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Serbia's Passivization Policy Towards the
Albanian Minority: How Southern Serbia is
Being Turned Ethnically Serbian

Max Planck Institute for the Study of
Religious and Ethnic Diversity

Max-Planck-Institut zur Erforschung multireligiöser
und multiethnischer Gesellschaften



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Abstract

In this paper, I investigate Serbia's application of the Law on Permanent Residence and Temporary Residence, which provides the legal basis to regulate the status of residence for the citizens of Serbia. Drawing on extensive field work in southern Serbia, I show that Serbian authorities have misused the Law of Residence to target predominantly Albanian-populated areas for a selective and mass suspension of permanent addresses. Known also as the policy of "passivization of addresses", this administrative measure has had major repercussions for the basic civic and political rights of thousands of members of the Albanian minority in Serbia. Based on rich primary data that I gathered in three municipalities, I show how passivization has lowered the number of the Albanian voters over the years, thereby greatly undermining their political representation at the local levels, and effectively jeopardized their access to social, economic, and healthcare services in the country. Furthermore, I argue that while passivization of permanent addresses has been taking place elsewhere in Serbia, the pattern of passivization leading to statelessness can be found only among the Albanian minority in southern Serbia.

Keywords: Albanian minority, Serbia, Presevo Valley, passivization of addresses, statelessness, ethnic othering, discrimination of minorities

Author

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Introduction

The southernmost part of Serbia is a predominantly Albanian populated region that encompasses three municipalities stretching along the border with Kosovo. In these three municipalities together – Presheva/Preševo, Medvegja/Medveđa, and Bujanoc/Bujanovac – Albanians make up around 70 per cent of the population.¹ The Albanians have a long historic presence in this region. At different periods during the 20th century, however, the Albanians living in present-day southern Serbia have been subjects of state discrimination, persecution, as well as forced population displacement campaigns.²

The most recent conflict which saw large Albanian population displacement from southern Serbia took place between 1999 and 2001. While there had been a long legacy of discrimination of the Albanian minority in Serbia, the political situation deteriorated especially during the 1990s and it was marked by state political repression, resembling policy measures and forms of repression directed against Albanians of Kosovo. As result, it is estimated that at the height of the Kosovo War in 1999, “approximately one third of the ethnic Albanian population fled from the three municipalities due to fear of an escalating conflict, as well as in some cases in response to treatment by state forces.”³ Following NATO intervention over Kosovo and the withdrawal of Serb and Yugoslav forces from Kosovo in June in 1999, the security situation reached another low point for the Albanians living in southern Serbia; as a considerable number of the Serb/Yugoslav military and paramilitary forces which were forced to leave Kosovo were relocated to the three municipalities with large Albanian population in southern Serbia.

The persistence of political tensions, human rights violations, and overt militarization of the region culminated with an armed conflict between the Albanian insurgency the Liberation Army of Presheva, Medvegja and Bujanoc (UÇPMB) and the state Yugoslav

1 According to the 2002 census, which is recognized the last reliable census, there were 61,647 Albanians living in Serbia.

2 See for example, Fond za Humanitarno Pravo. (2003). *Albanci u Srbiji: Peševo, Bujanovac i Medveđa* [Albanians in Serbia—Preševo, Bujanovac and Medveđa]. <http://www.hlc-rdc.org/?p=13395>; Human Rights Watch. (2008). *Hostages of Tension: Intimidation and Harassment of Ethnic Albanians in Serbia after Kosovo's Declaration of Independence*. <https://www.hrw.org/reports/2008/serbia1108/>; Helsinki Committee for Human Rights in Serbia. (2009). Annual Report: *Serbia 2009. Human Rights, Democracy and Violence*. <http://www.helsinki.org.yu/doc/Report2008.pdf>; Helsinki Committee for Human Rights in Serbia. (2021). *Albanian Minority on Hold: Preševo, Bujanovac and Medveđa as Hostages of the Serbia and Kosovo Relations*. <https://www.helsinki.org.rs/doc/izvestaj%20presevo%20eng.pdf>.

