

STRATEGIC BALKANS

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Kosovo – A Constitutional Storm

The elite wins

On the 28th of May, the Constitutional Court of Kosovo ruled that a new majority can be formed in the Parliament without holding snap elections, as argued by Albin Kurti, the outgoing Prime Minister and leader of Self-Determination, the party that won the largest share of votes at parliamentary elections in November 2019. According to the judgment, Avdulah Hoti, a member of the Democratic League of Kosovo appointed by the President Hashim Thaci as Prime Minister-designated, can work to form a new coalition to replace the previous one, collapsed in March after only two months in office.

Kurti questioned the presidential decree, saying it betrays electors' will. To him, only a member of Self-Determination can hold talks to form the government. Thus, the dissolution of Parliament and snap elections are the only viable solution to overcome the crisis. However, constitutional judges, whose judgment was requested by Kurti himself, rejected this argument.

Divergences on how to manage the coronavirus pandemic sparked a harsh dispute between Kurti and Thaci. Kurti introduced limitations to freedom of movement without declaring the state of emergency. Thaci said that any suspension of people's basic rights must be done in the framework of the state of emergency, thus he declared it. The Kosovo Democratic League (LDK), Kurti's ally in the coalition and second largest party in the Parliament, backed Thaci's view and made the government collapse after less than two months in office.

By saying that the presidential decree complies with the Constitution, Kosovo's top judges modify the rules of political competition and give the President wider power to influence the Parliament, argues Blemir Vela in a comment for [Prishtina Insight](#). By the way, it is not the first time that the Constitutional Court does act more on expediency than juridical or institutional logic.

Andrea Lorenzo Capussela, the former head of economic and fiscal affairs at International Civilian Office (ICO), the international supervisor in Kosovo, strongly criticizes Thaci's moves in an analysis published by [Brave New Europe](#). The former international officer labels the end of Kurti's government as a coup d'état organized by Thaci to prevent the anti-corruption measures that Kurti planned to introduce to wipe a post-war corrupted élite, led by Thaci himself, that "has plundered on foreign aid, public resources and the meagre wealth of the citizens of Europe's poorest state".

The diplomatic side of the crisis

The political crisis, one of the harshest in Kosovo's history, has international implications. Kurti, as well as several observers, thinks that Thaci provoked the storm to keep the role of Kosovo's mediator in the dialogue with Serbia (Kurti wanted to assume it) and push the land swap plan agreed with Serbia's President Aleksandar Vucic. Rumors started two years ago. Meanwhile, Jeta Xharra, a known Kosovar political journalist, has reported that Haradinaj's government, in charge before Kurti won elections, gave 168.000 euros to a French PR company to advertise border changes as a solution to Serbia-Kosovo dialogue ([Balkan Insight](#)).

While the US are open to the land swap and clearly support Thaci as Kosovar mediator, the EU suggests Pristina and Belgrade to be wise, avoiding impulsive decisions that could have negative impacts on the whole Balkan region and jeopardize the EU role a broker. The German chancellor Angela Merkel, who rejects the land swap, reiterated this view during the EU-Western Balkans virtual summit at the beginning of May. However, the idea does not excite Thaci, who wants an increased US role in this game. He even said the he would not take part in negotiations, if led by Miroslav Lajcak, the recently appointed EU Special Representative for the Belgrade-Pristina dialogue ([Prishtina Insight](#)). Thaci's posture is irritating European diplomacies. "This is not the time for political maneuvering", wrote The French and German foreign ministers, Jean-Yves Le Drian and Heiko Maas, [in this joint article](#).

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Montenegro & Serbia – Tensions escalate

The Montenegrin government declared the country virus-free on May 25. Borders were reopened on the 1st of June, but only to people coming from countries that have no more than 25 Covid-19 patients per 100.000 inhabitants. Having a higher infections rate, Serbia is not on the list. Accusing Podgorica of blatantly discriminating the Serbs, Belgrade reacted by forbidding Montenegro Airlines to land at Belgrade airport ([European Western Balkans](#)).

The diplomatic spat adds further tension in bilateral relations, already deteriorated due to a law, passed by Montenegro's Parliament in December that in some cases could transfer church properties to the state. The Serbian Orthodox Church, the largest church in the country, sees the law as anti-Serbian tool, and so does the government in Belgrade.

Parliamentary elections in Montenegro, to be held in autumn, will be inflamed by controversies with Serbia. Montenegro's President Djukanovic will try to exploit tensions to secure another mandate for his Democratic Party of Socialists (DPS), in power since 30 years. But he could play the card also for speeding up European integration. To see how, please have a look at our [dedicated Strategic Trend \(May 2020\)](#).

