

Research Program 2019



EUROPEAN POLICY INSTITUTE OF KOSOVO

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About us



Vision

Institute is a vibrant part of a European Kosovo emancipated and prosperous society - home to vigorous conceptual debates and a battlefield of alternative European ideas and beliefs by challenging the paradigms of our society and moving the boundaries of our knowledge.

Mission

Institute offers a key contribution to the European reforms in the society as an independent and not-for-profit policy think-tank, based on values of unwavering integrity and excellence in knowledge, and pursues robust empirical public policy making and resolute debate for an ever-more European Kosovo.

Values

At the institute we do serious work, and have even more serious fun. We are a team of very different individuals and characters, but we share unwavering belief in our 6 fundamental values that bring us together as a team.

We believe in our vision and we pursue it with courage and determination. In doing so we act with transparency, integrity and independence. In our actions we strive for perfectionism and flawless execution. And most importantly, we are always kind and humble.

Act with integrity and independence

Fundamentals of the institute are integrity and independence of our researchers. While we seek to assist and engage in a dialogue with national institutions and other stakeholders to implement policies of common public interest, we remain stubbornly committed to the independence of the work and opinions of our staff.

Believe and have courage

At the institute, we cherish ideas and courage to pursue them. The institute is a place where we don't want our teams to be good. We want them to be remarkable. We are at the service of public interest. We believe that prudent and smart public policies can improve everyday life of our citizens. To this end, we don't give mediocre effort. We either believe whole-heartedly and give everything we've got in pursuing our convictions or we don't even try. There is no middle ground to excellence. Courage to believe is essential to our progress and key factor that moves boundaries of our excellence.

Be curious

Brain behaves like a muscle. In order to grow, it must be challenged. Great ideas are result of great intellectual discomfort and stubborn refusal of mediocrity. Comfort is an enemy of human progress and excellence. At the institute we push ourselves to be uncomfortable and curious. We always consider different options and build alternative ideas and scenarios. We are not afraid of failure. Failure paves the way to new avenues and uncharted territories that enrich us as individuals and widens our horizons.

Execution matters

We expect of all our teams to be punctual and excel at details. All great ideas will be depend upon flawless execution and detailed timing and design of our actions. We never under estimate the power of technical details and need for robust, but efficient bureaucracy. Our researchers are expected to take full ownership of their work and stand by their work and results.

Being kind

Before anything else we are loving and kind humans. We care about our fellow team-members. At the institute we are brought together based upon our beliefs and values. We believe that we offer a small contribution to the incremental progressive changes of our society. And we succeed in doing so only as a team. We treat with respect and empathy our partners and friends.

Transparency

Institute commitment to transparency means that we publish detailed financial statements every year in our Annual Report. Our accounts are independently audited. We detail from where every cent of the budget comes, and we report outgoings along spending lines. The financial statements clearly state what every contributor paid in any one year, a level of transparency that sets an example in our sector.



Taulant Kryeziu
Chair of the Executive Board

Executive summary



European integration is Kosovo strategic national overarching priority.

Kosovo has gone a long way since proclamation of independence in 2008. From virtually no relationship with the EU, Kosovo today is firmly anchored in a formal EU integration process and part of almost all regional and European mechanisms.

Stabilisation and Association Agreement entered into force on 1 April 2016. It forms legal basis for Kosovo accession to the EU. In 2016, Kosovo and EU launched European Reform Agenda - a set of key short-term reforms in area of rule of law, competitiveness and education. Visa liberalisation was launched in 2012 and in 2018 we are at the eve of a final decision by the Council of the EU and EP. Kosovo is largest beneficiary of EU funds per capita in the world.

However, Kosovo institutions are still young and political scene is immature. Rule of law is fragile, governance weak, and economy lacks strong and sustainable fundamentals.

Kosovo track-record on delivering SAA reforms remains feeble. Migration, organised crime and corruption will continue to challenge the visa-free regime. There is a genuine lack of political will and consensus to implement EU-related reforms: election reform, fight against corruption, judiciary independence and politization of public bodies – to mention few.

Leaving internal obstacles aside, external environment is volatile and challenging: Kosovo international efforts are undermined by Serbia, 5 EU non-recognizers are immovable in their positions towards Kosovo and there is a growing rise of right-wing politics and nationalism across the EU. Normalisation dialogue with Serbia continues to challenge Kosovo political scene. Constitutional principles need to be followed in order to reach a political consensus. Not vice versa.

