

Policy Report

BPRG | Balkans Policy
Research Group

KOSOVO IN REGIONAL INITIATIVES: INSTITUTIONAL FRAMEWORK AND COORDINATION

October 2021

KOSOVO IN REGIONAL INITIATIVES: THE INSTITUTIONAL FRAMEWORK AND COORDINATION

BPRG | Balkans Policy
Research Group

This publication is supported by:

Royal Norwegian Embassy



Norwegian Embassy

Disclaimer: The views and analysis in this report are solely of the Balkans Group and do not reflect the views of the donors.

Balkans Policy Research Group (BPRG)

ACRONYMS

CEFTA	Central European Free Trade Agreement
DRR	Department on Regional Relations
EC	European Commission
EU	European Union
EnC	Energy Community Secretariat
MARRI	Migration, Asylum, Refugees Regional Initiative
MCYS	Ministry of Culture, Youth and Sports
ME	Ministry of Economy
MESPI	Ministry of Environment, Spatial Planning and Infrastructure
MESTI	Ministry of Education, Science, Technology and Innovation
MIA	Ministry of Internal Affairs
MIET	Ministry of Industry, Entrepreneurship and Trade
MFA	Ministry of Foreign Affairs
MFLT	Ministry of Finance, Labors and Transfers
OPM	Office of the Prime Minister
RCC	Regional Cooperation Council
RYCO	Regional Youth Cooperation Office
SEE	South East Europe
SEECF	South-East European Cooperation Process
TCT	Transport Community Treaty
UN	United Nations
UNMIK	United Nations Mission in Kosovo
WB6	Western Balkans Six countries (Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia)

CONTENTS

EXECUTIVE SUMMARY	4
RECOMMENDATIONS	6
INTRODUCTION	8
Kosovo's Institutional Framework for Regional Cooperation: Who does what?	11
What is SHERPA?	14
MFA's role in the Regional Cooperation Processes	18
A Nexus between MFA, Sherpa/OPM and Line-Ministries	20
The role of Line-Ministries	23
Monitoring the Implementation of Regional Cooperation Agendas	27
CONCLUSION	28

EXECUTIVE SUMMARY

Kosovo faces numerous challenges to represent itself and to participate in regional organizations and initiatives. Many of these challenges are political, a few others are practical and technical. Yet, there are feasible ways for Kosovo to navigate through them. That is by building a strong political will and a firm governmental commitment, and by establishing a solid internal institutional framework. Kosovo lacks a streamlined inter-institutional coordination and has not fully established a tracking and a follow-up mechanism for ensuring an effective coordination and implementation of the Western Balkans Six (WB6) regional cooperation agendas.

The regional cooperation of WB6 is built on the objective to boost cooperation and convergence among six countries, Albania, Serbia, Kosovo, Montenegro, North Macedonia and Bosnia and Herzegovina, and with the European Union (EU). Good neighborly relations and regional cooperation is framed as a condition for the WB6 countries' European path. The aftermath of Kosovo's declaration of independence in 2008 and the launching of the Berlin Process in 2014 mark important milestones. Since then, many new regional initiatives have been launched, aiming at enhancing regional cooperation among countries in Western Balkans. Few other initiatives involve the wider geographic area of Southeast Europe. The EU continuously pushes the WB6 countries to partake and progress in these initiatives.

Moreover, the regional cooperation agendas are increasingly expanding. Once emerged as a "peace strategy" in the early 2000s; aimed at strengthening security in the region, it has now augmented into more than 40 initiatives underpinning cooperation in economic, societal, environmental and political dimensions. Migration, Asylum and Refugees Regional Initiative (MARRI), Central European Free Trade Agreement (CEFTA), Regional Cooperation Council (RCC), Regional Youth Cooperation Organization (RYCO), Western Balkans Fund (WBF), Energy Community Secretariat (EnC), Transport Community Treaty (TcT), as well as the Berlin Process are some of the most notable organizations and initiatives which were created to operationalize cooperation among neighbors in the Western Balkans.

In recent years, some of these initiatives have indeed enabled cooperation in certain areas. However, many others remained unimplemented. They admittedly face deep-seated obstacles. Besides political tensions among states and the absence of bilateral cooperation, the weak institutional capacity at state-level stresses a technical challenge which hinders a more robust cooperation

among WB6 countries. **A strong institutional capacity and an established inter-institutional coordination structure within each of six governments of the WB remains detrimental for bringing substantial change to regional cooperation.** That is because, similar to the European Union, but smaller in its composition, regional cooperation among Western Balkans six has a complex structure. Its agendas encompass a range of cross-cutting thematic issues such as: youth, energy, transport, security, education, migration etc. It also requires multi-level governing structures, including a variety of actors throughout national, regional and international levels.

An enhanced participation in regional cooperation offers an added-value for Kosovo. Regional cooperation is not a substitute for the resolution of difficult bilateral issues with Serbia and Bosnia and Herzegovina, but it provides Kosovo with the opportunity to represent itself on an equal footing with other WB6 countries, thus consolidating its statehood in the region. It also offers a channel for Kosovo to leverage the benefits that many regional cooperation initiatives offer.

Still, Kosovo falls behind in delivering commitments, implementing and keeping up with the complexity of the regional cooperation agendas. Prishtina is the only WB6 country capital which does not host a secretariat of a regional organization or initiative. Moreover, compared to other WB6 countries, Kosovo enjoys full membership in only a few regional organizations, and has the lowest level of representation of its nationals among staff in the organizations it is a member of.

Needless to say, consecutive governments of Kosovo have not had the sufficient political will to place regional cooperation higher on the policy agenda. An institutional infrastructure is in place, and it includes a number of institutions and offices that intertwine horizontally and vertically. However, its framework has been characterized by a lack of coherence, inclusiveness and accountability. The internal institutional infrastructure is composed of the Office of the Prime Minister (OPM), the Ministry of Foreign Affairs (MFA) and a number of line-ministries, which lead and represent Kosovo in regional initiatives. Sherpa, under the responsibility of the Prime Minister, Department on Regional Relations (DRR) within the Ministry of Foreign Affairs (MFA), and Contact Points (CP) appointed in line-ministries, are the main authorities of the regional cooperation national framework.

This institutional composition needs a systematic reconsideration. Identifying

a clear method of work, an inter-institutional coordination framework and establishing a reporting and follow-up mechanism is critical for dealing with the regional cooperation processes.

RECOMMENDATIONS

First and foremost, to improve Kosovo's participation, its role, and benefits from regional cooperation organizations and initiatives, a strong political will and a firm commitment from the government are crucial. The complex composition of regional cooperation requires a strong institutional framework for prioritizing, coordinating and implementing regional cooperation agendas. And the existing institutional structures do not suffice. Strengthening institutional capacities is a process which takes time and its outcomes are not achieved immediately. Hence, the government of Kosovo should start this process now, for it to not further delay Kosovo's enhancement in regional cooperation fora - especially at a time when the regional cooperation agendas are constantly evolving and expanding.

As such, the government of the Republic of Kosovo should:

- Conduct a comprehensive analysis, identify and set core priorities and objectives to achieve in regional agendas and initiatives. The analyses should be based on political and/or economic justifications, and other national strategic interests.
- Assign additional human capacities to support Sherpa's functioning with the day-to-day activities. Additionally, the functioning of Sherpa's role should be supported by the Department on Regional Relations (DRR), within the Ministry of Foreign Affairs (MFA). The DRR should serve as a fully informative and advisory body to the OPM, and particularly to Sherpa, for all regional cooperation issues.
- Introduce an Administrative Instruction to define and establish a clear institutional coordination framework. The framework should clearly define the division of the roles and responsibilities, set an inter-institutional coordination structure, and identify and break down concrete steps to be taken by each concerned institution for completing the WB6 regional cooperation various policy cycles.

