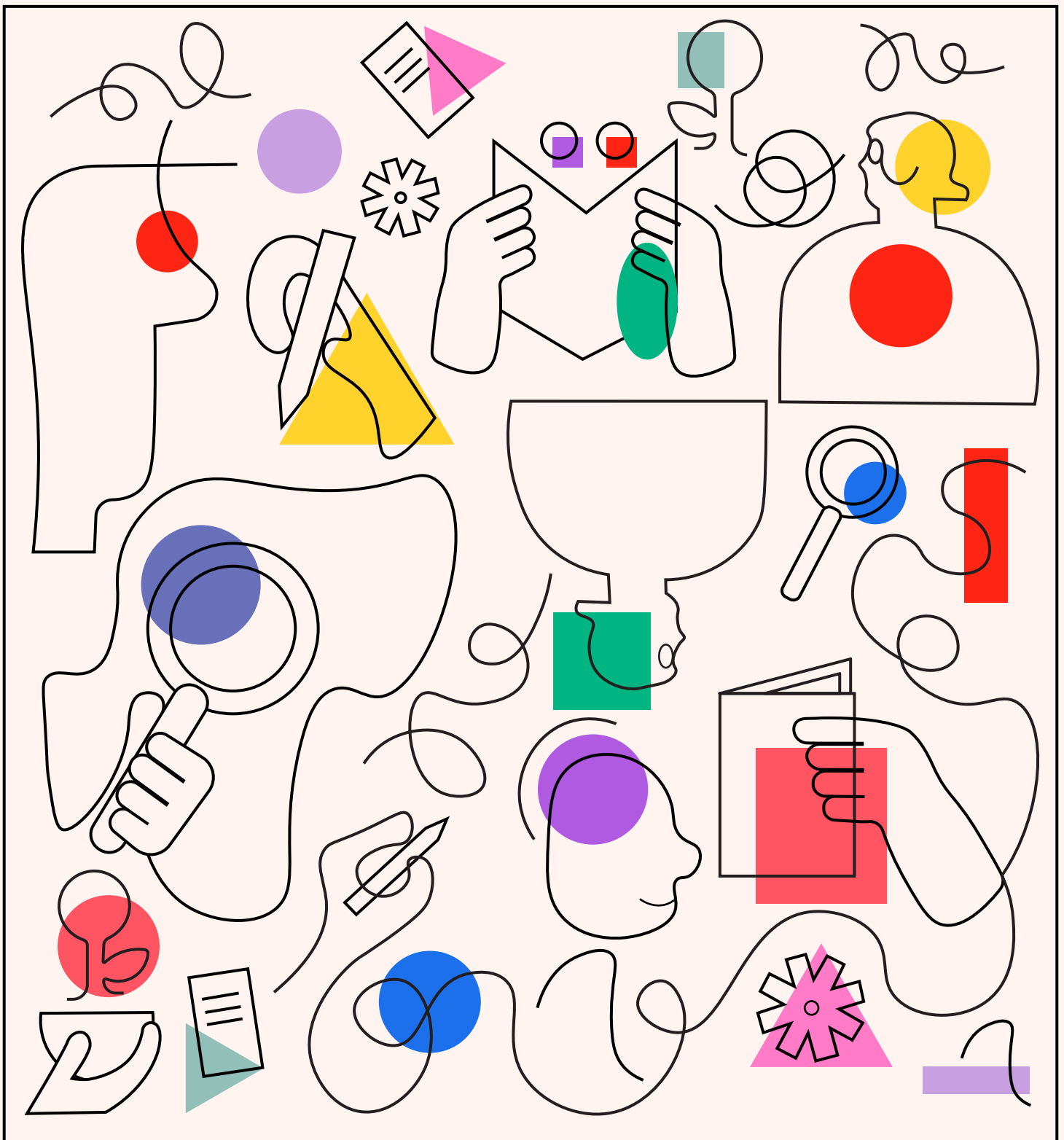


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Mapping and analyzing institutional mechanisms and civil society initiatives aimed at disrupting conflict potential

Ramadan Ilazi and Teuta Avdimetaj

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Executive summary

This paper examines the government and civil society institutions and practices that enable diffusion of ethnic-based tension in Kosovo, North Macedonia, and Serbia in order to disrupt the potential for conflict. This paper understands disruption of conflict potential as approaches that aim to foster community resilience against efforts by internal, or external actors, to utilize community vulnerabilities for triggering conflict. Even more than two decades after the 90s wars, the region of Western Balkans remains vulnerable to conflict and instability – largely due to failures to effectively deal the past, adopt transitional justice measures, and facilitate meaningful reconciliation between former warring parties, which arguably could bridge the existing ethnic divide. As such, the legacy of conflict looms large, putting at risk important gains that have been made throughout these years, particularly in laying out the conditions to support the region’s democratization process and its aspirations for integration into the European Union.

Grounded in peace-building research, this paper adopts the concept of the ‘everyday’ as an important tool in exploring the interaction between power-sharing arrangements and ordinary citizens, especially in looking at local reactions to the norms of multi-ethnicity.¹ Further, the concept of ‘everyday [peace]’ is an important guide in exploring the impact of formal legal provisions in the identity-building processes.² In this vein, the disruption of conflict potential is tightly linked to issues of identity and perceptions of the ‘other’ and the role of structures maintaining those.³ Thus, institutions and practices enabling diffusion of tensions play an important part in fostering the self-sufficiency of states to maintain peace over a longer period of time.

This paper shows that civil society and institutional initiatives aimed at disrupting the potential for conflict function at varying degrees in the three countries of Western Balkans. Kosovo has the most extensive institutional framework in place to safeguard the rights of non-majority communities, and important strides have been made in advocating for their implementation. However, their efficacy is challenged by poor co-operation between the mechanisms, lack of adequate budget allocation and perception that the mechanisms often overlook the interests of smaller non-majority communities. Although ethnic tensions persist in Kosovo, major incidents have been averted and civil society initiatives operating in divided communities have played a critical role in breaking the social and political barriers necessary to promote mutual understanding.

In North Macedonia, the Ohrid Framework Agreement (OFA)⁴ has paved the way for power-sharing institutional arrangements to disrupt potential ethnic-conflict and sustain peace, while also

¹Emilie Fort, “From Power-Sharing Arrangements to Identity Building: The Case of Kosovo Serbs in Kosovo”, Department of Political Science, Université Laval, Canada retrieved from: <https://www.tandfonline.com/doi/abs/10.1080/17449057.2018.1511159?forwardService=showFullText&tokenAccess=zcR5kq9ibXmf9zXGMzfW&tokenDomain=eprints&doi=10.1080%2F17449057.2018.1511159&doi=10.1080%2F17449057.2018.1511159&journalCode=reno20>

² Ibid.