3 See Report of UN Inter-Agency Assessment Mission to Southern Serbia-Serbia, pg. 17.

and Serb forces. During a 17-month period of fighting, which lasted from 2000 to 2001, at least one hundred people were killed, a significant number of Albanian homes were destroyed and looted, and an estimated 12,500 Albanians from the three named municipalities fled to Kosovo amidst the insecurity and violence. According to a fact-finding mission report by the UN-led Inter Agency Mission to southern Serbia in 2001, though some of the refugees returned home, an estimated 15,000 Albanians IDPs from southern Serbia remained in Kosovo; from them 5-6,000 originated from the municipality of Medvegje/Medveđa.⁴

Since the end of the armed conflict with the help of NATO mediation, which officially ended with the Konculj Agreement in 2001, the question of the Albanian minority in Serbia has been widely off the radar of the international community and Balkan politics.⁵ Two decades later, the promises of the Serbian government to integrate the Albanians that were outlined in the so-called “Covic Plan” have not materialized.⁶ The Coordination Body⁷, a leading state mechanism created to implement “the Covic Plan” in Albanian populated areas, has neither being able to address some of the most pressing grievances affecting the Albanian minority,⁸ nor to ensure economic and social development assistance in the south that is ethnically inclusive.⁹ Albanians continue to be underrepresented

4 For more details, see UN Inter-Agency Assessment Mission to Southern Serbia-Serbia, pg. 17-18.

5 Konculj Agreement was signed between Shefqet Musliu (Commander of UÇPMB) and Shawn F. Sullivan (NATO Head of Office in the FRY), on 20 May, 2001.

6 The Covic Plan was named after Nebojša Čovic, then the Deputy Prime Minister of Serbia. The plan aimed to address institutional discrimination of Albanians in Serbia and offer them a blueprint for integration into the Republic of Serbia. The plan had four main pillars: “elimination” of threats to state sovereignty and territorial integrity, 2) security, freedom of movement and the right to return to the Presevo Valley (another term used to refer to the three predominantly Albanian-populated municipalities in southern Serbia), conditioned on the disarmament and disbanding of the UÇPMB; 3) development of a multiethnic and multiconfessional society; and 4) economic and social development.

7 The Coordination Body was Belgrade’s main institutional mechanism that was launched in 2000 with the aim to implement “the Covic Plan” in southern Serbia. In the first years, it was led by Nebojša Čović himself and was staffed for years only by Serb/Yugoslavs high-ranking officials and which included six generals. its main role was to prevent return of an armed conflict in the region and to coordinate state’s policy in the south in all realms of life --ranging from culture to management of security forces on the ground.

8 This includes issues such as non-recognition of diplomas of Albanians from Serbia who study at Kosovo’s universities to facilitating the return of Albanian IDPs from southern Serbia who currently reside in Kosovo.

9 The ICG reported in 2006 that Coordination Body allocated its budget of economic development and investment blatantly on basis of ethnicity. More specifically, the ICG found

in key public institutions, including the judiciary, and are often subject to hate speech in the media, and face limited education opportunities in Serbia.¹⁰ Furthermore, due to high unemployment in the region, the migration of the Albanian youth and the highly skilled work force is resulting in brain drain.

Yet, the problems faced by the Albanian minority in southern Serbia have reached another low point. In recent years, the Serbian authorities have intensified the campaign of mass suspension of permanent addresses of Albanians in southern Serbia, effectively depopulating a large number of the Albanians from the municipality of Medvegja/Medveđa through a practice known also as the passivization of permanent addresses. At the same time, the numbers of passivized Albanians had increased to alarming levels in the nearby predominantly Albanian municipality of Bujanoc/Bujanovac and to lesser extent in Presheva/Preševo.

According to the Serbian authorities, passivization of residence follows if officials in charge cannot determine that a given citizen's permanent residence represents "the center of his or her life activities and professional and economies ties".¹¹ Legally speaking, the question of what constitutes a permanent residence is loosely defined and left up to the discretion of state authorities. A similar vagueness can be observed in the legal formu-

that the Coordination Body had allocated 178 Euros per capita to the municipality of Medvegja/Medveđa, where Serbs represent over 60 per cent of population, 43 Euros per capita to the municipality of Bujanoc/Bujanovac where Serbs are 34 per cent of population, and to the municipality of Presheva/Preševo where Serbs represent over 8 per cent of population it allocated only 31 Euros per capita. See for more details, International Crisis Group. "Southern Serbia: in Kosovo's Shadow." Policy Briefing: Europe Briefing No 43, Belgrade/Pristina/Brussels, 27 June 2006.