- In adherence to the institutional coordination framework, develop a reporting and follow-up mechanism for the purpose of monitoring the work of domestic institutions, line-ministries, contact points, and other stakeholders in implementing, coordinating and engaging with regional mechanisms. This mechanism shall regulate reporting in a timely manner, and ensure a regular flow of communication between line-ministries, MFA/ DRR and OPM/ Sherpa. It also contributes to building and preserving the institutional memory. Consequently, it would help to achieve national coherence and increase the accountability of the public administration for regional cooperation issues.
- Establish an inter-governmental coordination group, coordinated by the MFA and led by Sherpa. The coordination group should regularly gather the main regional cooperation stakeholders for the purpose of setting objectives, identifying strategies and policy positions that each concerned stakeholder in charge of regional cooperation should take. Make sure that the “inter-governmental working group” has a legal mandate, and that it functions beyond a voluntary arrangement.
- Establish “working groups”/ or the so-called “engagement groups” for key sectorial thematics covered by regional cooperation initiatives. These groups shall be invited to regularly participate in preparing, designing, implementing and monitoring the regional cooperation programs and initiatives. Thematic groups shall include Civil Society Organizations (CSOs), Think Tanks, Business and Trade interest groups, commerce chambers and other non-state actors specialized in transport, energy, security, trade, education and digitalization, but not only.
- Target and establish a talent pool of potential regional cooperation experts. Invite Civil Society Organizations (CSO’s) to participate in setting the agendas and supporting the government institutions in implementing the WB6 regional cooperation agendas.
- Invest in capacity building of government officials, particularly of contact points within line ministries, to perform in a more effective and efficient way when engaging with regional cooperation organizations. Enhance their technical expertise

based on the thematic components of regional cooperation. Endow them with diplomatic and negotiation skills by enrolling them in high level training (i.e The Diplomatic Academy of Republic of Kosovo), for the purpose of being best represented at the regional level.

INTRODUCTION

Kosovo's challenges with regard to its participation and representation in the regional cooperation processes, are both political and technical. Politically, Kosovo's participation in regional initiatives is hampered by issues related to non-recognizers in the European Union and the Western Balkans, namely Serbia and Bosnia and Herzegovina. The slow process of the dialogue with Serbia further adds to these challenges. Others include the lack of political will and unclear policy objectives, relatively new institutions and weak multilateral diplomacy.

Yet, Kosovo has become a member of many regional organizations and it has committed to implement a myriad of their programs. Increasing institutional capacities, as well establishing a solid inter-institutional coordination framework, is decisive for Kosovo to effectively engage with regional cooperation mechanisms, and leverage the benefits they offer.¹ Key organizations that Kosovo has joined are Regional Cooperation Council (RCC), Regional Youth Cooperation Office (RYCO), the Western Balkans Fund (WBF), Transport Community Treaty (TCT), Migration, Asylum and Refugees Regional Initiative (MARRI), Central European Free Trade Agreement (CEFTA), Energy Community Secretariat (EnC).

The Regional Cooperation Council (RCC) was established in 2008 to enhance regional cooperation in areas of economy and social development, energy and infrastructure, human capital development, justice, home affairs and parliamentary cooperation as a comprehensive dimension.² RCC was originally a successor to the Stability Pact and an operational body of the South-East European Cooperation Process (SEECP). In 2017, RCC also coordinated the Multi-Annual Action Plan for the Regional Economic Area (MAP REA), approved by the six Prime Ministers of the Western Balkans in July 2017, at the Trieste Summit,

¹ For more, see Balkans Group report, *Regional Cooperation in the Western Balkans. Regional Economic Area, the "Mini-Schengen" and the Common Regional Market*, January 2021, pp.6, at [/02/Regional-Cooperation-in-the-Western-Balkans_Regional-Economic-Area-the-mini_schengen-and-the-Common-Regional-Market-WEB-2.pdf](#).

² For more, see the organization's website at <https://www.rcc.int/>.

as part of the Berlin Process. Since the Berlin Process Summit held in 2020, RCC has been one of the leading organizations coordinating and supporting the Common Regional Market (CRM).³

The Berlin Process marks another stepping stone for the WB6 regional cooperation. Beyond its role of uniting existing mechanisms under one umbrella, the Berlin Process broadened the regional cooperation agenda by generating new initiatives, aimed at foregrounding cooperation in the fields of transport, energy, youth and economy.⁴ The most notable organizations generated under the Berlin Process are the Regional Youth Cooperation Office (RYCO), the Western Balkans Fund (WBF) and the Transport Community Treaty (TCT).⁵ Other equally important initiatives, which emerged before the Berlin Process (2014), became severely involved as implementing and coordinating parties within the Berlin Process agenda: Migration, Asylum and Refugees Regional Initiative (MARRI) in 2004, Central European Free Trade Agreement (CEFTA) in 2006; Energy Community Secretariat (EnC) in 2006.⁶

Again, a fair share of responsibility for implementing the programs and the agendas of these initiatives relies on the national level. Kosovo's institutional infrastructure for regional cooperation was set up prior to Kosovo's independence, and was seemingly consolidated when the Ministry of Foreign Affairs (MFA) became fully operational. Yet, Kosovo only approximated this set-up with other WB6 governments in 2020, when the office for Regional Cooperation Council (ORCC) was transferred from the Office of the Prime Minister's (OPM) to the Ministry of Foreign Affairs (MFA), in the Department on Regional Relations (DRR). The rationale for concluding this transfer lies behind the government's decision to treat Regional Cooperation as a policy within the scope of Foreign Affairs.

Even though the institutional infrastructure is identified, its method of work calls for a systematic reconsideration. It is characterized by unclear rules and procedures, as well as a low level of coordination between key governmental institutions. This is a consequence of numerous challenges. Of which, the lack of political will for regional cooperation tops the list. Consecutive governments of Kosovo have not efficiently prioritized regional cooperation. They have failed

³ See Balkans Group report, *Regional Cooperation in the Western Balkans: Regional Economic Area, the "Mini-Schengen" and the Common Regional Market*, January 2021, pp. 27–32.

⁴ See Balkans Group report, *The Berlin Process for the Western Balkans: Gains and Challenges for Kosovo*, January 2018, pp. 17, at <https://balkansgroup.org/the-berlin-process-for-the-western-balkans-gains-and-challenges-for-kosovo/>.

⁵ For a visualization of organizations derived from the Berlin Process, see the Graph: *Kosovo's Institutional Infrastructure and its Governing Structures for Regional Cooperation*.

⁶ These initiatives do not provide a comprehensive list of all the existing regional cooperation organizations and initiatives.

to identify Kosovo's key priorities, as well as its strategic interests in regional cooperation mechanisms. To this day, the government has not compiled a strategy and has not followed up with an action plan which breaks down into concrete steps on how Kosovo should enhance its representation at regional organizations and initiatives. Consequently, the lack of political direction has led to a mainly 'ad-hoc' behavior of the government when it comes to the decision-making processes in these mechanisms and thus, line-ministries were often left unguided when engaging with their concerned regional organizations or initiatives. The few successes of Kosovo's representation in WB6 regional cooperation have mostly been a result of individual efforts of a few officials rather than a policy strategically endorsed by the government. Moreover, there has been a lack of a national-wide consensus and collaboration between political and non-political actors on the main priorities and principles of the regional cooperation framework. Kosovo has always fallen victim to the extremely polarized political reality in the country. This has decreased the internal legitimacy, which in turn has blocked the national agendas and the capacity to deliver in the regional setting.