³ Roger Mac Ginty, “Conflict Disruption: Reassessing the Peace and conflict System” retrieved through: <https://www.tandfonline.com/doi/pdf/10.1080/17502977.2021.1889167?needAccess=true>.

⁴ See the document of the Ohrid Framework Agreement (OFA), retrieved from OSCE <https://www.osce.org/files/f/documents/2/8/100622.pdf>.

enhancing the agency of non-majority communities. Yet, the quality of relations between ethnic Macedonians and ethnic Albanians, as the larger non-majority community, continues to be challenged by limited space for inter-ethnic interaction, even more so by the presence of political narratives that tend to alienate the latter. In this regard, civil society initiatives seek to fill the gap between the two communities, primarily by addressing segregation in public spaces and tackling prejudices, including through education. In Serbia, existing institutional mechanisms aimed at disrupting conflict and protecting non-majority communities have failed to produce meaningful results, as rights violations and discriminatory practices persist, especially towards the ethnic Albanians in Serbia. The role of civil society in highlighting these deficiencies remains salient, with their efforts to facilitate mutual understanding through greater inter-ethnic interaction playing a significant role in easing tensions and disrupting the potential for conflict to escalate at a menacing scale.

Institutional approaches and mechanisms

This section examines the institutional framework in Kosovo, Serbia and North Macedonia established for the purpose of promoting and protecting the rights of minority communities and facilitating their participation and influence in the national decision-making processes. The role of institutions, individuals and communities is considered salient in transforming the prospects for maintaining peace. The interaction between these various entities presents a continuous cycle of learning, requiring individuals and groups to consider their own identity and stance and how it might contribute to peace and conflict.⁵

Kosovo

This section finds that Kosovo has the most extensive institutional framework to ensure the protection of minority rights, however these institutions have also inadvertently undermined the agency of citizens of non-majority communities due to the lack of demonstrated political will, adequate allocation of resources, and disregard of intra-community marginalization. Additional concerns include a lack of clear reporting and oversight, poor co-operation between the mechanisms, the lack of prioritization of the mechanisms' work by other municipal actors, poor representation of women, and the perception that the mechanisms often overlook the interests of smaller non-majority communities.⁶

Kosovo has established an advanced local institutional and policy framework to disrupt potential ethnic tensions and conflict by creating platforms for participation of citizens from non-majority communities in the decision-making process of municipal institutions. However, while these mechanisms are vested with significant authority on paper, in practice, they often lack resources and necessary political support to exercise their mandate. In some cases, these mechanisms have even become means through which the political agency of citizens

⁵Roger Mac Ginty, "Conflict Disruption: Reassessing the Peace and conflict System."

⁶OSCE, "An assessment of local-level mechanisms for the protection and promotion of communities' rights and interests in Kosovo" retrieved through <https://www.osce.org/files/f/documents/a/4/120343.pdf>.

from non-majority communities is undermined or conditioned. Kosovo has the most advanced legal framework for local governance in the Western Balkans tackling equal representation of majority and non-majority groups, with least 12 Laws regulating community protection at the central and local levels.⁷ For instance, the country's Law No. 03/L-040 on Local Self Government provides extended autonomy to municipalities, including provisions for direct democracy in Chapter X.⁸ In this context, there are four important institutional mechanisms at the local level that are largely designed to track and disrupt potential challenges to security and safety, as well as promote and protect the rights of non-majority communities in Kosovo: 1) The Municipal Communities Committee (MCC); 2) The Municipal Offices for Communities and Return (MOCR), 3) the Municipal Community Safety Councils (MCSC) and 4) the Local Public Safety Committees (LPSCs). In addition to the above, in Kosovo, the municipalities of Hani i Elezit and Kaçanik, which can largely be considered as mono-ethnic, have established community protection mechanisms, although they are not legally required to do so.⁹

A key contribution of the Municipal Communities Committee (MCC)'s lies in their potential to influence the municipal budget-making process and to ensure that appropriate resources are also distributed in areas inhabited by citizens from non-majority communities. However, in practice this does not happen since the MCCs are not sufficiently active or effective. The MCC's are designed to provide a platform for the representation of non-majority communities in all 38 municipalities of the country, and as such enable dialogue in the framework of the highest decision-making authority at the municipal level. Considering that the Municipal Assembly is the highest decision-making authority for Kosovo's municipalities, the MCCs are an obligatory mechanism for all municipalities in Kosovo, in order to ensure that *“rights and interests of the Communities are fully respected and shall recommend to the Municipal Assembly measures it considers appropriate to ensure the implementation of provisions related to the need of communities to promote, express, preserve and develop their ethnic, cultural, religious and linguistic identities, as well as to ensure adequate protection of the rights of communities within the municipality”*¹⁰. According to the Law (No. 03/L-040) members of the Communities Committee include the members of the Municipal Assembly and community representatives, but with the condition that the representatives of communities comprise the majority of the Committee. Communities in this context refer to citizens of the minority groups in the respective municipality, and each group should have at least one member in the Committee. The data suggests that the MCCs meet regularly, however only in five cases these committees' provided guidance to municipal bodies on the protection/promotion of community rights.¹¹ Further, some communities remain under-represented in the MCCs such as Kosovo Turks, Kosovo Bosniaks and Kosovo

⁷ Binaku and Mehmeti, “Comparative Analysis of Local Community Protection Mechanisms in Kosovo and North Macedonia”, SEEU Review Volume 16 Issue 1, p.101, retrieved through: https://www.researchgate.net/publication/352364385_Comparative_Analysis_of_Local_Community_Protection_Mechanisms_in_Kosovo_and_North_Macedonia.

⁸ Law No. 03/L-040, retrieved from the Official Gazette of Kosovo, <https://mapl.rks-gov.net/wp-content/uploads/2017/10/Law-On-Local-Self-Government.pdf>.

⁹ Binaku and Mehmeti, “Comparative Analysis Of Local Community Protection Mechanisms In Kosovo And North Macedonia”, retrieved through <https://sciendo.com/pdf/10.2478/seeur-2021-0001>.

¹⁰ Article 53 of the Law No. 03/L-040 on Local Self Government.

¹¹ See OSCE Kosovo report on Communities Committees 2019, retrieved from: <https://www.osce.org/files/f/documents/5/4/466341.pdf>.