10 According to a study conducted by the Albanian National Council in Serbia, which was published in January 2022, Albanians were underrepresented at all levels of the public institutions as well as in all state-owned enterprises operating in southern Serbia. For instance, they found out that although Albanians constitute the majority population in the municipalities of Presheva/Preševo and Bujanoc/Bujanovac, no single Albanian was appointed as a prosecutor; only 13 out of 91 employed customs officers were Albanians; in the Spa Resorts in Banja e Sijarinës/Sijarinska Banja and Banja e Bujanocit/Bujanovac's Spa, only four out of total 150 employees were Albanians; and in the state-owned motorway toll company "Srbija Putevi" only 6 out of 67 employed persons were Albanians. The data was made available for this study by the Albanian National Council in Serbia. For a similar comparative study, see: International Crisis Group. "Southern Serbia: in Kosovo's Shadow." Policy Briefing: Europe Briefing No 43, Belgrade/Pristina/Brussels, 27 June 2006.

11 According to the definition provided in Article 3, paragraph 2, of the Law of Residence and Temporary Residence of Citizens. See for further details, *Law on Residence and Temporary Residence of Citizens 2011*. (Official Gazette of the Republic of Serbia, no. 87/2011) art. 3.2 & art. 18 (SRB.).

lation of what constitutes “a fact” when establishing the validity of a permanent address. By implication, this leaves space for the state authorities to manipulate the criteria and facts and to narrow the possibilities for passivized citizens to successfully appeal their cases in front of the courts in Serbia.

Politically speaking, one of the most immediate consequences of having a passivized resident status in Serbia is that it affects individuals' rights to vote in local elections. In the Republic of Serbia, Article 6 of the Law on Local Elections stipulates that the ability to vote in *local elections* is contingent upon a citizen having a valid permanent residence in a given place.¹² If the law is applied equally and fairly to all citizens of the state, this can be a temporary decision: citizens can be passivized and unpassivized. In a bona fide passivization of permanent residence, the citizen is typically fully aware of his or her individual rights, repercussions, and legal proceedings stemming from him or her moving to another part of the country or living abroad and being passivized.

What has happened in southern Serbia since 2011, the year when the Law of Permanent and Temporary Residence entered into force, is the opposite of a regular process of passivization. Soon after the law was adopted, citizens from the Albanian minority began to complain that they were being passivized without objective criteria and they were not able to renew their IDs and passports. In addition, these citizens complained that they learned about their passivized status rather unexpectedly, when for example, local elections were held, when they were hospitalized, or when they went to register a car. The most common answer that they received from the respective institutions in Serbia was: “you are no longer in the system” and “check on your status with the Ministry of Internal affairs.”¹³ At that point in time, although passivization was taking place at the country level, there were indications that it was affecting the Albanian minority in a specific way, and the same policies were not being applied in the same manner to other parts of the population in Serbia.

This paper aims to shed light into the experiences of the passivized Albanians from that period. In addition to being a case-study on its own right, this paper also aims to make a contribution to the body of scholarship dealing with minority rights in the post-Milosević era in Serbia.¹⁴ With regards to the Albanian minority in Serbia, it will maintain that in

12 See *Law on Local Elections 2007*. (Official Gazette of the Republic of Serbia, no. 129/2007, last amended 2020) art. 6.1 (SRB.). Therefore, for instance, permanent address is one of the three detailed records that appears in the voter lists and it is listed next to them name of each citizen who is eligible to vote in local elections in the Republic of Serbia.

13 In the Republic of Serbia, personal IDs and passports are issued by the competent department of the Ministry of Internal Affairs of Serbia.