Secondly, Kosovo lacks a documented institutional memory of the processes the country has gone through. This is partially a consequence of an unstable political system caused by frequent government changes, which have reflected in the overall institutional instability. But this absence of a written track record becomes more of a hassle when the responsible officials often change, and information is not properly transmitted to their successors. The lack of adequate human capacity in line-ministries, particularly on the technical level, is another challenge that Kosovo is facing when engaging in regional cooperation. Many officials involved do not have sufficient experience and knowledge on these regional initiatives. Sometimes they do not meet the language requirements, do not have sufficient expertise on the thematic component that they cover nor the negotiation skills required for commencing negotiations on behalf of Kosovo's interest.

Lastly, it is imperative to highlight that the regional cooperation agenda is increasingly expanding. Likewise, the need for better coordination at the national level has increased. WB6 regional cooperation has augmented into 40 regional initiatives during the last decades. It initially emerged as a "peace strategy" (Stability Pact) aimed at strengthening security in the region.⁷ Now, the WB6 regional cooperation agenda has expanded into a handful of initiatives which

⁷ This was achieved through the format of the South-East European Cooperation Process (SEECP), including a group of countries beyond the geographical boundaries of the Western Balkans.

aim to underpin cooperation in economic, societal, environmental and political dimensions.⁸ A more complex agenda calls for the government of Kosovo to increase efforts for an immediate, comprehensive and solid coordination.

Thus, this policy report aims to reflect on Kosovo's institutional framework for multilateral regional cooperation of WB6 and beyond, including the South Eastern Europe geographical area. It focuses on Kosovo's institutional roles, responsibilities and method of work, as well as inter-institutional coordination for monitoring and implementing regional cooperation agendas. Subsequently, this analysis depicts key institutional gaps and challenges that have hindered and delayed Kosovo's fully fledged participation in regional cooperation.

Kosovo's Institutional Framework for Regional Cooperation: Who does what?

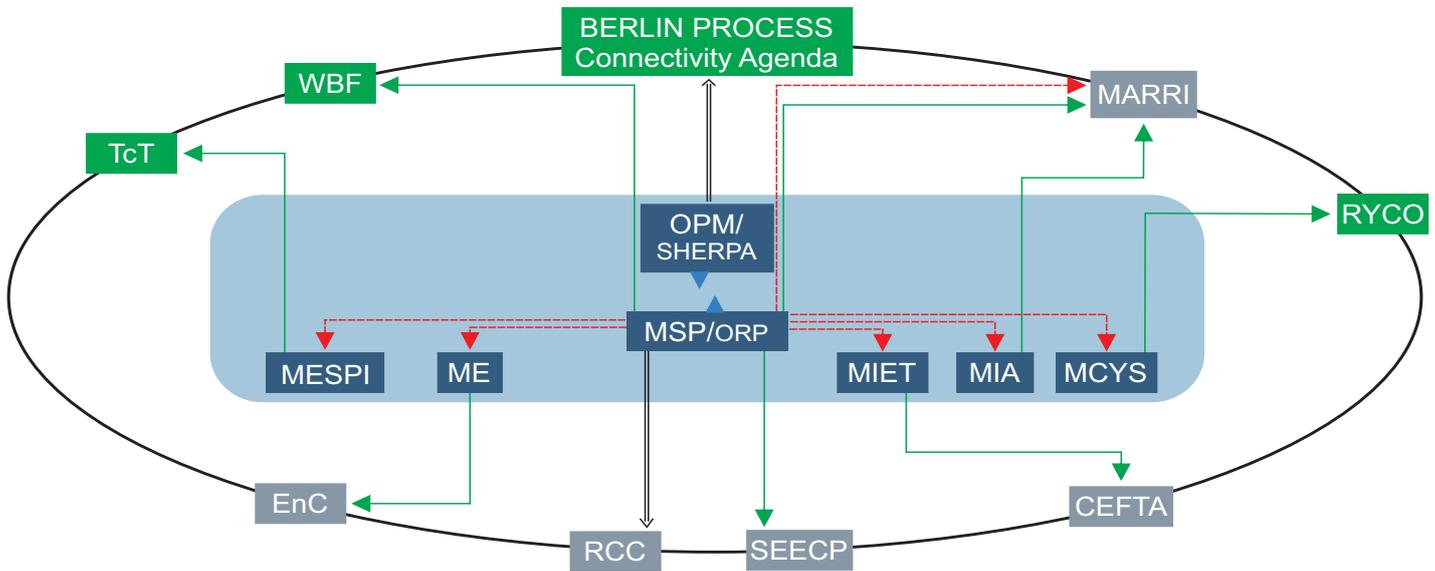
The regional cooperation infrastructure at the national level is organized as follows: the **Office of the Prime Minister (OPM)** and the **Ministry of Foreign Affairs (MFA)** are the leading institutions. The work of the national administration is organized along thematic components of the regional cooperation agendas. **Line-ministries** are responsible for liaising, coordinating, monitoring, and participate in designing, negotiating and implementing regional cooperation programmes and projects of a specific regional organization and/or initiative.

Key line-ministries dealing with the Berlin Process agendas and initiatives are: Ministry of Industry, Entrepreneurship and Trade (MIET), Ministry of Economy (ME), Ministry of Environment, Spatial Planning and Infrastructure (MESPI), Ministry of Internal Affairs (MIA), The Ministry of Culture, Youth and Sports (MCYS).⁹

⁸ For the full list of Kosovo's membership in regional organizations, see Balkans Group report, *Regional Cooperation in the Western Balkans. Regional Economic Area, the "Mini-Schengen" and the Common Regional Market*, January 2021, pp.35-38, at <https://balkansgroup.org/wp-content/uploads/2021/02/Regional-Cooperation-in-the-Western-Balkans-Regional-Economic-Area-the-mini-schengen-and-the-Common-Regional-Market-WEB-2.pdf>.

⁹ This is not a comprehensive list of all line-ministries, agencies and/or bodies that deal with the Regional Cooperation agendas.

KOSOVO'S INSTITUTIONAL INFRASTRUCTURE AND ITS GOVERNING STRUCTURES FOR REGIONAL COOPERATION



- OPM** Office of the Prime Minister/ Sherpa
- MFA** Ministry of Foreign Affairs
- DRR** Department on Regional Cooperation

Line- Ministries

- MFA** Ministry of Foreign Affairs
- MIET** Ministry of Industry, Entrepreneurship and Trade
- ME** Ministry of Economy
- MESPI** Ministry of Environment, Spatial Planning and Infrastructure
- MIA** Ministry of Internal Affairs
- MCYS** Ministry of Youth, Culture and Sports

Following the creation of the “Stability Pact” organization, the Office of the Prime Minister established the Stability Pact Office for coordinating the implementation of the Pact’s various provisions. In 2008, the Stability Pact handed over the responsibility for regional cooperation to the Regional Cooperation Council (RCC). Then, the Stability Pact Office was transformed into the Office for the Regional Cooperation Council (ORCC).¹⁰ From 2008 to 2020, the ORCC continued to operate under the Prime Minister’s Office and it was in charge for coordinating the Regional Cooperation Council (RCC) agendas and programmes. The National Coordinator for RCC was a political appointee – often a political advisor directly reporting to the Prime Minister. The ORCC was comprised by a staff of four (4) members; the RCC National Coordinator, and three (3) officials. In 2020, the ORCC was transferred to the MFA, within the Department on Regional Relations (DRR).¹¹ This reflected the government’s commitment to treat Regional Cooperation within the scope of Foreign Policy and Affairs. Similarly, each WB6 MFA has a directorate for regional affairs that deals with regional issues. In that respect, Kosovo now meets the regional standard.

It should be noted, however, that this policy transfer came with a few caveats. On the aftermath of this transfer, low level of commitment to build long-term capacities at both the OPM and the MFA for issues of regional cooperation

RCC	Regional Cooperation Council
SEEC	South East European Cooperation Process
RYCO	Regional Youth Cooperation Office
WBF	Western Balkan Fund
TCT	Transport Community Treaty
MARRI	Migration, Asylum and Refugees Regional Initiative
CEFTA	Central European Free Trade Agreement
EnC	Energy Community Secretariat

persisted. Sherpa continued functioning in the OPM, under an enormous workload of the Berlin Process agendas, without any supporting team. Likewise, the DRR struggled to cover both bilateral and multilateral relation with the SEEC countries.

