak" was formed at the initiative of the then US Ambassador to Serbia, Cameron Munter. The group meets from time to time to discuss the issues related to Southeast Serbia. In addition to the United States and Turkey, its members are also France, Germany, the United Kingdom, Japan, Portugal, the Czech Republic, Spain and Austria, as well as the EU, UN and OSCE.

The main goal of this group is to provide economic support to Sandžak and its activities are largely coordinated with the Serbian government and local government representatives. Thanks to the help of this group, a series of projects has been implemented, ranging from the renovation and extension of elementary schools and accommodation of internally displaced persons to the protection of human rights. This assistance is provided through several

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343 Interview made by the Helsinki Committee.

international organizations such as USAID, European Progress and TIKA.<sup>344</sup> However, the visits of the Friends of Sandžak are now much less frequent than in the previous years and the last time they met was in 2018.<sup>345</sup>

## **CONCLUSIONS AND RECOMMENDATIONS**

The escalation of Serbian nationalism and events in both Serbia and the region, are reviving fear and uncertainty about their future among Bosniaks. The rise of Islamophobia and constant fixation on Islamic extremism, as well as Belgrade's unwillingness to prosecute the crimes against Bosniaks committed during the 1990s and provide reparations to victims, have contributed to the distrust of Bosniaks and their turning away from Belgrade. They feel betrayed and marginalized.

Sandžak is still one of the most underdeveloped regions in Serbia, with poor infrastructure which discourages foreign investors. Young people are leaving because of high unemployment and the lack of perspective. In addition, the high degree of centralization (which is also a problem for the whole of Serbia) as well as the non-existent rule of law prevent local initiatives and more significant investments by the Sandžak diaspora in production.

The Sandžak issue is a hostage of the still-unsettled, primarily border issues in the Balkans. Therefore, various theories are circulating, which additionally stigmatize Sandžak, because it is perceived as a disputed territory that can be the cause of new instabilities.

Belgrade still succeeds in preventing any more significant resistance and open dissatisfaction with the status of Bosniaks and Sandžak with its manipulations and control of local actors.

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344 <https://www.novosti.rs/vesti/naslovna/politika/aktuelno.289.html:814750-INTRIGANTNO-DELOVANJE-GRUPE-SA-ZAPADA-Opet-se-aktiviraju-Prijatelji-Sandzaka>.

345 Interview made by the Helsinki Committee, November 2019.

The language issue remains open, which essentially denies the existence of the Bosniak nation. The previous government was sympathetic to the issue, which even resulted in the preparation of textbooks for teaching in the Bosnian language.

It is a wrong approach to perceive Sandžak only through the lens of Wahhabism and extremism, because these are marginal phenomena and, above all else, the consequence of the decades-long situation in Sandžak, which is the consequence of Belgrade's policy.

The ethnification of the post-Yugoslav space and the disintegration of the value system opened up the scope for conservative ideologies (in which religious communities play a key role), repatriarchalization of society and return to very conservative, that is, liberal values.

In order to reduce the exodus of young people and experts, especially builders and other service industry specialists, the state should adopt special measures to alleviate unemployment in Sandžak.

The state should also fulfil its legal obligations and enable the proportional employment of Bosniaks in republican institutions, especially the judiciary, police, tax administration and the like.

Integrating the minorities into a larger political, economic and cultural community remains a key issue for the realization of their rights. Regardless of the existing laws and norms, the Bosniak minority (and others) is marginalized and ghettoized. Their cultural heritage is not included in textbooks nor is it adequately promoted.

The international community paid little attention to education and the creation of new identities in the region, palliatively resolving the burning issues, without entering into the causes of the negative trends and regression of society.

The international community should have more understanding for the current problems of Bosniaks in Serbia and finally put the Sandžak issue on its agenda with the aim to create conditions for democratic national rights.