14 See, Zana Strabac and Marko Valenta. (2016). Social Distance Toward Ethnic Minorities in Croatia, Serbia, Montenegro, Macedonia, and Kosovo: A Comparative Analysis. In S. P.

post-Milošević era, not only has the Serbian government failing to demonstrate genuine interests to integrate its Albanian minority in the south, quite to the contrary it has systematically undermined their political representation, violated their individual and collective rights, and kept the region economically underdeveloped.

The paper will argue that although passivization as a policy, can be traced back to 2012, it intensified during the period when new political visions for redrawing national borders in the Western Balkans began to circulate. More precisely, in August 2018, the President of Kosovo then unveiled the idea of “border correction” whereby the Albanian-inhabited areas of the Presevo Valley¹⁵ would join Kosovo and implied that four Serb-municipalities in the north of Kosovo could join Serbia.¹⁶ His Serbian counterpart, the President of Serbia, equally ambiguous in his political messages reassured that three municipalities with large Albanian population in the south would remain in Serbia, yet he asked what would be the price of such territorial exchange.

While the local political forces and some international power centers continued debating about the plausibility of the proposal for “land swap” as a possible roadmap to normalization of relations between Kosovo and Serbia, the Serbian authorities intensified their campaign of mass suspension of permanent addresses of Albanians in southern Serbia. Yet, while the political debates were consumed with the question of the “land swap”,

Ramet et al. (Eds.), *Ethnic Minorities in Post-Socialist Southeastern Europe* (Cambridge, UK: Cambridge University Press).

Iliry Zylfiu, Dukagjin Leka, Valbona Ahmeti Zylfiu. (2017). Albanian Minority in Serbia. *Acta Universitatis Danubius: Relationes Internationales*, 10 (2), 60-75; Acta Abdullah Sencer Gözübenli. (2019). Border Vs. Numbers: Albanian National Minority in the South Serbia Between Nation Building in Kosovo and EU Member Building. *KNUV*, 2 (60), 81-100; Beáta Huszka. (2007). The Presevo Valley of Southern Serbia alongside Kosovo: The Case for Decentralization and Minority Protection. *CEPS Centre for European Policy Studies*, 1 (12), 01-11.

Jasemine Kamberi. (2019). ‘The Other’ of Serbia: The Albanians. *INSAMER*, 23.10; Ljubica Djorđević. (2020). Legal Aspects of Processing of National Affiliation Data in Serbia. *Journal on Ethnopolitics and Minority Issues in Europe*, 19 (2), 76-106.

15 The term “Presevo Valley” is rather recent and it is used primarily by Albanians. They use the term “Presevo Valley” (in Albanian: Lugina e Peshevës) to connote region’s Albanian character which in their collective understanding has three main features: the ethnic homogeneity of the Albanian population, shared history, identity, culture, and a sense of political belonging for the three municipalities. Serbs avoid using the term “Presevo Valley” and operate instead with the term “Morava Valley”.

16 President Hashim Thaçi said that only the Presevo Valley would join Kosovo and reiterated Kosovo would neither be divided nor would Kosovo Serbs get an autonomy, and yet he spoke at the same time also about the need for “painful compromises”.

hardly anyone was talking about how passivization of permanent addresses had made life impossible for many Albanians in southern Serbia.

Scope & Methodology

Drawing on extensive field work, this paper sheds light into the effects of passivization policies on the Albanian minority in southern Serbia. It provides the first comprehensive analysis of passivization of residential addresses in southern Serbia, and it does so by drawing extensively on the results of a survey with 1,000 passivized Albanians, personal interviews with different actors, state officials' responses in Serbia, and the international diplomatic core. This paper also used other sources. With the aim of generating reliable data on passivization in the three named municipalities in southern Serbia, this study presents the first official statistics based on the analysis of the documents that I was able to obtain from the EU politicians, Albanian political representatives in Serbia, and other relevant political actors in the region. The study contextualizes these official reports by analyzing what is being reported, how it was reported over the years, and to whom it was reported.