¹⁰ Government Decision 228/08 of 19.11.2008 transformed the Stability Pact Office into the Office for RCC. Responsible for implementing this decision is the national coordinator of the Office for the Regional Cooperation Council.

¹¹ Government Decision 03/09 of 01.07.2020 transferred the Regional Cooperation Council office from the Prime Minister’s Office to the Ministry of Foreign Affairs and Diaspora.

What is SHERPA?

Since the launch of the Berlin Process in 2014, Sherpa has headed the institutional infrastructure for the Berlin Process agendas.

Similar to this figure, Sherpa's role in the regional cooperation context is to provide political and strategic guidance for the connectivity agenda under the Berlin Process. Sherpa is a representative of the head of Kosovo's government, namely the Prime Minister's. He/She serves as a Special Advisor to the Prime Minister on EU Integration and National Coordinator of the Berlin Process. Between 2014 and 2021, Kosovo changed five governments; five different individuals have served in the Sherpa's role.¹²

In the figurative context, Sherpa is a leading figure responsible for guiding the climbers to Hyamalayan peaks

Overall, Sherpa's role remains pivotal since it encompasses national responsibilities for the Regional Cooperation agendas. These responsibilities range from national coordination, identification of challenges of regional cooperation, representation in the regional cooperation initiatives within SEE countries, providing strategic guidance and monitoring the progress of the endeavors agreed at the Berlin Process Summits.¹³

The newly appointed Sherpa (2021) also serves as the Prime Minister's principal advisor for the Common Regional Market (CRM).¹⁴ Sherpa is in charge of coordinating the CRM governing structures, as well as providing strategic guidance to the process.¹⁵ The key CRM regional governing structures are the Regional Cooperation Council (RCC) and Central European Free Trade Agreement (CEFTA). At the national level, the CRM governing structures include line-ministries which cover the CRM pillars. The CRM pillars are the following:

¹² List of Sherpa's in the Government of Kosovo throughout the years: Sokol Havolli, under the responsibility of the Prime Minister Isa Mustafa (2015–2017); Gazmend Abrashi under the responsibility of the Prime Minister Isa Mustafa (2017–2019); Driton Tali, under the responsibility of the Prime Minister Albin Kurti (2020); Gazmend Qorraj, under the responsibility of the Prime Minister Avdullah Hoti(2020); Jeton Zulfaj, under the responsibility of the Prime Minister Albin Kurti (2021– Present).

¹³ For more, see <https://kryeministri-ks.net/en/the-prime-minister-office/offices/office-of-the-regional-cooperation-council/>

¹⁴ The Common Regional Market (CRM) aims to create a regional market based on EU rules and procedures and bring the Western Balkans closer to the European Single Market and was endorsed by the leaders of Western Balkans Six at the Berlin Process Summit in Sofia, Bulgaria on 10 November 2020. The initiative builds upon the achievements and lessons learned from the Regional Economic Area (REA), which had mixed results in implementation. For more, see Balkans Group report, *Regional Cooperation in the Western Balkans. Regional Economic Area, the "Mini-Schengen" and the Common Regional Market*, January 2021, pp.27–30.

¹⁵ For more, see the organization's website, at <https://www.rcc.int/pages/143/common-regional-market>

Regional Trade Area, Regional Investment Area, Regional Digital Area and Regional Industrial and Innovation Area.

The key line-ministries responsible for implementing the CRM pillars are:¹⁶

1. The Ministry of Industry, Entrepreneurship and Trade (MIET), Ministry of Economy (ME) and Ministry of Environment, Spatial Planning and Infrastructure (MESPI) in charge of activities under the Regional Trade Area;
2. The Ministry of Education, Science, Technology and Innovation (MESTI) in charge of activities under the Regional Industrial and Innovation Area;
3. The Ministry of Economy (ME) in charge of activities under the Regional Digital Area;
4. The Ministry of Industry, Entrepreneurship and Trade (MIET) is in charge of activities under the Regional Investment Area;¹⁷
5. The participation of other line-ministries, i.e. The Ministry of Finance, Labors and Transfers, are included in the monitoring process. Other institutions, amongst which: Central Banks, Border and Customs Authorities, Competition Authorities, Securities Commissions, Electronic Communications Regulators and National Statistical Offices, are involved.

1	Regional Trade Area	Free movement of goods, services, capital, and people, including cross-cutting measures, such as the Green Lanes, to align with EU-compliant rules and standards and provide opportunities for companies and citizens.
2	Regional Investment Area	Align investment policies with the EU standards and best international practices and promote the region to foreign investors.
3	Regional Digital Area	Integrate the Western Balkans into the pan-European digital market.
4	Regional Industrial and Innovation Area	Transform the industrial sectors, shape value chains they belong to.

¹⁶ Balkans Group Interview with an expert on regional cooperation, Prishtina, April 2021.

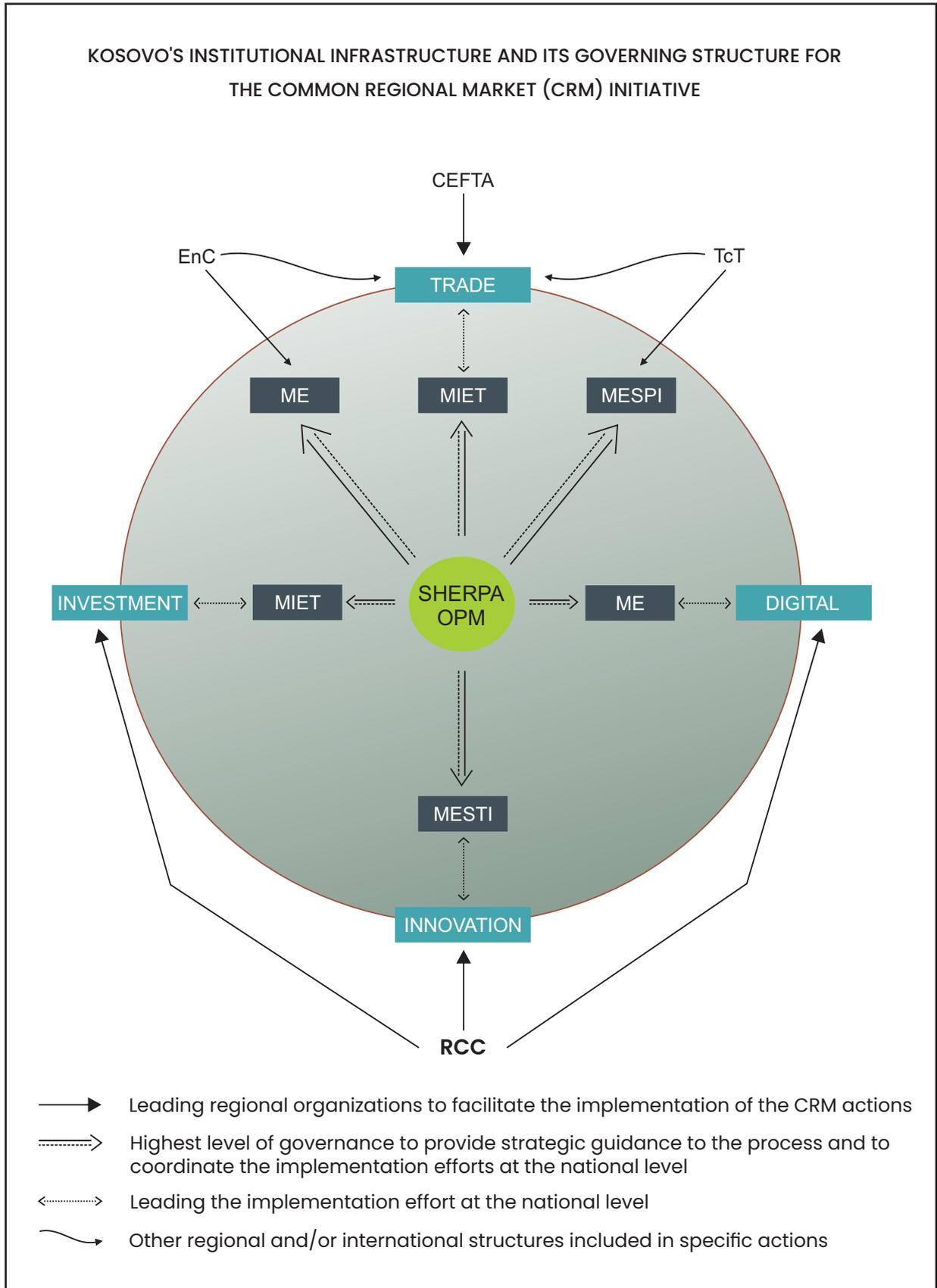
¹⁷ For more, see the Graph: *Kosovo's Institutional Infrastructure and its Governing Structure for implementation of the Common Regional Market (CRM)*.