Gorani.¹² However, on the 28 municipalities where census data is available and where non-majority communities reside, out of these municipalities, 17 have CCs comprising members of all communities living in the municipality.¹³ Overall, the data suggests that this mechanism struggles to implement its mandate in accordance with the administrative instruction No. 03/2014 on the procedure of establishment composition and competences of standing committees in municipality¹⁴, including “*consulting and/or coordinating with the municipal office for communities and return on the selection of projects to benefit communities, monitoring and reporting to the municipal assembly on the implementation of communities’ project and making recommendations on the budget.*”¹⁵ Discussions with civil society representatives indicate that the MCCs do not fully comprehend their roles and responsibilities, and they are not treated as a relevant structure by the political leadership of the municipality, and are as such often undermined, or consulted in as a matter of formality¹⁶.

The Municipal Offices for Communities and Return (MOCR) are the most relevant address for everyday problems for citizens of non-majority communities, but they have – in the words of human rights activists – become an ‘office for everything’, reducing the ability for citizens of non-majority communities to appeal to other municipal authorities. Further, the lack of a more detailed legal framework governing their functioning and better regulating their relationship with other municipal institutions remains a key obstacle.¹⁷ Consequently, the mandate and terms of reference for the MOCRs no longer fully correspond to the needs of the citizens of non-majority communities, especially the youth, who see opportunities for emancipation primarily through education.¹⁸ In 2010, the Government of Kosovo approved Regulation No. 02/2010 for the Return MOCR with the goal “to ensure that municipalities establish, within the scope of their competencies and based on the needs of non-majority communities living in their territory and/or traditionally or habitually resident in their territory, adequate administrative structure”.¹⁹ The mandate of the MOCRs is to “*protect and promote the rights of communities, the equal access of all communities to public services and the creation of conditions for sustainable return of refugees, displaced persons and repatriated persons.*”²⁰ Yet, most of the guidance for the work of these mechanisms derives from as non-binding policy documents such as Terms of Reference or Guideline.²¹ The MOCRs have been established in all 38 municipalities of Kosovo, albeit in some cases in a different set-up²², and based on an OSCE assessment, Kosovar Serbs have the highest

¹² OSCE report on Communities Committees 2020, retrieved from: <https://www.osce.org/files/f/documents/5/4/499660.pdf>

¹³ OSCE, “Fifth Community Rights Assessment Report”, retrieved from: <https://rm.coe.int/5th-sr-kosovo-en/1680a3dc46> p.20.

¹⁴ Administrative instruction (MLGA) No. 03/2014, retrieved from Ministry of Local Government Administration: <https://mapl.rks-gov.net/wp-content/uploads/2018/04/039-1078-2014-1.pdf>

¹⁵ OSCE Kosovo report on Communities Committees 2019, p. 2.

¹⁶ Focus-group discussion, February 21, 2022

¹⁷ “Community Rights Assessment Report 5th Edition”, 2021, OSCE Kosovo, retrieved from <https://www.osce.org/files/f/documents/6/f/493675.pdf>.

¹⁸ Focus-group discussion, February 21, 2022

¹⁹ Regulation No. 02/2010, retrieved from the Official Gazette of Kosovo <https://gzk.rks-gov.net/ActDetail.aspx?ActID=10522>

²⁰ Regulation No. 02/2010, Article 1.

²¹ OSCE, “Fifth Community Rights Assessment Report”, 2021.

²² In Leposavić/Leposaviq, Mitrovica/Mitrovicë North, and Zubin Potok similar offices serving similar functions exist” <https://www.osce.org/files/f/documents/e/c/499690.pdf>

number of officers in the MOCRs followed by Kosovo Albanians, and Kosovo Bosnians.²³ In terms of percentages, Kosovo Serbs constitute 37 percent of the MOCR personnel, Kosovo Albanians 30 percent, 15 percent (Ashkali, Roma and Egyptian) This representation of members of non-majority communities in the MOCRs is disproportionately detrimental to members of the Roma, Egyptian and Ashkali communities in Kosovo, which represent 2% of the country's population, according to the 2011 census.²⁴ In addition to this, the OSCE report notes that in 2019, their actual power and resources often do not match the name and the terms of references assigned by the Regulation No. 02/2010. However, it should be noted that the MOCR, alongside mayors and deputy mayors for communities, engaged in confidence-building initiatives and facilitated mediation between receiving communities and potential returnees in at least two municipalities.²⁵

The MCSCs coupled with the Community Policing approach of the Kosovo Police are meant to be essential practices of disruption of potential ethnic tensions and conflict in Kosovo. In practice, the MCSCs largely comprise of round-table discussions between different institutions in the municipality, lacking capacities and/or willingness to deal with the community concerns for safety, and often failing to follow-up on their own findings or conclusions²⁶. Based on their mandate, the MCSCs are well positioned to focus on everyday challenges of the community that would be considered mundane or neglected from conventional approaches to security. As such, MCSCs can be central to the institutional approaches of conflict disruption. Yet, the functionality of MCSCs is marred by a variety of challenges that relate to lack of inclusiveness, resources, and capacities. The MCSCs present a platform for understanding and coordinating inter-institutional responses to security concerns of the community. They are established in 34 municipalities²⁷ in order to institutionalize co-operation between municipal institutions, communities and the police.²⁸ Specifically, the MCSCs are created based on a joint Administrative Instruction by Ministry of Internal Affairs and the Ministry for Local Government Administration, are chaired by the Mayor of the Municipality and have an inclusive membership that consists of municipal Police structures, civil society organization, and all ethnic and religious communities in the municipality²⁹. For MCSCs, community safety means, but is not limited to, a concept that observes “the changes of social and physical appearance in accordance to the priorities of the communities, in local environments as a way of preventing crime and other disorders”.³⁰ Yet, it is not clear how influential in the MCSCs are members from non-government organizations, religious and non-majority communities, as well as how inclusive MCSCs truly are. According to an OSCE report, women constitute only 17% of MCSCs membership.³¹ For instance, a brochure

²³ Municipal Offices for Communities and Return (MOCRs) 2019, OSCE Kosovo, retrieved from <https://www.osce.org/files/f/documents/5/8/466323.pdf>.

²⁴“Estimation of Kosovo population 2011”, Kosovo Agency of Statistics, <https://ask.rks-gov.net/media/2129/estimation-of-kosovo-population-2011.pdf>.

²⁵ OSCE, “Community Rights Assessment Report 5th Edition: retrieved from: <https://www.osce.org/files/f/documents/6/f/493675.pdf> p.13.

²⁶ Focus-group discussion, February 21, 2022

²⁷OSCE report on Municipal Community Safety Councils retrieved from: <https://www.osce.org/files/f/documents/9/f/509843.pdf>.

²⁸“Estimation of Kosovo population 2011”, Kosovo Agency of Statistics, p.23. <https://ask.rks-gov.net/media/2129/estimation-of-kosovo-population-2011.pdf>.