The paper presents the total number of passivized cases for various cities/municipalities across Serbia and compares the number of passivized citizens in the predominantly Serb populated municipalities with the three municipalities with large Albanian population in the southern part of the country. The analysis then switches to an in-depth study of the municipality of Medvegja/Medveđa and examines the impact of passivization on the right to vote in the period from 2012 to 2019. The study proceeds next by presenting several personal accounts of passivized Albanians, which represent not only individual cases but also categories of passivization, and provides insights into how the competent authorities implemented the law in practice. In order to evaluate the main findings from the survey, data gathered from fieldwork, as well as official reports of the state authorities, the study provides a brief analysis of the relevant laws of the Republic of Serbia and asks whether there is a legal base to deny Serbian citizens certain services and rights by referring to their passivized resident status. In a final step, I situate the main findings about the passivization praxis in southern Serbia in a wider geopolitical political context.

The paper is framed by several interrelated realms of questions. First, I inquire when and under what circumstances were these citizens passivized, how they learned about their status, and how passivization has affected their lives. Based on data gathered from a

survey, I provide statistics on how many citizens were issued written decisions on passivization by the competent authorities in the Republic of Serbia, and I also investigate which institutions denied them public services due to their passivized status, and what were the legal outcomes in few cases where passivized Albanians challenged the decision of the official authorities. Subsequently, I provide statistics on how many of the 1,000 Serbian citizens of Albanian ethnicity who were subjects in this study were refused personal IDs and passports and eventually became de facto stateless due to the passivization of their residence.

The pool of passivized respondents recruited for this study includes 500 Albanians from the municipality of Medvegja/Medveđa, 450 Albanians from Bujanoc/Bujanovac, and 50 Albanians from Presheva/Preševo. The participants came from 33 different villages and city dwellings located in southern Serbia, were between 16 and 75 years old, and of the total 1,000 participants, 60 per cent were male and 40 per cent were female. One main method to recruit participants for the study was a survey that contained 14 questions altogether. To this end, in order to ensure wide distribution of the survey, I utilized social media platforms, personal connections, Albanian community leaders, political activists, and NGOs working with the Albanian minority in Serbia. In the initial phase of data gathering, I was able to recruit passivized citizens for this study in collaboration with two NGOs: AFEDS (Albanian Forum for Economic Development in Serbia) which operates from the municipality of Medvegja/Medveđa and VATRA based in Gjilan, Kosovo, which is an NGO that represents Albanian IDPs from southern Serbia in Kosovo who were forced to flee from southern Serbia during the armed conflict in 2000/01. In the second phase, I recruited passivized respondents through the method of snowballing sampling or chain-referral technique until data saturation was achieved and further data collection/coding was not necessary.

The first part of the survey asked respondents general questions such as the name, date, place of birth in the Republic of Serbia. This was followed by questions such as: the name of the municipality where they had been passivized, the date, month, and year (if known) when they were passivized, or how they learned about their passivized status. In order to better understand how passivization of permanent address affected members of the Albanian minority, the survey asked the following question: What services were refused due to passivization of one's permanent address in the Republic of Serbia? The survey gave each respondent more than one option to choose from as an answer, including: a) ability to obtain personal IDs and travel documents, b) ability to vote, c) ability to buy or sell real estate, d) getting pension/executing banking activities, e) traveling outside of Serbia, and f) other. Furthermore, participants were asked how passivization affected

their daily life and of their family as a whole; and interrogated whether they have filed complaints against the decision of the authorities at relevant institution in Serbia. Lastly, it asked them to indicate which institutions were more likely to address their grievances related to passivization of their permanent addresses: a) national Albanian political forces, b) local Albanian political representatives, c) non-governmental organizations, or d) other institutions. The final question in the survey asked the participants where they currently lived. The names of passivized citizens have been systematically anonymized and places of their towns changed, so as to avoid the possibility of them being traced by state authorities.¹⁷

Besides data collection through a survey, I have conducted 100 semi-structured personal interviews during the period between November 2019 to July 2021 for this study. I did so in three languages: Albanian, Serbian, and English, with actors ranging from passivized citizens, representatives of NGOs in Serbia, journalists, political activists, policemen, and academics. In some cases, I conducted more than one interview with the same passivized respondent and the interviews were largely conducted over the phone or per Email. The interviews have been transcribed and codified in line with the main research questions and the overall research design for the study. Data collected through interviews substantiate statistical data in this study, as it provides insights into how the law regulating residences status in Serbia, i.e. passivization policy, was implemented in practice. It allows for an in-depth study of how the law affected different categories of citizens in southern Serbia such as: citizens with serious health conditions, students studying in Kosovo, individuals with temporary work contracts in Western Europe, highly educated Albanian professionals working abroad, as well as displaced Albanians from southern Serbia residing in Kosovo. Lastly, I applied a content analysis to the interpretation of the collected materials.