As the highest level of governance, Sherpa should guide the inter-institutional coordination for implementation of actions under CRM pillars. Due to the multitude of national institutions involved in this process, Sherpa is required to ensure solid governance, and to provide mechanisms that enable a clear line of communication between national public administration, regional actors and other stakeholders.

Four working groups, coordinated and led by Sherpa, for CRM are already established and have begun their work.

CRM Working Groups

- 1 Working group for the free movement agreement with ID cards
- 2 Working group for the agreement on the movement of third-country nationals in the Western Balkans
- 3 Working group for the agreement on the recognition of academic qualifications
- 4 Working group for the agreement on recognition of professional qualifications of doctors of medicine, doctors of dentistry and architects



Graph 2: Kosovo's Institutional Infrastructure and its Governing Structure for the Common Regional Market (CRM)

In practice, Sherpa's role has been poorly equipped politically, legally and administratively. Overall, the role has not been efficiently institutionalized. Despite being the highest level of governance for regional cooperation and endowed with the political authority of the Prime Minister's, Sherpa's of the Governments of Kosovo fell short on delivering and pushing forward a political downstream approach. This holds true particularly when it comes to Sherpa's role in coordinating the domestic institutional setting. The absence of a "downstream" institutional approach is best reflected on the "ad hoc" method of work that the domestic institutions have employed when coordinating, implementing and/or engaging with regional cooperation organizations or initiatives. A formal monitoring mechanism for the work of the line-ministries/contact points does not exist. It is unclear to whom the line-ministries report, and on which bases.¹⁸

The Sherpa should:

1. Coordinate with the Ministry of Foreign Affairs to develop coherent policies, objectives and approaches.
2. Enable the involvement of civil society, expert groups, groups of interests and other relevant stakeholders in prioritizing objectives, designing and planning activities for the Berlin Process agendas, CRM and other regional initiatives.
3. Push forward a functioning and sustainable institutional mechanism for coordinating, reporting and following-up the work of the line-ministries, and other concerned stakeholders for the regional cooperation agendas and processes.

MFA's role in the Regional Cooperation Processes

The Ministry of Foreign Affairs in Kosovo serves as a leading institution for regional relations. Regional cooperation is a pillar in the ministry's foreign policy and public diplomacy portfolio. Hence, the role of the Minister for Foreign Affairs is critical in the regional cooperation context, especially in terms of diplomatic representation of Kosovo in these mechanisms.

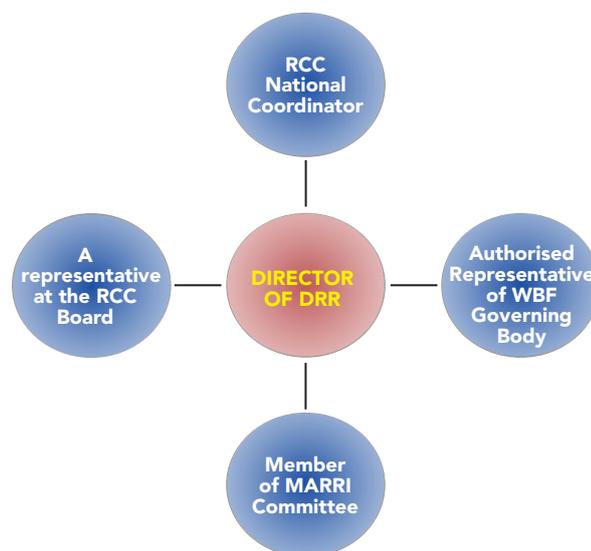
Within the MFA, the Department on Regional Relations (DRR) is responsible for

¹⁸ Balkans Group interview with a Government Official, MESP, Prishtina, May 2021.

the regional cooperation area.¹⁹ The DRR is composed of nine (9) staff members: a director, and eight officials (8) who are responsible for coordinating the bilateral and multilateral relations with South East Eastern countries and regional organizations.²⁰

The MFA's general scope of representation at regional organizations is as follows:

- A senior official, usually the Director from the Department on Regional Relations is the RCC national coordinator. He/she is responsible for coordinating the RCC relevant issues within the Kosovo national administration.
- The RCC national coordinator represents Kosovo at the RCC Board.
- The RCC national coordinator participates in the RCC Annual Meeting co-chaired by the Secretary General and the Chairmanship in the Office (CiO) of SEECP.²¹
- The MFA is the contracting party in the Western Balkan Fund (WBF). The minister and the director of the DRR are the authorized representatives of the governing body of the organization.²²
- Finally, the Director of the DRR is a member of the MARRI Committee.²³



¹⁹ For more, see Ministry of Foreign Affairs and Diaspora website, at <https://www.mfa-ks.net/en/ministria/533/departamenti-pr-marrdhnie-rajonale/533>.

²⁰ South East European countries are: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Kosovo, Republic of North Macedonia, Moldova, Montenegro, Romania, Serbia, Turkey, and Slovenia.

²¹ For more, see organization's website at <https://www.rcc.int/pages/14/structure>.

²² For more, see organization's website at <http://westernbalkansfund.org/wbf-structure/>.

²³ For more, see organization's website at http://marri-rc.org.mk/wp-content/uploads/2021/05/List-of-MARRI-Committee-Members_April-2021.pdf.

Yet, as for the prescription of roles and responsibilities, the DRR is short of capacity to deliver on all those agendas.²⁴ It is especially true when executing and coordinating both bilateral and multilateral regional relations. A distinguished division/unit within the DRR (including an increase of personnel) for dealing solely with multilateral regional cooperation is needed. This is particularly important at a time when the connectivity agenda, under the Berlin Process is constantly being expanded, and new initiatives are being established.²⁵

A Nexus between MFA/ DRR, OPM/ SHERPA and Line-Ministries

Within the Ministry of Foreign Affairs (MFA), the Department on Regional Relations (DRR) exercises both, a horizontal and a vertical line of coordination with respective line-ministries. Among other duties and responsibilities, the DRR ought to ensure coordination with the Office of the Prime Minister (OPM), particularly with Sherpa, for the purpose of enhancing Kosovo's participation and representation in regional mechanisms.²⁶ To achieve this, the DRR should serve as an information hub to the OPM/ Sherpa for the processes and developments taking place within the context of regional relations. Also, the DRR ought to duly facilitate line-ministries' representation at regional level. The MFA shall address the diplomatic inquiries of the responsible line-ministries and give its recommendations for the commencement of negotiations and the composition of delegations. In other words, the MFA should provide diplomatic guidance for Kosovo's representation in regional fora.