²⁹ See Administrative Instruction No. 27/2012 MIA– 03/2012 MLGA for Municipal Community Safety Councils, retrieved from Official Gazette of Kosovo, <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=8203>.

³⁰ Administrative Instruction No. 27/2012 MIA– 03/2012 MLGA, p. 3.

³¹ Municipal Community Safety Councils, retrieved from OSCE Kosovo, <https://www.osce.org/files/f/documents/9/f/509843.pdf>

of the Kosovo Police about the community policing in the north of Kosovo, which is challenged by instability and periodic ethnic-tensions, defines community policing as “*a philosophy and an organizational strategy that is based on the joint efforts of residents and the police in identifying and solving community problems.*”³² Furthermore, the KP recognizes the central role of the community in defining the security needs through community consultation, which are based on the premise that “*an introverted police organization which unilaterally decides what the public needs will not be successful*”, rather, “*consulting, engaging and mobilizing the community in the identification of community problems*” as well as “*in setting priorities for actions and implementing these actions are also essential aspects of another distinct strategic feature of community policing, the pro-active problem-solving approach.*”³³

Kosovo has also established the Local Public Safety Committees (LPSCs), which provide another layer of going local to monitor and disrupt potential challenges to the safety of the community. The LPSCs are seen as more consultative in nature, although in practice, with respect to their power, they are similar with MCSCs. The difference between MCSCs and LPSCs is that the later also invites to meetings students and youth activists, and has a more geographic focus. LPSCs exist in a number of smaller areas within municipalities, such as remote and multi-ethnic villages, the activity of which is in the interest of effective policing and good relations with all communities.³⁴ LPCS members are seen by the security structures as whistleblowers to potential security concerns that often are not properly appreciated by other security structures, such as police. For instance, how at an ethnically diverse school, lack of translation into all languages of official notifications by the school administration, can result with children and parents seeing such practices as deliberate acts of discrimination, when perhaps the situation is not intentional but due to lack of appropriate human resources to translate the documents.³⁵ In this sense, the LPCS can also serve as important early warning mechanism for the public institutions and help mobilize community. Ministry of Local Government Administration in Kosovo has prepared a manual for MCSCs in the hopes of empowering these mechanisms.³⁶ The manual states that “*MCSC must provide appropriate methods and tools for establishing regular contacts with citizens. Citizens should be informed of the existence of MCSC and have certain address to present their concerns*”,³⁷ however, local civil society activists and in general citizens, seem to view this as another layer of bureaucratization of the relations between citizens and municipality structures, and as such as a mechanism of undermining their agency, since the MCSCs do not have any particular power that would compel the citizen to reach them instead of directly security structures in charge in the municipality to take action.³⁸

³² Informative brochure on community policing in northern Kosovo, retrieved from OSCE Kosovo: <https://www.osce.org/files/f/documents/6/1/131456.pdf> p.

³³ Informative brochure on community policing in northern Kosovo, p. 7

³⁴ Community Rights Assessment Report 5th Edition”, 2021, OSCE Kosovo, retrieved from <https://www.osce.org/files/f/documents/6/f/493675.pdf>.

³⁵ Focus group discussion, February 13, 2022

³⁶ Manual on Municipal Community Safety Councils, 2014, retrieved from: https://mapl.rks-gov.net/wp-content/uploads/2017/10/Udhezuesi-per-KKSB_14-janar-2015-gj-angleze-1.pdf

³⁷ Ibid., p. 15

³⁸ Interview, civil society activists, Prishtina, February 16, 2022.

North Macedonia

In 2001, a seven-month long conflict between the Macedonian security forces and the ethnic-Albanians, was a turning point for ethnic relations in the country.³⁹ The conflict ended in August of 2001 with the signing of the Ohrid Framework Agreement (OFA)⁴⁰ which led to constitutional changes in Macedonia in order to improve the protection of rights of the Albanian community in the country, through significant changes in the legal, institutional, and policy framework. Some of the issues covered by OFA included equal rights in education, culture protection, language, employment in public administration, etc. The OFA establishes a threshold of 20 percent of the population of the country for a community to be eligible to certain rights, such as for their language to become an official language. A decentralization process was implemented to establish new municipalities based on a power-sharing formula, granting more governing autonomy to non-majority communities - especially to the Albanian community. As a result, the country went from 32 municipalities in 2001 to 123 municipalities in 2004, a number that in 2013 got reduced to 80 municipalities.⁴¹ In addition to the local decentralization process, the OFA imposed constitutional changes at the central level of government as well to improve power-sharing with non-majority communities. This section finds that institutional arrangements of power-sharing in order to disrupt potential ethnic-conflict and maintain peace in Macedonia have managed to foster the agency of non-majority communities. However, due to attempts to use this model for political purposes, the OFA is considered to have also contributed to the creation of a binational state, where Macedonians and Albanians live in a segregated society and “rights enjoyed by communities are strictly contingent upon their percentage in the total population.”⁴² In North Macedonia, ethnic segregation remains most obvious in the public administration and in the education system⁴³.

In the Assembly of North Macedonia, the Committee for Inter-Community Relations (CICR)⁴⁴, is designed to empower participation of non-majority communities in the law-making process, however, in practice CICR has failed to achieve its full potential. The authority of the CICR derives from the Constitution of North Macedonia, and equally important, it is a product of OFA to transform the nation-decision making process in the country as more inclusive towards the non-majority communities, respectively the Albanian community. The Committee consists of seven members of parliament (MPs), and each community has a seat in the CICR: Albanian, Macedonian community each have a seat, as well as one MP from the Turkish, Vlach, Roma, Serbian and Bosnian ethnic communities. Importantly, the CICR is established by a special Law of the Assembly of Macedonia,⁴⁵ compared to Kosovo for instance, where

³⁹ Sinisa Jakov Marusic, 20 Years On, Armed Conflict’s Legacy Endures in North Macedonia, January 22, 2021, Balkan Insight, retrieved from: <https://balkaninsight.com/2021/01/22/20-years-on-armed-conflicts-legacy-endures-in-north-macedonia/>

⁴⁰ See the document of the Ohrid Framework Agreement (OFA), retrieved from OSCE <https://www.osce.org/files/f/documents/2/8/100622.pdf>

⁴¹ Mileva Gjurovska, North Macedonia, The Swedish International Centre for Local Democracy (ICLD), May 31, 2019, retrieved from: <https://icld.se/wp-content/uploads/2020/02/North-Macedonia-.pdf>

⁴² Ilazi and Orana, “Online and Offline (De)radicalisation in the Balkans and MENA Region Synthesis Report, retrieved from: https://qkss.org/images/uploads/files/PAVE_D5.3_publication_layout_.pdf p.8

⁴³ Ibid.