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**FOTOGRAFIJE**  
**FOTOGRAFITË**  
**PHOTOS**



*Bujanovac  
Bujanoci*



*Selo u okolini Medvede  
Fshat pranë Medvegjës  
A village near Medveđa*



*Preševo*  
*Presheva*



*Muharem Salihu (strana 125)*

*Muharrem Salihu (faqe 194)*

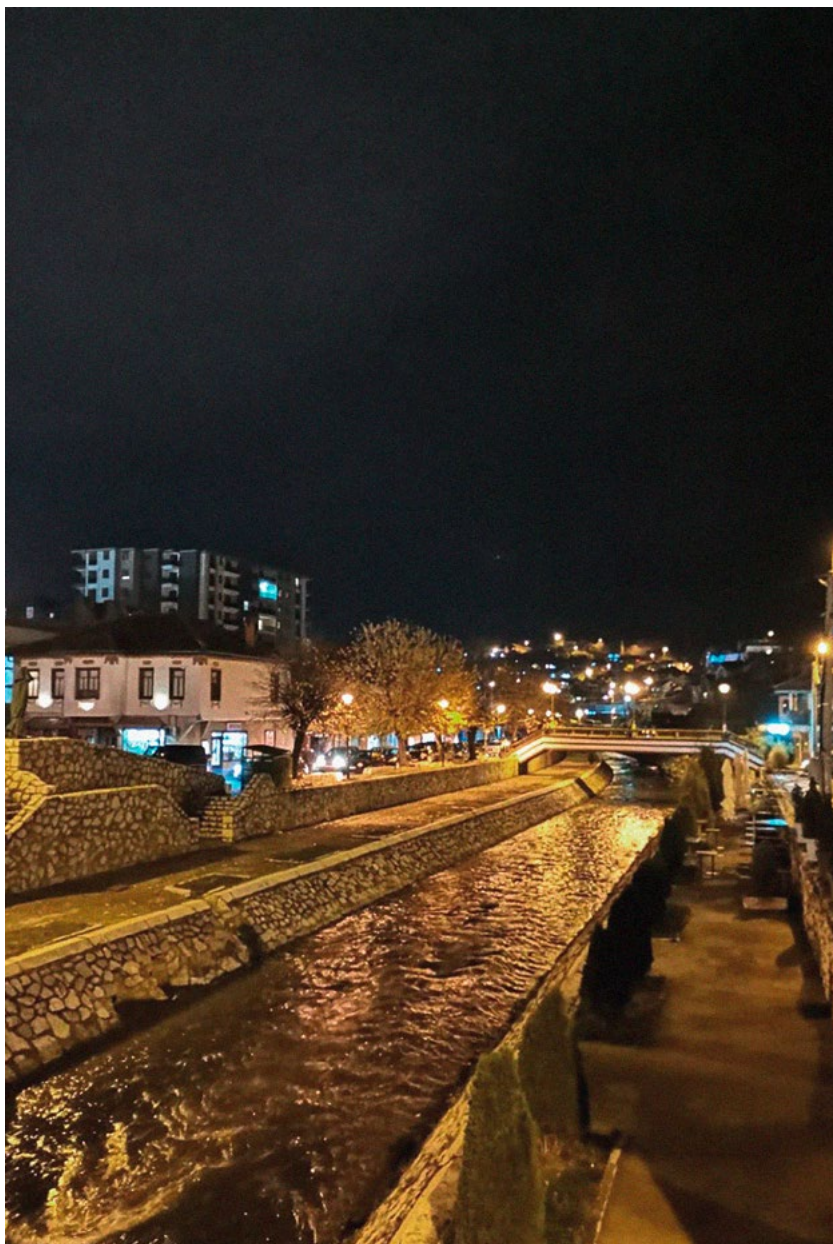
*Muharem Salihu (page 125)*



*Veliki Trnovac  
Tërnovci i Madh*



*Frizerski salon u Velikom Trnovcu  
Sallon parukerie në Tërrnoc të Madh  
Hairdresser's in Veliki Trnovac*



*Centar Novog Pazara  
Qendra e Pazarit të Ri  
Center of Novi Pazar*





*Biblioteka u Novom Pazaru*  
*Biblioteka në Pazar të Ri*  
*Library in Novi Pazar*