Passivization Numbers: Evidence from Different Sources

In my survey, more than 80% of the participants (813 persons) reported that passivization has had severe repercussions for their basic civic and political rights in Serbia. For the overwhelming majority of the respondents (950 individuals), the passivization of resi-

¹⁷ However, when wished by the respondents, their names have been disclosed and their views are openly presented in the paper. More often than not, these cases where passivized Albanians who have written about their struggles in the daily newspapers.

dence typically led to a) suspension their permanent address, b) removal from the voter lists without being notified about it, c) an inability to exercise the right to vote in local and parliamentary elections, d) loss of access to social and healthcare, and d) an inability to renew their IDs and travel documents at the Ministry of Internal Affairs of Serbia.

The data gathered from the survey with 1,000 Albanians from the three municipalities in southern Serbia reveals that passivization has had a detrimental impact especially for the two basic citizenship rights guaranteed by the constitution: the right to vote and get elected in local elections, and the right to be issued an identity card and passport. In my survey, over 90 per cent of the respondents (902 individuals) indicated that they had lost their right to vote in the local elections in their hometowns due to passivization of their residential addresses. Around 50 per cent of (510 respondents) stated that they were currently neither in possession of valid identity card nor of a passport, because the Serbian Ministry of Interior had refused to renew their expired IDs and travel documents, claiming that they “no longer live in Serbia”. Around 25 per cent (240 respondents) still had one valid identity card from the Republic of Serbia, but were passivized nonetheless; and were hence not able to vote in the last local elections that were held in their hometowns/cities. The remaining 25 per cent (250 participants) who filled out the survey stated that they still had valid personal IDs and a passport. However, they were still passivized and unsure about whether they were still listed in the Register of Voters. Should passivization policy continue to be implemented as it has been thus far, all these Serbian citizens of Albanian ethnicity will no longer have valid travel documents from the Republic of Serbia by 2030.

One of the main objectives of the survey was not only to inquire into the scale of passivization in southern Serbia, but also to analyze how the policy was implemented in practice by the state authorities. In this context, respondents were asked questions such as: how did they learn about their passivized status, how did the authorities communicate the passivization decision to these citizens, and if they have taken legal steps to reactivate their residential address. The data gathered from the survey shows that competent authorities primarily gave the information on passivization to the affected citizens orally. To be more precise, out of the total 500 passivized Albanians of Medvegja/Medveđa, only 20 received official decisions in writing to show that they had been passivized. The competent department of the Serbian Ministry of Interior communicated the information to the other 480 passivized citizens orally.

The newly founded branch office of the National Albanian Council (ANC) in Medvegja/Medveđa that began operating in December 2020 and made registration of the passivized members of the Albanian minority its central activity, observed similar patterns in

information dissemination to the passivized Albanians from this municipality. According to its representatives, in the first seven months, a large number of passivized individuals came to register with the office: “1470 Albanians altogether, but only 173 of them were issued final decision on passivization in writing by the Ministry of Internal Affairs of Serbia. The authorities simply refused to give decision in writing without giving any particular reason. In some cases, they asked passivized individuals questions such as: What do you need the document for? Who advised you to come here, etc.”¹⁸

In the nearby municipality, Bujanoc/Bujanovac, the Albanians participating in the survey reported similar problems. From 450 participants, only 115 reported to have obtained an official decision in writing. Surprisingly though, the Albanians of Presheva/Preševo didn't encounter the same obstacle, for at least 30 out of 50 participants reported receiving their passivization decisions in writing without major administrative hurdles at the local police station. As regards to Presheva/Preševo, the study cannot conclude whether this was due to the comparatively small number of respondents from this municipality who participated in the study, or due to the fact that there are more Albanians working in the local administration of the Ministry of Internal Affairs in Presheva/Preševo. What stands out, however, is that of 165 official decisions (in Serbian: Rešenje) that were issued to the passivized Albanians from the three municipalities, not once did the authorities mention that these citizens were refused personal IDs and passports due to the passivization of their permanent residential addresses.