Any high-level correspondence between line-ministries and respective regional organizations or initiatives should be coordinated with the MFA, and be addressed through diplomatic channels.²⁷

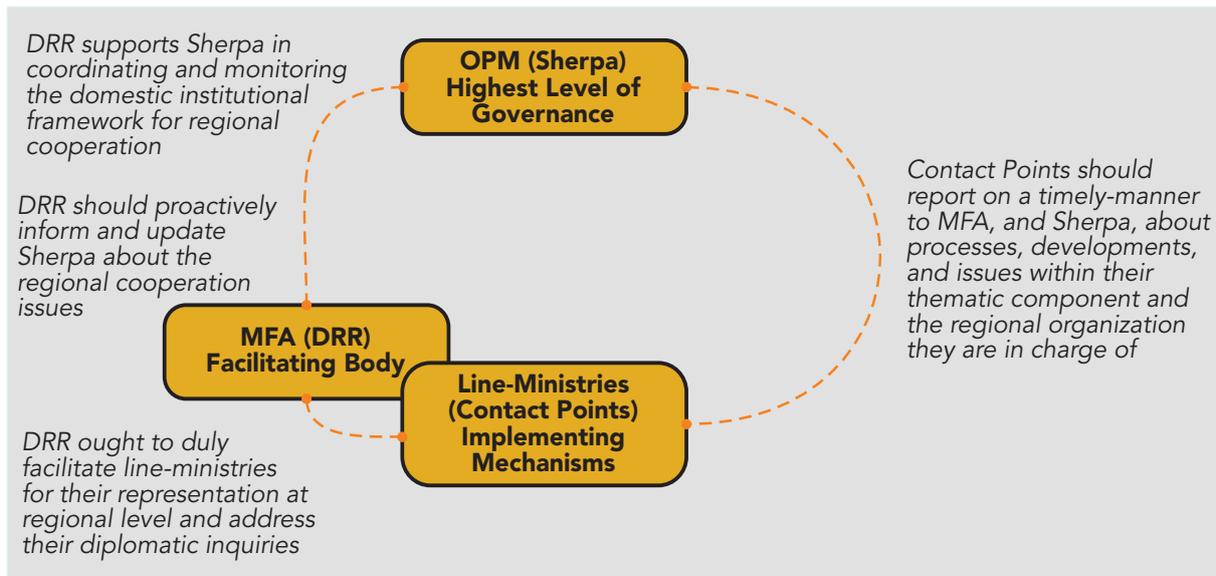
Finally, the MFA, in close cooperation with line-ministries is in charge of nominating the adequate and eligible candidates for secondments and other positions at internal structures of regional organizations.

²⁴ Balkans Group Interview with an expert on regional cooperation, Prishtina, April 2021

²⁵ For example, during the Sofia Summit, November 2020, leaders endorsed a new connectivity package composed of six projects related to sustainable transport and clean energy areas (under the Economic and Investment Plan), established the Common Regional Market and launched the Green Agenda for the Western Balkans. For more, see European Commission, Western Balkans Summit in Sofia: Important steps taken to advance regional cooperation to boost socio-economic recovery and convergence with the EU, 10 November 2020, at: https://ec.europa.eu/commission/presscorner/detail/en/IP_20_2051.

²⁶ For more, see Ministry of Foreign Affairs and Diaspora website, at <https://www.mfa-ks.net/en/ministria/533/departamenti-pr-marrdhnie-rajonale/533>.

²⁷ Law No. 04/L-052 on International Agreements. Prishtina. Article 8: Negotiations of the International Agreement. Official Gazette of the Republic of Kosovo/ No. 28/ 16 December 2011, Prishtina.



In practice, the MFA has failed to undertake a proactive approach when facilitating the work of line-ministries. For example, in a few instances, it has occurred that representatives of line-ministries have presented their individual views at a regional cooperation meeting/ conference, of which the MFA was not previously informed. It is often that Contact Points had to prepare a political position on their own when representing Kosovo in their respective regional organization.²⁸ On a more serious note, it occurred that the MFA was not informed that such meetings and/or conferences are being held in the first place. For example, a former diplomat recalls back during a period when a regional cooperation agreement, of a particular importance for Kosovo's national interest, was negotiated. The MFA was the least engaged institution in the negotiation process, whereas it only intervened upon the request of the line-ministry in charge, and that was when the process risked to reach a deadlock.²⁹ Representatives of the line-ministries also emphasize the importance of having a regular, structured and formal coordination mechanism between the MFA and line-ministries. A representative from a concerned line-ministry admits that "the MFA lacks a formal mechanism for coordinating with Contact Points or the Kosovo national staff in regional organizations. It responds to their sporadic requests, but it does not organize any regular activities for that purpose".³⁰

These odd situations have taken place repeatedly. The communication between line-ministries and the MFA has been largely reliant on the individual willingness of the Director of the Department on Regional Relations. In some cases, the DRR Director's impact was critical, ensuring proper communication

²⁸ Balkans Group interview with a Government Official, MESP, Prishtina, May 2021.

²⁹ Balkans Group interview with a Government Official, MIET, Department of Trade, Prishtina, May 2021.

³⁰ Balkans Group interview with a former Government Official, MFAD, Prishtina, May 2021.

and coordination with representatives of line-ministries, mainly due to his/her strong will on the matter, his/her experience, as well as interpersonal skills. In other cases, when the individual in charge lacked these competencies, and he/she was reluctant to initiate communication and coordination with line-ministries, national contact points had to use their own resources for preparing their correspondence with regional organizations and initiatives.³¹ On the same note, another representative from a line-ministry states that coordination with the MFA has rather been reliant on the good relations that they shared with the DRR director, as opposed to a formally structured one.³² Hence, an inter-institutional coordination framework fully reliant on specific competences of an individual has proven not to be sustainable.

The DRR should:

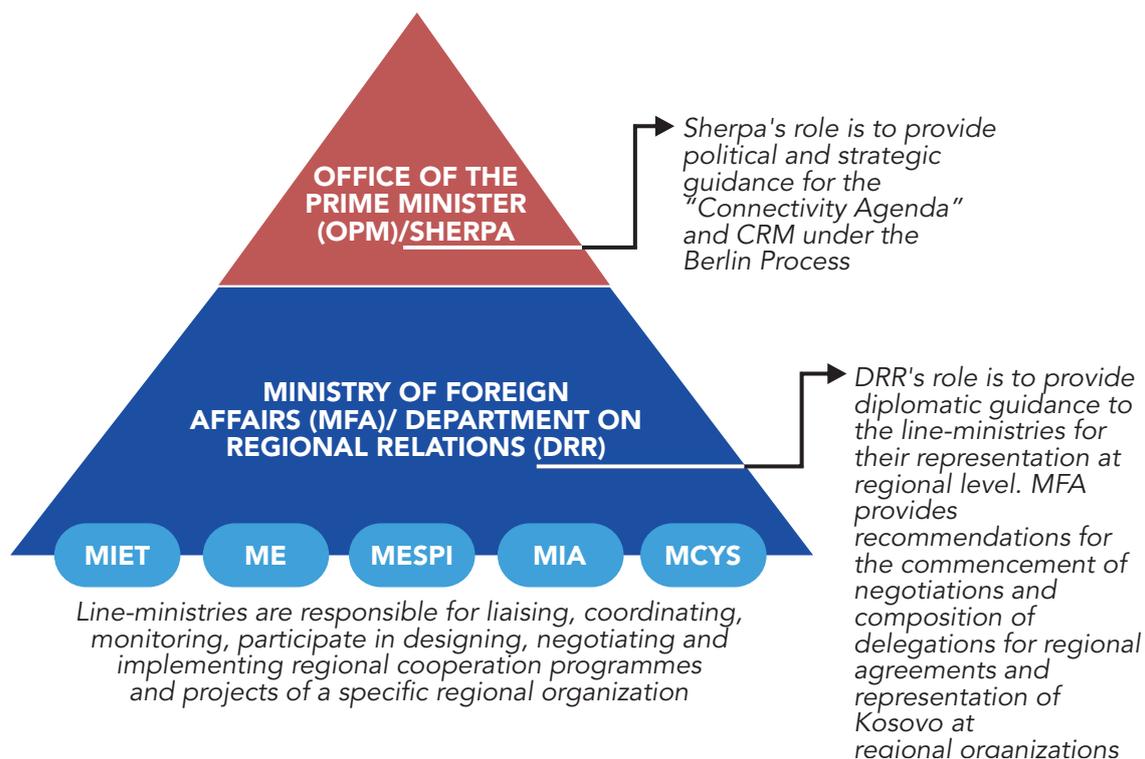
1. Provide clear behavioral and diplomatic guidelines to the authorized representatives at regional conferences, regional organizations or one of its bodies;
2. Proactively propose adequate actions and policies for the purpose of enhancing Kosovo's representation and participation in regional initiatives;
3. Ensure real-time information flow between all the relevant governmental actors and departments; particularly of line-ministries and the Office of Prime Minister/ Sherpa;
4. Build institutional memory for Kosovo's processes in Regional Cooperation. Building institutional memory goes hand in hand with the reporting and follow-up mechanism.