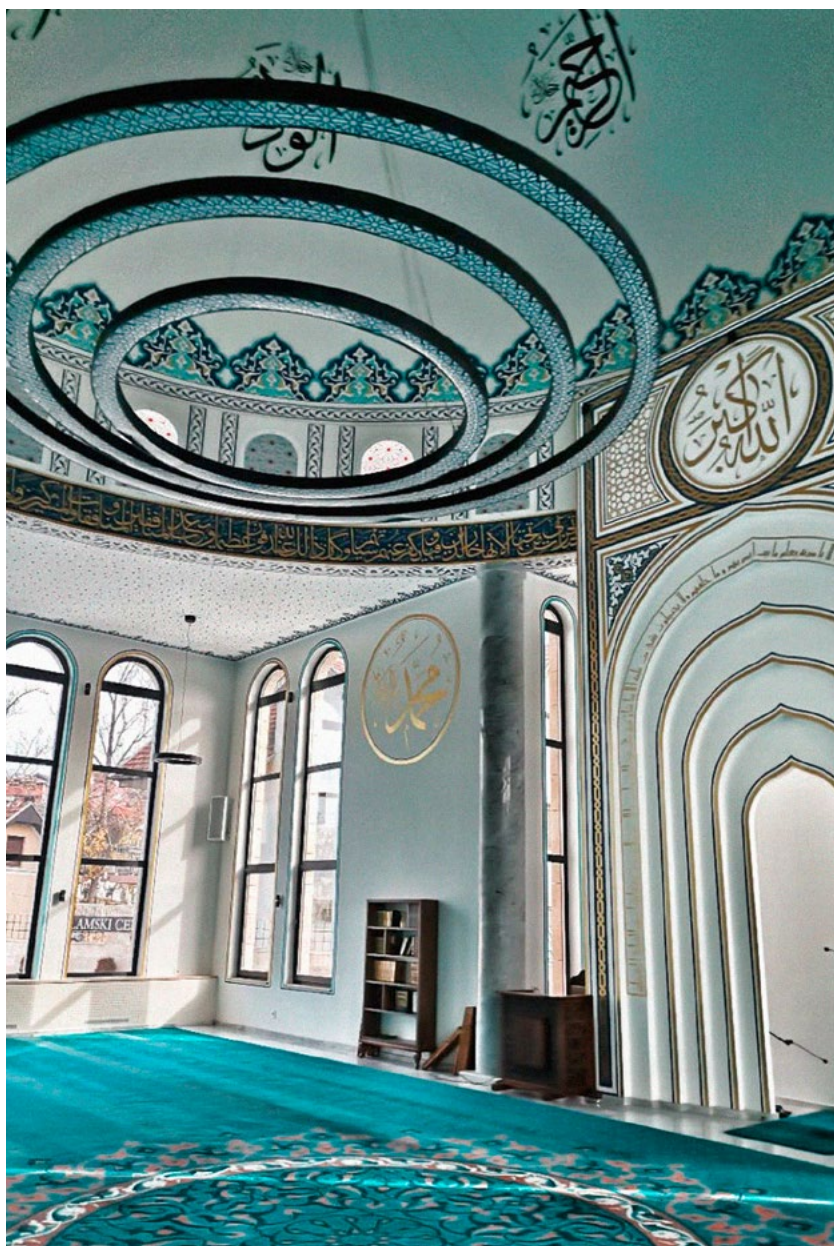
*Priroda u blizini manastera Mileševa*  
*Natyra pranë manastirit të Milleshevë*  
*Landscape near Mileševa Monastery*



*Restoran "Kanjon"*  
*Restauranti "Kanjon"*  
*"Kanjon" Restaurant*



*Centar Novog Pazara  
Qendra e Pazarit të Ri  
Center of Novi Pazar*



*Islamski centar Gazilar  
Qendra Islamiqe Gazilar  
Islamic Center Gazilar*





*Ulaz u Gazdinstvo Fazlić  
Hyrja në fermën Fazlliq  
Entrance to the Fazlić farm*