⁴⁴ Read more about CICR <https://www.sobranie.mk/inter-community-relations-committee.nsp.x>.

⁴⁵ Law on the Committee on Relations among the Communities, Official Gazette of the Republic of Macedonia No 150 from 12 December 2007, retrieved from:

committee on rights and interests of communities, while it is established by the Constitution of the country (Article 78), its competencies, and duties are further elaborated by the regulation of the Assembly, rather than a law. The main role of the CICR is to consider issues relating to the inter-community relations and formulating proposals for solutions to potential challenges. In practice, CICR is often undermined by politics of optics, as members often fail to overcome the ethnic lens of issues of public interest for their communities⁴⁶. Based on publicly available data, the CICR does not appear to hold regular consultations at the community level or hearings on major issues concerning on-majority communities. The Ministry of Political System and Inter-Community Relations of North Macedonia provides reports and recommendations to the CICR, but it is unclear regarding specific cases when the CICR and the Ministry cooperated well together in moving forward a particular issue.

Diversifying membership and making the Security Council of the of North Macedonia more representative has been a crucial success of OFA, and democratic transformation of the country, which has ultimately resulted with a deeper Euro-Atlantic integration. However, in the context of everyday inter-ethnic relations, this has failed to inspire greater confidence in the security establishment of the country on the part of the non-majority communities. The Security Council of the Republic of Macedonia is a central institution of coordination of the national decision-making process on security matters and it is headed by the President of the country.⁴⁷ One of the constitutional amendments introduced through the Ohrid Framework Agreement (OFA) includes article 86, which obliges the President to appoint three additional members to the Security Council in order to ensure that the composition of the Council reflects the ethnic diversity of Macedonia. In 2021, three of the eight members of the Security Council were ethnic-Albanians. Public opinion polls for North Macedonia suggest that citizens largely perceive the stability situation as unchanged.⁴⁸ The model of consociational democracy for North Macedonia, established through the Ohrid Framework Agreement, has resulted in a large degree of stability, however it was not until the democratic transformation of the country 16 years later that the power-sharing formulas led to meaningful political integration of the ethnic-Albanians. In 2017, following parliamentary elections, for the first time an ethnic-Albanian was elected as speaker of the Macedonian Assembly.⁴⁹ The move was fiercely and violently opposed by the nationalist party VMRO-DPMNE as “[s]cores of demonstrators stormed North Macedonia’s parliament on April 27 and attacked several lawmakers after an ethnic Albanian deputy was elected speaker”⁵⁰. The North Macedonian case shows how democratic emancipation is essential for power-sharing formulas to affect the political integration of non-majority communities. However, this is not sufficient for the power-sharing formulas to serve their full potential as conflict

<https://www.sobranie.mk/WBStorage/Files/Law%20on%20the%20Committee%20on%20Relations%20among%20the%20Communities.doc>

⁴⁶ Focus-group discussion, February 21, 2022

⁴⁷ Read more at: <https://pretsedatel.mk/en/security-council/#:~:text=The%20Security%20Council%20is%20the,the%20Assembly%20and%20the%20Government.>

⁴⁸ See Public Opinion Poll: Residents of North Macedonia, IRI, March 7, 2022, retrieved from:

<https://www.iri.org/resources/public-opinion-poll-residents-of-north-macedonia/>

⁴⁹ Macedonian Parliament's New Ethnic Albanian Speaker Enters Office, retrieved from: <https://www.rferl.org/a/macedonia-parliament-speaker-xhaferi-enters-office/28466113.html>.

⁵⁰ Alan Crosby, Explainer: Macedonia At A Crossroads, April 28, 2017, retrieved from Radio Free Europe: <https://www.rferl.org/a/macedonia-at-a-crossroad-explainer-violence/28457721.html>.

disruptors at the community level, in the context of the everyday. Democratic transformation process needs to lead to changes in perceptions and attitudes of the citizens in order for power-sharing formulas at the community level to become effective addresses for citizens to resolve their differences.

North Macedonia has established a Committee for Inter-Community Relations (MCICR), an institutional mechanisms at the municipal level to facilitate inter-community relations. However, the narrative around enhancing rights and protections of minority communities in North Macedonia is often manipulated by nationalist elements that seek to garner political support by instilling a false sense of fear among the majority community. Based on the Macedonian legislation, in municipalities where more than 20% of the population are citizens of a non-majority community, a Committee for Inter-Community Relations is established (MCICR). However, in practice, these Committees lack resources and actual power to influence decision-making processes. Additionally, these Committees, similarly as in the case of Kosovo, they are established to fulfill a mere legal obligation. The North Macedonian Law on Local Self-Government makes it obligatory for a municipality with more than 20% of its population belonging to a non-majority community to establish a Committee for Inter-Community Relations (MCICR), with the responsibility to “review issues that refer to the relations among the communities represented in the municipality” and “give opinions and proposals on the ways for their resolving”⁵¹. The municipal council has to review the proposals coming from MCICR. The role of the MCICR, as reflected by researchers from North Macedonia, is more than that, and it is also about prevention and disruption of conflict: “*The role and responsibilities of the CICRs go beyond formal submission of recommendations to the municipal councils. In fact, overcoming potential ethnic problems involves promoting tolerance and good inter-ethnic relations.*”⁵² However, the research shows that in practice MCICRs have struggled to function effectively, lacking sufficient resources and capacities to implement their mandate.⁵³ The Committees are rarely utilized by citizens or the municipal structures for what they are designed. In addition, citizens are often uninformed of the existence of these institutions, and how they can approach them⁵⁴ Another important factor for the community level power-sharing and conflict disruption mechanisms to work, it requires a certain degree of readiness of the society to accept such mechanisms as good for the community. The existing research suggests that the power-sharing formulas established through the Ohrid Framework Agreement (OFA), in order to facilitate the integration of non-majority communities and disrupt the potential for ethnic conflict, are often feared by the citizens from the majority community. For instance, Marija Aleksovska holds that: “*The signing of the Agreement triggered strong negative feelings among the ethnic Macedonian population of the country. The politicians from the Macedonian block, through their opposition to the agreement manipulated the public opinion of ethnic Macedonians, creating fear that the terms of the agreement would threaten the national identity.*”⁵⁵ In this sense, mechanisms for disruption of conflict, can become powerful tools in the hands of the nationalist politicians to advance their agenda and exacerbate lack of trust and cooperation between communities. Accordingly, the

⁵¹ See Article 55 of the Law on Local Self-Government, retrieved from: https://mls.gov.mk/images/laws/EN/Law_LSG.pdf.