Overall, there is a standing need for strengthening the DRR's role in the domestic institutional infrastructure for regional cooperation processes. That is because the DRR is part of the national administration, and it is not subject to frequent changes of the government. Hence, the DRR's ability to preserve the institutional memory for all the processes of regional cooperation is greater compared to that of the Sherpa within the OPM.

³¹ Balkans Group interview with a Government Official/Contact Point, Prishtina, June 2021.

³² Balkans Group interview with a Government Official, MYSC, Division for Youth Policy Development, Prishtina, April 2021.

KOSOVO'S INSTITUTIONAL FRAMEWORK FOR REGIONAL COOPERATION: AN OVERVIEW OF ROLES AND RESPONSIBILITIES.



The role of Line-Ministries

Multiple mechanisms of regional cooperation often overlap with and/or complement one another.³³ Key thematic components that regional cooperation includes are youth, migration, transport, energy, education, security, digitalization etc. Line-ministries are vital in the context of regional cooperation, as they are the governmental bodies in charge of these components. They cooperate with and periodically report to all of these regional cooperation organizations and/or initiatives, implement agreement obligations and projects, track and follow up the implementation of the many recommendations emanating from these regional mechanisms. They also participate in project design and negotiation processes.

Similar to other countries in the region, Kosovo has established contact points in respective line-ministries. Contact points are employees of the national administration, placed in line-ministries, in charge of communicating and coordinating with the regional organization/initiative at hand. In addition, a political appointee, usually an advisor or chief of the cabinet of the minister, should work closely with the contact point to ensure a smooth flow of information, to prepare thematic briefs, compile reports and keep the Minister updated on

³³Balkans Group report, *The Berlin Process for Western Balkans: Challenges and Gains*, 17 January 2018.

relevant issues pertaining to regional cooperation.

General duties and responsibilities of a contact point entail:

1. Overseeing the participation of Kosovo in all meetings of the regional organization structures and any follow-up required thereafter;
2. Preparing and coordinating inputs, papers and presentations;
3. Coordinating and submitting the comments/ approval of official minutes and/or meeting reports;
4. Circulating meeting invitations, agendas and all background papers to the appropriate officials;
5. Gathering inputs (comments, proposals, legal opinion, data etc.) as required by the regional organizations structures for decisions and coordinating the preparation of the formal position of Kosovo in relation to proposals/activities and submitting information/comments etc.³⁴

Each ministry represents the Government of Kosovo as a party at the specific regional organization's structures. Level of representation includes both; political and technical. Meaning that, depending on the level, either the Minister, an official from the Minister's Cabinet, or the contact point (Head of the Department) is present.³⁵ Each line-ministry serves as a leading institution for a specific regional organization:

The Ministry of Industry, Entrepreneurship and Trade (MIET) is the lead institution for CEFTA. The Minister for Trade is a representative at the CEFTA Joint Committee.

Ministry of Industry, Entrepreneurship and Trade (MIET) in The Central European Free Trade Agreement (CEFTA)	
CEFTA Structures	Representation level from MESP
Join Committee	Minister in charge for Trade
The Committee on Contact Points	Senior Official/ Member of the Minister's cabinet (CP)
Committee on Trade Facilitation	Senior Official/ Head Of Trade Agreement Division
<i>Various departments and units within MIET, as well as other line-ministries, are technical-level representatives at CEFTA sub-committees and working groups.</i>	

The Ministry of Economy (ME) is the lead institution for energy and the Contracting party for the Energy Community (EnC). The Minister for Economy

³⁴ This is a general overview of the Contact Points tasks. Duties and Responsibilities may differ for each Contact Point, subject to the requirements of the regional organization they represent.

³⁵ A lead institution is in charge of liaising, coordinating, monitoring, and implementing regional cooperation programmes of a specific regional organization and/or initiative.

is a representative at the **EnC Ministerial Council**. A Senior Official from the Ministry of Economy (also a contact point) is a representative at the **EnC Permanent High Level Group**.

Ministry of Economy (ME) in Energy Community (EnC)	
EnC Structures	Representation level from ME
Ministerial Council	Minister in charge for Energy
Permanent High Level Group	Senior Official/ Head of the Energy Department (CP)
<i>Dependent on the issue at hand, various departments and units, as well as other Kosovo institutions, are participants /representatives at other EnC structures, institutions and bodies.</i>	

The Ministry of Environment, Spatial Planning and Infrastructure (MESPI) is the lead institution for transport and the Contracting Party of the Transport Community Treaty (TcT). The Minister in charge of Transport is a representative at the **TcT Ministerial Council**. Two representatives from the MESPI are members of the **TcT Regional Steering Community**. These representatives hold the following positions: One is a Multimodal Transport Demand Expert (and the contact point for TcT) and the other is the Head of Cabinet of the Minister.

The Ministry of Environment, Spatial Planning and Infrastructure (MESPI) in the Transport Community Treaty (TcT)	
TcT Structures	Representation level from MESPI
Ministerial Council	Minister in charge for Transport
Regional Steering Community	Multimodal Transport Demand Expert (CP)
	Head of Cabinet of the Minister
<i>Various departments and units, as well as other Kosovo institutions, are participants/ representatives at other TcT structures, institutions and bodies.</i>	

The Ministry of Internal Affairs (MIA) alongside the Ministry of Foreign Affairs are the lead institutions for MARRI. The Minister of Internal Affairs is a MARRI Forum Member. A Senior Official from the Department for Citizenship, Asylum and Migration, Ministry of Interior, is a **MARRI Coordinator** (as well as the contact point). Whereas, a senior official member from the Department of Regional Relations (DRR), in MFA, is a **MARRI Committee Member**.

The Ministry of Internal Affairs (MIA) in the Migration, Asylum, Refugees Regional Initiative (MARRI)	
MARRI Structures	Representation level from MESPI
MARRI Forum Member	Minister of Internal Affairs
MARRI Coordinator	Senior Official/ Head of the Department for Citizenship, Asylum and Migration (CP)
MARRI Committee Member	Head Department on Regional Relations (DRR), MFA

The Ministry of Foreign Affairs (MFA) is the lead institution and the Contracting Party of Western Balkans Fund (WBF). The Minister of Foreign Affairs is a representative at the **WBF Conference of the Ministers of the Foreign Affairs**. A senior official from the Department on Regional Relations (DRR) from the MFA is a representative at the **WBF Council of Senior Officials**.