In this light, Kosovo needs all available resources to support its EU integration efforts. Institute will seek to strike a right balance between partnering with national institutions and other stakeholders to implement policies of common public interest, and hold power accountable.

We will organise our research along 6 pillars: (1) Implementation of the Stabilisation and Association Agreement, (2) Visa liberalisation, (3) implementation of Country Report findings, (4) Consensus building for EU integration, (5) Regional cooperation, with focus on normalisation of relations and Berlin process, and (6) EU funds.

We consider that these 6 pillars are key aspects of the EU integration process of Kosovo and to this end we have identified 12 flagship initiatives.

We stubbornly believe in the power of well-designed public policies. To this end we hope we will be able to offer a modest contribution for an ever-more European Kosovo.



Demush Shasha
Executive Director

My SAA



Stabilisation and Association Agreement (SAA) came into force on 1 April 2016. SAA has sealed Kosovo strategic orientation for joining the EU and established formal and contractual framework to reach this goal.

SAA in 600 pages, X titles, 7 annexes and 5 protocols, governs virtually every aspect of everyday life of citizens. It is the foundation of Kosovo European integration process.

Under the SAA, Kosovo and EU established institutional structures to monitor implementation of the SAA:

- SAA Council;
- SAA Committee;
- 7 SAA sub-committees and 2 Special Working Group;
- SAA Parliamentary Committee.

After each meeting, both sides – Commission and Kosovo institutions, conclude on a set of deliverables to be met in the course of next 12 months by Kosovo institutions. Implementation of these conclusions are the basis for discussion at the next meeting between the parties. In recent years, Kosovo institutions have lagged behind heavily in the implementation of agreed conclusions. This was caused by a mixture of weak policy planning capacities, and a lack of political attention to the reforms agreed at the meetings.

Institute will provide feedback to the preparation of the meetings through public consultations process established by the Ministry of European Integration. Furthermore, we will publish quarterly scorecard on the implementation of the SAA meetings conclusions with the aim of highlighting the importance of reforms agreed at the political level.

From a policy point of view, the Government adopts annually a National Program for the Implementation of the SAA. Program is traditionally adopted at the Assembly, as well. Program is Government response to meeting all obligations stemming from the SAA. It is an ambitious document traditionally prepared by all Western Balkan countries as legal obligations stemming from the article 74 of the SAA.

However, program is notoriously infamous for traditionally very low levels of implementation - hovering around 50% implementation threshold. Reason behind is predominantly lack of political interest in the reforms foreseen by the SAA.

Recognizing the importance of the issue, recently the Commission has asked for higher political attention to the Program implementation, and thus asked the Government to meet 60% threshold by end of 2018 or lose a substantive tranche of EU funds. Institutions are on course of missing the target.

In this context, institute will monitor implementation of the Program and publish quarterly findings on the level of implementation in an effort to raise awareness about the importance of the SAA reforms.

Under the SAA, Kosovo has undertaken to implement complex and costly reforms over the period of 10 years. In order to prioritize the reforms ahead, Kosovo has adopted a short-term European Reform Agenda – a set of key reforms in area of rule of law, competitiveness and education.

Pillars of agreed ERA are: (1) Rule of law; (2) Competitiveness; and (3) Education and employment. After nearly 2 years, institutions have failed to build a convincing track-record of reforms and highlight a strong case for Kosovo EU reform process - out of 22 priorities agreed, only 3 have been met by now. In some priorities, such as political appointments at independent state bodies, institutions have actually back-tracked by flagrantly abusing state institutions for short-term party interests.

To this end, institute will establish a robust monitoring mechanism in place to publish regular quarterly scorecard on ERA implementation.

In light of the above, the institute will conduct research along three flagship initiatives:

- SAA structures scorecard;
- SAA Program scorecard;
- ERA scorecard.

My Schengen



Freedom of movement is one of the most important human freedoms, and in the European integration process it is the most practical one that is cherished by the citizens of Kosovo and Western Balkans.

However, visa liberalisation is also an issue of borders, security and migration. Hence, it is a very sensitive and important issue for the European citizens.