⁵² Enhancing the capacities of the Commission for Inter-Community Relations in the municipality of Saraj, Skopje, 2015, retrieved from: http://zipinstitute.mk/wp-content/uploads/2012/09/CICR-Publication_ENG_Version_ZIP.pdf, p. 10

⁵³ Ibid., Enhancing the capacities of the Commission...

⁵⁴ For more information see: http://zipinstitute.mk/wp-content/uploads/2012/09/CICR-Publication_ENG_Version_ZIP.pdf.

⁵⁵ Marija Aleksovska. (2015, March). Trust in Changing Institutions: The Ohrid Framework Agreement and Institutional Trust in Macedonia. *East European Quarterly*. Vol. 43, No. 1, pp. 55-84, p. 63.

affirmative discourse from the political leadership is essential to promote community mechanisms for inter-community relations.

Serbia

Serbia, which is considered as a frontrunner in the European accession process, continues to struggle to ensure adequate legal and institutional framework for the participation of non-majority communities in the decision-making processes. On May 20th of 2001, the Demilitarization Statement was signed, also known as the Konculj Agreement, ending a 17-month long conflict between Serbian security forces and the Liberation Army of Presevo, Medvedja and Bujanovac (UÇPMB).⁵⁶ The agreement includes important and powerful statements, such as “*Maintaining that the ethnic Albanian residents of Presevo, Medveda and Bujanovac municipalities have endured years of discrimination and persecution from previous Governments of Serbia and the FRY, [...] removal from government institutions and marginalization from daily civilian life in the municipalities of Presevo, Medveda and Bujanovac, and the denial of our basic human rights including cultural, national, social, political and economic rights*”⁵⁷. The Konculj Agreement, was followed up by a plan developed by Nebojsa Covic, Deputy Prime Minister of Serbia, which included a major commitment from the Agreement, the establishment of a multi-ethnic police force for the Presheva Valley, as well as “*the integration of Albanians into the political, government and social system*”⁵⁸. However, over two decades since the Konculj Agreement was reached, the struggles for the ethnic Albanians in Serbia with the government and their policies persist, who “*say they continue to face rights violations and neglect by the Serbian state.*”⁵⁹

In Serbia, National Minority Councils (NMCs) are the main institutional mechanism designed to disrupt conflict by providing a platform for consultation and participation of minority communities in the decision-making process of the government. However, the NMCs have failed to produce meaningful changes to public policies related to minorities in Serbia. For Albanians living in Presheva valley, the government of Serbia has continued with discriminatory practices, most recently by passivization of Presevo Albanian home addresses, which the Helsinki Committee for Human Rights in Serbia referred to as ethnic cleansing⁶⁰. The NMCs were established in 2009 with the adoption of a new Law on National Minority Councils, which defines its mandate and competences. The NMCs are considered important institutional mechanism for the protection minority community rights in the area of education, culture and language. According to the Serbian government, 20 national minorities have formed National Councils in Serbia, and the government provides some finances for the

⁵⁶ Demilitarization Statement (Konculj Agreement), retrieved from:

<https://www.peaceagreements.org/viewmasterdocument/1430>

⁵⁷ Konculj Agreement, p. 1.

⁵⁸ Beata Huszka. (2007, January). The Presevo Valley of Southern Serbia alongside Kosovo The Case for Decentralisation and Minority Protection. CEPS, retrieved from: <http://aei.pitt.edu/11714/1/1428.pdf>.

⁵⁹ Xhorxhina Bami, Kosovo Moves to Address Concerns of Serbia’s Presevo Valley Albanians, January 10, 2022, Balkan Insight, retrieved from: <https://balkaninsight.com/2022/01/10/kosovo-moves-to-address-concerns-of-serbias-presevo-valley-albanians/>.

⁶⁰ Helsinki Committee compares passivization of Presevo Albanian home addresses to ethnic cleansing, available at: <https://euronews.al/en/balkans/2021/07/15/helsinki-committee-compares-passivization-of-presevo-albanian-home-addresses-to-ethnic-cleansing/>.

NMCs, albeit modest. For instance, in 2018, a total of €185,237 were allocated for NMCs⁶¹. National Minority Councils usually consist of up to 35 elected members, and in practice their role is largely to manage cultural and educational institutions⁶². Some scholars hold that the NMCs, have resulted with the development of an institutional framework and administrative capacities for minorities to integrate in the society⁶³. However, as a Council of Europe report shows, the level of representation of national minorities in the administration cannot be comprehensively assessed due to a lack of data. ⁶⁴Moreover, national minorities continue to report their under-representation, including in "*the State administration's local branches established in areas traditionally inhabited by persons belonging to national minorities or where they live in substantial numbers*"⁶⁵ This issue is particularly relevant in areas traditionally inhabited by Albanian and Bosniak minorities, while the Roma community is almost absent from the State or local administration.⁶⁶

Civil society approaches

Civil society organizations in the Western Balkans have been pioneers of breaking the social and political barriers in order to bring divided communities closer together and foster mutual understanding, especially in Kosovo and Serbia. Organizations such as the Humanitarian Law Center (HLC Serbia and Kosovo) and Youth Initiative for Human Rights (YIHR) have led the efforts of promoting people-to-people exchange between Kosovo and Serbia, in order to foster dialogue and understanding. This section examines some of the civil society led initiatives or projects that aim to manage and reduce tensions and facilitate inter-community relations in Kosovo, Serbia and North Macedonia. Civil society organizations in Kosovo are largely viewed as positive actors in the society. For instance, the UNDP's Public Pulse shows that 56.6 percent of citizens believe civil society organizations are truthful monitors of the executive⁶⁷. Promoting the dialogue between Kosovo and Serbia is one of the key priority areas of work of civil society organizations, which has been also largely shaped by the donor community.

Civil society organizations in Kosovo represent the main alternative platform to the EU and government-led discourses on the efforts for normalization of the relations between Kosovo and Serbia. The work of the civil society organizations in Kosovo has been essential for diffusing tensions in the community and maintaining open channels of communication between the two societies, even when the relations between the two countries at the political level were deemed highly problematic. In this context, the Kosovo Collective platform, implemented by the New Social Initiative (NSI), an NGO that operates from the North Mitrovica

⁶¹ Read more at: <http://mduls.gov.rs/en/human-and-minority-rights/national-councils-of-national-minorities/>

⁶² Sumit Bisaraya, Protecting Ethnic Minorities within Minorities, March, 2020, available at:

<https://www.idea.int/sites/default/files/publications/protecting-ethnic-minorities-within-minorities.pdf> .