Ministry of Foreign Affairs (MFA) in Western Balkans Fund (WBF)	
WBF Structures	Representation level from MFA
WBF Conference of the Ministers of the Foreign Affairs	Minister of Foreign Affairs
WBF Council of Senior Officials	Senior Official/ Head of the Department on Regional Relations (DRR).

The Ministry of Culture, Youth and Sports (MCYS) is the lead institution for RYCO. The Minister of Youth, Culture and Sports is the government representative at the RYCO Governing Board. A senior official and/or a member of the Minister's cabinet is the contact point for RYCO.³⁶

The Ministry of Youth, Culture and Sports (MCYS) in Regional Youth Cooperation Office (RYCO)	
RYCO Structures	Representation level from MCYS
Governing Body	Minister of MCYS
	Senior Official/ Member of the Minister's cabinet (CP)

However, the lack of adequate human capacity in line-ministries has stressed another challenge for Kosovo. Some officials do not have the sufficient experience and knowledge on regional initiatives, and are poorly equipped with the required language and negotiation skills for best representing Kosovo in regional meetings and conferences.³⁷

As such, it is viable for each line-ministry, in close coordination with the MFA, to endow public administration officials with relevant expertise on the thematic component of the regional organization they are in charge of. The government should provide high level training on diplomatic and negotiations skills to the concerned officials, and particularly to the contact points.

It is important to mention that some government officials are indeed qualified. However, their engagement in regional fora remains somewhat aloof, as they lack clear strategic and operational guidelines for best representing Kosovo's national interests there.

³⁶ For more, see Graph: *Kosovo's Institutional Infrastructure and its governing structures for Regional Cooperation*.

³⁷ Balkans Group interview with a Government Official/Contact Point, Prishtina, June 2021.

Monitoring the Implementation of Regional Cooperation Agendas

The government of Kosovo does not have a reporting and follow-up mechanism in place for regional cooperation processes. The monitoring of the domestic institutions for implementing, engaging and coordinating the programs and projects of regional organizations and initiatives is more of an “ad-hoc”/ need-based pattern rather than an embodied and structured mechanism. Overall, the institutional infrastructure for regional cooperation is characterized by a lack of common reporting framework, delays and irregular reporting timeframes.

Contact points appointed in each line-ministry are the primary source of information for an organization they are in charge of, i.e. the contact point for Trade, the Ministry in charge for Trade, is the primary source of information from CEFTA related issues. This in itself has stressed a challenge, mainly because there are no external monitoring mechanisms which track and verify the implementation progress.³⁸

For having an effective monitoring mechanism, the inclusion of Civil Society Organizations (CSO’s) is necessary. CSOs could offer an impartial oversight of Kosovo’s progress in the regional cooperation fora. Some CSOs, particularly Think Tanks, have developed requisite expertise in regional cooperation areas and have in-depth knowledge about Kosovo’s trajectory events in the WB6 regional cooperation processes. Furthermore, CSOs can offer direct input on designing, developing and implementing regional programs. Yet, cooperation between government institutions and CSOs for monitoring, reporting, developing and implementing programs has been reduced to a limited context of a few “formal” consultations or has been missing altogether. The participation of CSOs in this process is important because it helps to achieve an enhanced transparency and accountability of government institutions in implementing regional organizations’ agendas.

A reporting and follow-up mechanism should be developed for the purpose of monitoring the work of domestic institutions; line-ministries, contact points, and other stakeholders, in implementing, coordinating and engaging with regional mechanisms.

³⁸ See Balkans Group report, *Regional Cooperation in the Western Balkans: Regional Economic Area, the “Mini-Schengen and the Common Regional Market*, January 2021, pp.18.

CONCLUSION

Regional cooperation is beneficial for Kosovo on multiple-fronts. Besides the technical and sectorial benefits it offers, an enhanced participation and representation in the regional cooperation mechanisms translates into a possibility for Kosovo to position itself on an equal footing with other WB6 countries. Thus consolidating its statehood among non-recognizers in the region and the EU. This is a lens through which the Government should view regional cooperation.

Regional cooperation aims to strengthen WB6 countries' connectivity for furthering their EU accession prospects. Many regional organizations and initiatives have emerged for the purpose of operationalizing this aim. Their programs include a variety of policy areas, of which "economic cooperation" tops the list. It is then followed by cooperation on security, political, and societal areas. However, many of these initiatives experience a low rate of implementation due to deep-seated obstacles. Some of the most pressing ones are the existing political turmoil and absence of bilateral cooperation among certain WB6 countries, the lack of political will among the political elite, and a weak institutional capacity at state-level.

Kosovo's engagement in regional cooperation fora is the most challenged one. Its representation is hindered by non-recognition from Serbia and Bosnia and Herzegovina. This in turn has created a sentiment of despair among the political elite, who have been demotivated to place regional cooperation high on the governmental agenda. Consequently, the lack of political will and government's commitment is invoked as another reason for Kosovo's weak performance in the regional cooperation setting.

Additionally, Kosovo suffers from weak institutional capacities; its institutions are considered to be relatively new, and it is unprepared in engaging in multilateral diplomacy. To overcome these challenges, first and foremost, it is vital for the government of Kosovo to push a downstream political approach for coordinating the domestic efforts for regional cooperation. Kosovo already has an institutional infrastructure in place which deals with regional cooperation, and which is in proximity with other WB6 countries. However, the method of work needs a systematic reconsideration. The division of roles and responsibilities for coordinating, monitoring and implementing regional cooperation programmes remains foggy and unclear. Inter-institutional coordination is weak.

Lastly, it is imperative to highlight that by consolidating, enhancing and improving the internal institutional framework for regional cooperation, Kosovo could advance and “prepare” its public administration for engaging with international organizations. This could be helpful when Kosovo reaches its long-awaited national goal of joining the EU, and others, such as the UN or the OSCE.

The Balkans Policy Research Group is an independent, regional think-tank based in Pristina, Kosovo. We provide timely policy analysis and recommendations on a wide array of state building issues; institutional and democratic consolidation; minority integration and good neighborly relations: European integration and policy change. We have decades of experience in policy reporting and development, strategic thinking and advocacy with governmental, international and non-governmental organizations.

Our rigorous, detailed, impartial reporting, always based on in-depth fieldwork, is the core of our work. We go beyond mainstream positions and seek to make change through creative, feasible, well-measured and forward-looking policy recommendations with the aim of helping develop strong, vibrant democracies, prosperous states and societies based on rule of law in the Western Balkans.

We engage in high-level advocacy, domestically, regionally and internationally, impacting policy discussions and options with regard to the home affairs and European policies toward the Western Balkans.

Balkans Group has developed other tools and platforms to achieve this change:

The Policy Dialogue promotes Kosovo's domestic dialogue, cohesion and reform-making agenda.

The Policy Forum (a Think-Tankers High-level Advocacy Forum) committed to enhancing the dialogue between the civil society and the institutions.

The Kosovo Serbia Policy Advocacy Group (a forum for Cross-Border Civil Society Cooperation) that aims to communicate, promote and enhance dialogue toward full normalisation between Kosovo and Serbia, and their societies.

Women in Politics promotes the empowerment of women and girls; their security and inclusiveness; and is committed to strengthen the Women Caucus' impact and reach throughout Kosovo.

Youth in Politics promotes an active participation from youth from different political parties in the institutions. This component helps in developing a culture of dialogue and cooperation, by providing capacity building trainings on key policy areas and skills and leadership.

The Dialogue Platform promotes the dialogue process between Kosovo and Serbia, by informing the wider public and generating debate about the agreements, benefits and challenges of the Dialogue.

Expert Support component provides policy support to the government and key institutions on key policy areas, peace and state-building agendas.



Norwegian Embassy