Being such a delicate and complex issue, the institute recognizes the importance of the visa liberalisation as a multi-faceted public policy instrument in the European integration process that tries to balance promotion of fundamental EU values and security of the EU.

In June 2012, Kosovo received a roadmap for visa liberalisation with a total of 95 criteria to be met in areas such as repatriation and reintegration, document security, border management, asylum, migration, public safety and freedom of movement and fundamental rights. Over the course of 6 years Kosovo met all 95 criteria.

Meeting the conditions for the visa liberalisation with the EU is hard. However, continuing the implementation of these reforms and strengthening further the track record of reforms, with a particular focus on irregular migration and fight organised crime and corruption, is even harder.

Kosovo will be part of what is known a strengthened visa suspension mechanism. To this end, Kosovo will be scrutinized closely by the Commission who is legally obliged to monitor the continuous fulfilment of visa liberalization requirements by non-EU countries and report on those matters to the European Parliament and the Council, at least once a year.

Visa suspension mechanism can be triggered in the following circumstances:

- a substantial increase (more than 50%) of irregular migration, including people found to be staying irregularly, and persons refused entry at the border
- a substantial increase (more than 50%) of asylum applications with low recognition rate (around 3-4%)
- a decrease of cooperation on readmission, notably in case of an increasing refusal rate for readmission applications
- an increased risk to the security of Member States, in particular serious criminal offences

The Commission can also trigger the mechanism in case certain requirements are no longer met as regards the fulfilment of the visa liberalisation benchmarks by third countries that have gone through a visa liberalisation dialogue

In a run-up to the visa liberalisation, as well as after it comes to effect, it is important that citizens are informed about the rules, duties and responsibilities of the visa-free regime. Citizens should be informed both through mass-reaching media, as well as through local awareness raising activities on municipal level. Information measures should communicate clearly risks and costs in case of the abuse of visa-free regime.

At the same time, institute will engage with the national authorities to start a dialogue on the rules and procedures governing post-visa liberalisation mechanism. Kosovo will be heavily scrutinised as part of the visa suspension mechanism. In this context, institute will conduct a study on post visa-free mechanism, with a particular focus on responsibilities ahead of the national authorities.

Finally, it is important to hold institutions accountable to continuous reforms, as part of the visa liberalisation process. Reforms do not stop now, rather they intensify. Commission will publish annual report on continuous fulfilment of visa liberalization requirements by Kosovo, and in this light institute will publish quarterly visa liberalisation scorecard to raise awareness about the pace of reforms on key visa liberalisation issues.

In light of the above, the institute will conduct research along three flagship initiatives:

1. Information campaigns about the visa-free regime rules;
2. Study on rules and procedures of post visa-free mechanism;
3. Quarterly visa liberalisation scorecard.

My Country Report



Country Report published by the European Commission is one of the most important documents of the EU institutions on Western Balkans.

It is published annually in spring and its findings are organised along political criteria, economic criteria and all chapters of the *acquis*.

Assessment takes stock of the: (1) overall preparedness to join the EU, and (2) progress made in the course of past 12 months. Furthermore, purpose of the document is to advise national authorities on the reforms needed in order to eventually meet Copenhagen criteria. Its findings formulate one of the basis for the SAA meetings.

Government has traditionally addressed findings of the Country Report within the National Programme for the Implementation of the SAA. Although, in some instances¹ it did adopt a separate action plan, and thus effectively adding confusion within the state institutions by creating a parallel policy document on EU integration front.

Track-record on the implementation of the Country Report findings has been traditionally low. Main reason behind such a low performance has been lack of political will. Days surrounding the publication of the report are dominated with a public discourse frenzy that lasts for a week, and is usually focused on few politically sensitive issues: dialogue with Serbia, corruption and freedom of media.

In this light, civil society needs to step up and hold power accountable. Institute will research avenues of establishing a structured, engaging and continuous public discourse on the importance of addressing the findings of the report. To this end we will publish a quarterly Country Report scorecard on the progress made in meeting the findings of the report.

Country Report is prepared through a well-structured and wide-inclusive process by the Commission. Input is taken by state institutions, international presence in Kosovo, international organisations and civil society. Facts are checked and double checked, through a jealously well-guarded drafting process.