⁶³ Tamás Korhec, National Minority Councils In Serbia, DOI:10.1093/Acprof:Oso/9780198738459.003.0005

⁶⁴ Advisory committee on the framework convention for the protection of national minorities fourth opinion on Serbia adopted on 26 June 2019 retrieved through <https://rm.coe.int/0900001680997d40>
<https://Rm.Coe.Int/4th-Op-Serbia-en/16809943b6>.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ UNDP Kosovo, Public Pulse Brief XX Jul 28, 2021, available at:

https://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/public-pulse-xx.html p. 14.

in Kosovo, is one of the civil society practices that has helped diffuse ethnic-tensions, foster understanding and dialogue in Kosovo, albeit mainly among members of civil society. Kosovo Collective tackles key issues that become mainstream and divide communities, such as the case of 2018 when Switzerland's Granit Xhaka and Xherdan Shaqiri celebrated their goals during a 2-1 World Cup win against Serbia by displaying the symbol of double headed-eagle, considered a national symbol of the Albanians⁶⁸. This development heightened ethnic tensions in Kosovo, and as explained by an analyst, even those members of civil society considered as liberals were happy Switzerland won against Serbia, and it was difficult to understand why was this the case, and this motivated a group of civil society leaders to start a conversation to tackle these sensitive topics, in the hopes of fostering a better understanding⁶⁹. The Kosovo Collective got started based on the idea to help Kosovo Albanians and Kosovo Serbs better understand each other's perspectives, and why they think in certain way about particular issues⁷⁰.

The meetings of the Kosovo Collective usually take place in late afternoon, over a glass of wine, and the Chatham House discussions are moderated. What is striking is that these discussions are not facilitated by the presence of a member from the international community, they are, in the full sense, locally owned events, with Kosovo Albanians and Kosovo Serbs discussing current affairs, in often heated exchanges. Between 2020 and 2021, in the framework of the Kosovo Collective, five discussions were organized, on five different topics in four different municipalities of Kosovo (North Mitrovica, Brezovica, Ferizaj and Prizren), and 22 opinion pieces were published by researchers, lawyers, and professors, that tackled key challenges for inter-community relations and the overall process of normalization of relations between Kosovo and Serbia.⁷¹ The idea of organizing the discussions in different parts of Kosovo was done in the hopes of bringing the same energy to cities like Ferizaj, and helping keep the conversation grounded at the community level. In each meeting of the Kosovo Collective, there were around four to five new people that were invited to attend, while a core group of around eight participants attended each meeting. For instance, in these meetings, the Kosovo Collective discussed Kosovo's plans for an indictment against Serbia for genocide and how this is seen by Kosovo Serbs and why it matters to the Kosovo Albanians. The discussions over this issue showed how vulnerable communities are to ethno-political radicalization as a result of the lack of a meaningful process of dealing with the past, and lack of acknowledgement of the victims of the Kosovo war in 1998-1999.

The Kosovo Collective also tackled the hotly debated case of Ms. Dragica Gašić, a Serb returnee in the Municipality of Gjakova and the public protests against her reintegration in the municipality. The discussion in the Kosovo Collective showed that although the process of Ms. Gasic's return was coordinated and facilitated by the Kosovo Government, the public reactions undermined the efforts and resulted in conflicting narratives.⁷² Kosovo Collective was also instrumental in helping diffuse tensions, at least among civil society organizations, in the aftermath of the row between Kosovo and Serbia over the license plates in September of 2021. Kosovo government offices were attacked in the north of Kosovo, border crossings were blocked by Kosovo Serbs, and the Serbian institutions increased the readiness of their military and deployed units at the border with Kosovo.

⁶⁸ Read more at: <https://www.bbc.com/news/world-europe-44586587>.

⁶⁹ Personal interview with a senior member of the Kosovar think-tank, February, 2022.

⁷⁰ Personal interview with an NGO leader from the North of Kosovo, February, 2022.

⁷¹ Read more at: <http://newsocialinitiative.org/projects/kosovo-collective-forging-constructive-inter-ethnic-dialogue/>

⁷² Kosovo Collective Report: Fostering societal peace through inter-ethnic dialogue in Kosovo, available at: http://newsocialinitiative.org/wp-content/uploads/2021/12/BTD_report_final_eng_web-2.pdf p. 9.

The situation was resolved and the EU managed to broker a temporary three-point agreement between the two countries. Kosovo Collective, provided a much-needed platform for a conversation between Kosovo Albanians and Serbs about the situation, in order to disrupt potential for escalation also in relations between civil society organizations.

A key challenge for Kosovo, as a young democracy, has been creating stronger bonds across different communities in the society in order to foster a higher confidence in the public institutions and the system of values as enshrined in its Constitution. Civil society organizations in Kosovo are leading the efforts to address this gap and build social cohesion between different ethnic-groups, while strengthening cooperation on the basis of shared system of values. Social cohesion is vital for building resilient states⁷³, and in the case of Kosovo this is of critical relevance given that ethno-political radicalization is increasingly acknowledged as growing problem in the country. Building social cohesion in Kosovo constitutes efforts to foster values and norms that create a stronger sense of community, including through a deeper understanding of the common problems for communities (i.e., unemployment, infrastructure, education) and the need to address such issues through joint efforts. This is what the Community Building Mitrovica (CBM) seeks to achieve in the framework of the Reconciliation and Conflict Transformation Program (RCT)⁷⁴, funded by the USAID and implemented jointly with fellow NGOs New Social Initiative - Nova društvena inicijativa and Youth Initiative for Human Rights - Kosovo (YIHR KS). Through RCT, CBM is working to identify and address reconciliation needs between different ethnic groups in Kosovo on three levels: individual, community and institutional. One of the key activities of RCT is to establish Cohesion Circles in the main regions of Kosovo to facilitate mutual understanding between communities and prioritize shared values over differences.⁷⁵ Through RCT, the consortium led by CBM has established such mechanisms in the North Mitrovica, and Prishtina and plans include their establishment also in municipalities of Gjilan, Peja, and Prizren.⁷⁶ The cohesion circles aim to identify concrete problems in public policies, and bring forward suggestions to local and central level institutions, as well as identify projects that would bring the communities closer together. In this context, the cohesion circles are a very important civil society-led initiative to disrupt potential conflict in the community. It can be argued that what makes cohesion circles an effective mechanism to disrupt potential for conflict is their grass-roots approach, bringing individuals of different ethnic backgrounds around the same table and the access to resources to support different project activities that would help community resolve particular challenges. The RCT is able to provide funding to support concrete ideas that have the consensus of members of cohesion circles in order to spur community development. For instance, members of the cohesion circle from the region of Mitrovica planted a community garden on the Earth Day. The community garden is meant to inspire diverse ethnic community members to come together to take care of the garden, and it also provides an important open and public space for members of these community to have the opportunity to interact.