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Serbia & North Macedonia – An electoral year

This year, also Serbia and North Macedonia will vote to renew their Parliaments. Serbs will cast ballots on the 21st of June. The Serbian Progressive Party (SNS), Vucic's party, in power since 2012, is expected to win by a large margin of votes. Likely, there will be no opposition in the next Parliament. Opposition parties agreed months ago to boycott the vote, saying that the government, having turned Serbia into a hybrid regime, can't guarantee a free and fair vote. However, tactical divisions are emerging among opposition leaders. The former Serbian President Boris Tadic suggests, for example, taking part in elections and then boycotting the Parliament. Elections had to be held in March but were postponed due to the coronavirus pandemic ([Euractiv](#)).

For the same reason, also North Macedonia delayed parliamentary elections, planned on April 12. However, parties have not yet agreed on a new date. [Bne Intellinews](#) reports that the prime minister and leader of Social Democrats, Zoran Zaev, wants elections in June in order to capitalize accession to NATO and the opening of EU accession talks, while VMRO-DPMNE, the right-wing opposition party, proposes to vote in August or September.

Also Bosnia and Herzegovina postponed elections (for municipalities), but not for health reasons. The vote, initially scheduled on October 4, will take place in mid-November due to political clashes around national budget for 2020, from which resources to organize the electoral race will be taken. Once again, the ethnic-divided city of Mostar will not hold elections. A longtime constitutional dispute on power-sharing mechanisms between Bosniaks and Croats paralyzes the town ([Balkan Insight](#)).

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Albania – The end of a theatre

Two years ago, the Albanian government announced the intention of demolishing the old National Theatre, in very bad conditions, and its replacement with a modern building. Artists and civil groups opposed the plan, staging protests to save the theatre, located in central Tirana. Built during the Fascist occupation, the building is considered a historical heritage site.

The government did not change its mind. Eventually, the theatre was demolished on May 18. The fact that the government profited from its increased powers and from people's limitation due to the pandemic, was perceived as a brutal abuse of power. It cast more doubts on the democratic nature of the Albanian government, led by the socialist leader Edi Rama. His reputation as an open-minded reformer has vanished in recent years due to constant fights with opposition and unaccomplished judicial reforms. Gentiola Madhi explained the scenario for [Osservatorio Balcani e Caucaso](#).

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Albania & North Macedonia – Euro-Atlantic Integration

Albania and North Macedonia are ready to start accession talks, after the EU Council gave the green light in March. A negotiating framework will be discussed this month, the EU Commission told ([Euractiv](#)). In the meantime, Tirana set up its negotiating team ([Exit](#)).

The path to Europe is still long and full on uncertainties. For North Macedonia, an obstacle could be Bulgaria. Sofia and Skopje are at odds on some historical and educational issues, [Bne Intellinews](#) tells. Somehow, the scenario recalls the dispute between the former Yugoslav republic and Greece, solved in June 2018 thanks to Prespa Agreement.

Albania and North Macedonia will negotiate accession to the EU on the basis of the new enlargement strategy, recently launched, which re-groups the single negotiating chapters under six main pillars. For

Serbia and Montenegro, that are already negotiating, the situation is clearly different. Some problems could rise in the transition from the old to the new method, the European Movement of Serbia says. For more details, read the article by [B92](#). However, Vucic has already told that the updated strategy works for Serbia. As for Montenegro, it has just accepted the new methodology ([European Western Balkans](#)).

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Other news

Montenegro and Serbia signed a deal with Frontex - The two countries and the EU border agency agreed to cooperate to tackle illegal immigration and cross-border crime ([European Western Balkans](#)).

Albania joins KFOR - An Albanian military unit is ready to serve in KFOR, the NATO-led stabilization mission in Kosovo. It is the first time ever that Albanian troops join KFOR, but Albanian officers were already serving in staff functions since 2016 ([Albanian Daily News](#)).

Cannabis revolution in Albania - The government plans to legalize cannabis for medical use to fight against drug lords. Not an easy transition ([Balkan Insight](#)).

Kosovo unwilling to face war crimes - Political parties are increasingly skeptical about the Kosovo Specialist Chambers, the international court that investigates war crimes allegedly committed by members of the Kosovo Liberation Army during the war against Serbia ([Balkan Insight](#)).

Covid-19, a resilience test for the region – The economic crisis puts huge pressure on governments and private business. Public policy needs to do whatever it can to mitigate the scenario ([World Bank](#)).

Srebrenica wants truth – The Srebrenica Genocide Memorial published a report on media and people who still deny crimes occurred in July 1995 in the Bosnian town ([Anadolu](#)).

Matteo Tacconi

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