Role of the civil society has been limited in the preparation of the Country Report. Commission regularly asks for the civil society input in the drafting process and organizes regular and ad hoc meetings.

At the institute, we consider that there needs to be a greater ownership by the civil society of the entire process. To that end we will seek to prepare a first Kosovo Civil Society Country Report. In this light, we will strive to coordinate input of the civil society to the Country Report. Whereas, independent Kosovo Civil Society Country Report would be published a week after the Country Report.

In light of the above, the institute will conduct its work along 2 flagship initiatives:

- Country Report scorecard;
- Civil Society Country Report.

¹ In 2017, Government adopted a separate Action Plan on Country Report findings.

Consensus for Europe



Citizens of Kosovo by and large are in favour of the European integration process. However, experience of the new member states has shown that this support is negatively correlated with the accession process. Diminishing support is credited to (1) unpopular reforms that characterize EU accession, and (2) lack of factual and user-friendly information about the accession process and EU.

In recent years even EU itself has seen a growing rise of nationalism and a growing detachment of the citizens with the EU. An important member state has decided to leave the EU, sparking a debate in other member states about following suite.

In Kosovo although there is an overall consensus about the EU integration process, there is a lack of political will and consensus to push forward reforms, as required by the EU integration process.

Despite the strategic goal of acceding the Union, key actors - ruling majority, opposition and civil society seem to lack consensus that certain issues go beyond political momentums and interests, and should be addressed apolitically in the interest of the country's European future. Thus, making everyone better off.

Building a consensus around key reforms is not easy. It must be approached in a sincere, transparent and inclusive manner. It is energy and time consuming process but there is no way around it. Reforms in front of Kosovo's EU accession process will get harder in the years to come and Kosovo will need to have everyone on board.

In this light, the institute will research avenues to establish a National Team for Europe. A body that will bring together opposition, heads of state institutions and civil society. Such a model has been implemented in a number of EU member states and acceding countries.

Though there were attempts of setting-up a consensus building mechanisms in Kosovo before, they were Government driven, without ownership by opposition parties and civil society, and were far too formal. Hence, such exercises proved unsuccessful from the inception.

There are three key pre-conditions to success: (1) There need to be a genuine political trust and will for building consensus, (2) Opposition must chair the meeting and civil society must be the secretariat and (3) Meetings should be informal and limited in size to allow sincere and open discussion. Though informal, an agreed conclusions must be kept.

National Team for Europe mandate will be to discuss most important issues of the EU integration process. It should meet at least twice a year. Ex-officio members will be heads of political parties, President, Speaker of the Assembly, Prime Minister, Minister of European Integration and civil society representatives. Additional participants can be invited if needed.

National Team can establish working groups to follow particular topics. Such a structure can evolve into monitoring Working Groups of the accession negotiations process.

In light of the above, the institute will conduct its work along 1 flagship initiative:

- Establishment of the National Team for Europe.

My Region



Under the regional cooperation, work of the institute will focus along 2 main pillars:

- Normalisation of relations between Kosovo and Serbia; and
- Berlin process.

Normalisation of relations between Kosovo and Serbia

Kosovo-Serbia dialogue started as a technical dialogue in 2011, mediated by the EU.

Since its inception, it dealt with technical matter covering a wide range of issues from border control to the mutual diploma recognition. The very aim of this format of dialogue has been to normalise relationships between Kosovo and Serbia. Ever since it started, the dialogue produced 11 agreements. Its most important agreement was concluded in 2013 on the framework for the normalisation of relationships between Kosovo and Serbia.

However, soon after the first agreements were struck everyone realized that a technical dialogue turned itself into a dialogue that touched upon highly political and constitutional issues. Hence, the dialogue came into a deadlock.

In this light, EU alleviated a technical dialogue into a political one at the levels of Presidents. In February 2018, European Commission published "*A Credible Perspective for Enhanced EU Engagement for Western Balkans*" in which it called Serbia and Kosovo to reach a legally-binding agreement for normalisation of relations.

To this end in April 2018, under the mediation of EU High Representative Mogherini, two Presidents proposed an idea of "land swap" between Kosovo and Serbia.

Since then, "land swap" idea has generated massive political and social backlash, both within Kosovo and Serbia, as well as internationally.

In Kosovo, concerns were raised on constitutionality of the proposal, whereas international scene was divided between US supporting the idea and Germany and UK being against.