All countries in the Western Balkans have developed their own specialized narratives about the past or their own ‘bubbles’, and there is limited space for alternative discourses. As a

⁷³ Giovannetti, G. et al., 2009, 'State-building and Social Cohesion' in European Report on Development: Overcoming Fragility in Africa – Forging a New European Approach, European Communities, Brussels, pp. 90-103.

⁷⁴ Read more about the RCT project at: <https://www.rctkosovo.com/>.

⁷⁵ Read more about Cohesion Circles at: <https://www.rctkosovo.com/activities/cohesion-circles-to-renew-trust/>.

⁷⁶ Ibid.

result, there is limited exchange and awareness among our societies about how different communities view the past, the presence and the future. The lack of regular exchanges and interactions between the communities only further reinforces single narratives, stereotypes and prejudices, which can influence the potential for conflict. Civil society organizations in Kosovo and Serbia, through different activities aimed at increasing people to people contact between the two countries, actively contribute in the critical disruption of conflict potential through awareness raising, especially among youth. Young people from Kosovo and Serbia benefit from a number of civil society initiatives that bring them together to tackle common challenges. One such initiative is the Kosovo School, a project by the Heartefact organization from Serbia. The school targets young people of 18 to 30 old, and it includes study visits in Belgrade and Prishtina. For most of the participants, these study visits would mark the first time they had actually been to either of the capitals. The study visits contribute significantly to fight stereotypes and prejudices, and counter the widespread fears, including among the young people, for visiting or spending time in the respective countries. The call for young people for applying to the school among others states that: *“We want to hear your voice on social and political issues in the region with particular focus on Kosovo and Serbia, we want to grow your active engagement in socially sensitive topics and to engage you in creating media content important for your local communities.”*⁷⁷ Other projects that have been implemented by the Heartefact also include Reconnection 2.0 which is a platform aiming to *“promote and encourage a collaboration between Serbia and Kosovo, intercultural dialog between these two countries, but also connecting people through translation of plays and cultural exchange. This platform of Heartefact found and Qendra multimedia will be realized through guest performances of these two organizations both in Kosovo and Serbia.”*⁷⁸ In the framework of the RCT program led by CBM, another important activity includes Storytelling, which aims to help young people develop skills for writing and sharing stories, and then promoting reconciliation through the sharing of the stories.⁷⁹

Civil society organizations in North Macedonia seek to bridge the divide between ethnic Macedonians and ethnic Albanians as the larger non majority community by facilitating activities that tackle segregation and prejudice. One of the key fields of influence remains education. Reports have noted that although non-majority representation in North Macedonia has improved, political cleavages along ethnic lines persist.⁸⁰ The spreading of narratives that seek to sow uncertainty and doubt about the “other” risk weaponizing inter-ethnic relations and providing legitimacy to acts of discrimination and hate.⁸¹ The education system is an important element that tends to deepen existing divisions such as by perpetuating a sense of separated history and by not integrating meaningful intercultural activities.⁸² As a result, North Macedonia’s schools are divided by language, with Macedonian and Albanian students being effectively segregated throughout their education either in separate buildings or school floors, which

⁷⁷ Read more at: <https://heartefact.org/news/2022/03/17/open-call-for-kosovo-school-new-media-program>

⁷⁸ Read more at: <https://heartefact.org/projects>

⁷⁹ Read more at: <https://www.rctkosovo.com/activities/storytelling-teaching-reconciliation-through-culture-and-arts/>

⁸⁰ <https://balkaninsight.com/wp-content/uploads/2021/11/Hate-Speech-As-a-Currency-of-Nationalism-Institutional-Response-In-North-Macedonia-1.pdf> p.1.

⁸¹Misha Popovikj, “Education Holds Key to Bridging North Macedonia’s Ethnic Divide” retrieved through: <https://balkaninsight.com/2021/09/10/education-holds-key-to-bridging-north-macedonias-ethnic-divide/>

⁸² Ibid.

precludes interaction between younger generations, makes building tolerance more difficult and increases the threat of ethno-nationalism.⁸³ To address this issue by building inter-ethnic and inter-cultural exchanges, initiatives have primarily come from civil society. For instance, the Nansen Dialogue Centre (NDC) Skopje has been working on the the development of intercultural education in North Macedonia for more than two decades. In the aftermath of the conflict, in 2003, the NDC held the School for Young Politicians in Ohrid, whereas in 2005 they implemented the “Dialogue and Reconciliation” in the Municipality of Jegunovce, known for growing ethnic divisions after the armed conflict⁸⁴. This NDC activity garnered local support and it resulted in the first integrated bilingual schools in the country, established in the village of Preljubishte in 2008 and 2010⁸⁵. Further, NDC has introduced the Nansen Model for Intercultural Education in North Macedonia, which is applied in more than 30 primary and secondary schools whereas they have recently trained 294 participants on inter-cultural education.

Conclusions

Conflict disrupting practices in Kosovo, Serbia and North Macedonia have been instrumental in diffusing ethnic tensions and promoting greater understanding between communities. While ethnic-tension in the three countries is a constant, its potential for conflict tends to oscillate between occasional escalation, frozen relations, and rarely a semblance of normalcy. In the region, the institutional and civil society conflict disrupting practices, so far, have greatly reduced the potential for heightened ethnic tensions, preventing a serious escalation comparable to the scale of the march 2004 events in Kosovo.

Government institutions have developed a myriad of mechanisms to disrupt conflict at the community level by promoting these mechanisms as platforms for community to shape the decision-making process of public institutions. Governmental approaches are centered on the notion that consulting the community through these mechanisms would lead to greater cooperation and disruption of conflict. However, in practice, these mechanisms, lack actual decision-making power and resources, and are largely perceived as mere round tables of discussion. Even in cases when community- level mechanisms work, or in other words, they manage to meet, the municipal authorities usually fail to effectively follow-up on the issues that are raised in these meetings. On the other hand, similar approaches by civil society, such as the cohesion circles in Kosovo, are usually supported with concrete resources to implement specific projects that the members of the group identify with. These initiatives greatly improves the confidence of the community in these mechanisms and fill an important gap that is instrumental in facilitating inter-ethnic interaction and mutual understanding.

⁸³ Ibid.

⁸⁴ Read more about “20 years of the Nansen Dialogue Centre – Skopje” through <https://ndc.mk/20-years-of-the-nansen-dialogue-centre-skopje/>.

⁸⁵ Ibid.