In this light, the Institute recognizes the fundamental importance, for the EU integration process of both countries, of reaching a legally-binding agreement for normalisation of relations.

To this end, institute will research avenues of supporting the dialogue between Kosovo and Serbia. We believe that the dialogue should be pursued on the basis of principles of sovereignty and territorial integrity. A consensus must be found by both countries, through a transparent and inclusive approach. Constitutional principles need to be followed in order to reach a political consensus. Not vice versa.

We will organize events and conduct research in order to stimulate a healthy and empiric debate between all stakeholders on the basis of constitutional principles of Kosovo. To this end, we will seek opportunities of establishing a regional cooperation, in particular with civil society in Serbia. We believe that an open and transparent dialogue will contribute to a public acceptance of any final agreement.

Berlin process

In August 2014, Berlin hosted Conference on Western Balkans. Conference was held under the auspices of Chancellor Merkel with the single objective: *"To make additional real progress in the reform process, in resolving outstanding bilateral and internal issues, and in achieving reconciliation within and between the societies in the region, as well as to enhance regional economic cooperation and lay the foundations for sustainable growth"*². Eventually, series of the summits were named - Berlin Process.

Until today following summits took place: Berlin (2014), Vienna (2015), Paris (2016), Trieste (2017) and London (2018). Upcoming summit will take place in Poznan (2019).

Berlin process has established also a Western Balkans Civil Society Forum – a platform through which the Western Balkans civil society provides input in the Berlin Process, by elaboration of regionally relevant issues and policies, and by monitoring of progress in realisation of the process goals and initiatives. The yearly and interim meetings and workshops, and an on-line consultation interface, provide opportunities for vast consultative processes and for expert-guided formulation of policy recommendations to decision-makers in the region. Civil Society Forum has continuously been publishing policy briefs

To this end, institute will research avenues of strengthening further the cooperation between civil societies in Western Balkans with a single goal of supporting the Berlin process and European integration process overall. We will seek opportunities of putting in place a holistic consultations mechanism so that Kosovo civil society provides substantive input to the workings of the Berlin Process summits.

In light of the above, the institute will conduct research along 2 flagship initiatives:

- Support to normalization of relations and reconciliation;
- Support to the Berlin Process.

² Final Declaration by the Chair.

My IPA



Kosovo has been continuously one of the largest recipients of the EU assistance. It has received highest amount of EU assistance per capita in the world. EU remain largest donor in Kosovo. In the period 2014-2020 EU has allocated an indicative amount of €602.10 million³. Funds will finance projects in two main pillars (1) democracy and governance, and (2) competitiveness and growth.

Overarching objective of EU funds is to support the EU accession process of the country and enable funding for the costly reforms required by the EU. In this context, EU funds must be seen as a complementary financial tool of the Union that is blended with political and policy dialogue of the Union and acceding country.

Instrument for Pre-Accession (IPA) is the main instrument through which EU channels its assistance to Western Balkan countries. To this end, Government is responsible for a design of the multi-annual and annual financing envelopes, whereas European Commission does the contracting and monitoring of funds.

Role of the civil society has continuously been limited in voicing their opinions on the fashion the EU funds are used in Kosovo. The Commission and Government have made efforts to consult civil society, but these efforts have fallen short predominantly because of two reasons: (1) consultations were Commission and Government driven, hence civil society was never committed to the exercise; (2) consultations were done in *ad hoc* and formalistic manner, and usually at final stages of the programming process - thus not allowing civil society time for substantive contribution.

The institute will research options of designing a more appropriate consultation mechanism on IPA programming. Mechanism should be strategic, civil society driven, sustainable and inclusive. Civil society should not be involved in technical discussion of programming. Their voice should be heard on a strategic issues and problems that characterize different sectors. That is a real added value of civil society that the Commission and Government need to tap into, in order to design best possible programs.

In addition we will monitor and advocate for a best utilization of Kosovo participation in EU programs. EU programs are an exquisite opportunity for civil society, academia, students and business community to forge relationships and be part of a European society.

In light of the above, the institute will conduct research along 1 flagship initiative:

1. IPA consultation mechanism.

³ Revised Indicative Strategy Paper (2014-2020) for Kosovo, European Commission.





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