Official patterns of communication on passivization can be assessed from other angles as well. While the data from the survey provides insights into how local authorities interacted with passivized Albanians in southern Serbia, it does not answer the question of how different institutional levels in the Republic of Serbia reported about passivization. In this context, at least, three patterns can be observed. First, the Serbian state officials have been keen to emphasize that a bona fide passivization has been taking place all over Serbia and the municipalities with large Albanian population in the south are not an exception. The official data, however, suggests otherwise. As table 1 shows, official passivization numbers reported for the municipalities with a large Albanian population, Medvegja/Medveđa and Bujanoc/Bujanovac, are strikingly higher than for the cities/municipalities with Serb majority population elsewhere in Serbia.¹⁹

18 Personal communication, representative of the National Albanian Council (ANC) branch office in Medvegja/ Medveđa, July 17, 2021.

19 I have retrieved the official numbers of the population for the listed municipalities from Statistical Office of Republic of Serbia. See for details, Republika Srbija: Republički Zavod za Statistiku (2014). *2011 Popis stanovništva, domaćinstava i stanova 2011. u Republici Srbiji:*

Table 1. Republic of Serbia: Number of Passivized Cases and Population Size by Municipality (2011- 2021).

Municipality	Population Size	Passivized Cases	Percentage
Medvegja/ Medveđa	7.438	1782	23,96 %
Bojnik	11.104	59	0,53 %
Lebane	22.000	35	0,16 %
Bujanoc/Bujanovac	18.067	560	3,09 %
Pirot	57.928	63	0,10 %
Leskovac	144.206	366	0,25 %
Smederevo	108.209	86	0,07 %
Krusevac	128.752	628	0,48 %
Subotica	141.554	1216	0,85 %
Novi Beograd	214.506	1555	0,72 %

(source: author's compilation based on the data obtained from: Republički Zavod za Statistiku (2014). 2011 Popis stanovništva, domaćinstava i stanova 2011. u Republici Srbiji: Usporedni pregled broja stanovnika 1948, 1953, 1961, 1971, 1981, 1991, 2002 i 2011, godine; and Passivated Addresses in Serbia, Serbia Ambassador's Report to the European Parliament Member and EP Standing Rapporteur for Kosovo Ms. Viola von Cramon).

Second, the Serbian state authorities have provided inconsistent data on passivization about municipalities with a large Albanian population. In November 2020, several months after campaigners from Medvegja/Medveđa²⁰ made passivization a central political issue, the newly elected representative from the Albanian minority in the Serbian

Usporedni pregled broja stanovnika 1948, 1953, 1961, 1971, 1981, 1991, 2002 i 2011, godine [Republic Bureau of Statistics (2014). 2011 Census of Population, Households and Dwellings in the Republic of Serbia]. Retrieved from <https://pod2.stat.gov.rs/ObjavljenePublikacije/Popis2011/Knjiga20.pdf>. Last accessed on 10 September 2021.

²⁰ See Zëri i Amerikës. (2019, October 13). *Jeta e shqiptarëve në komunën e Medvegjës* [Life of Albanians in the Municipality of Medvegja], [Video]. <https://www.youtube.com/watch?v=uHvc7ZlulQU>; Euronews Albania (2020, 24 November). Shpopullimi i Shqiptarëve të Medvegjës, Muharrem Salihu: Kosova dhe Shqipëria të mos Ndalen në Deklarata [The Depopulation of Albanians of Medvegja, Muharrem Salihu: Kosovo and Albania to do more than Issue Statements]. *Euronews Albania*. <https://euronews.al/al/rajoni/2020/11/24/shpopullimi-i-shqiptareve-te-medvegjes-muharrem-salihu-kosova-e-shqiperia-te-mos-ndalen-ne-deklarata/>. In the second half of 2020, Albanian political representatives from the municipality of Bujanoc/Bujanovac and Presheva/Presevo began to raise the issue of passivization much more frequently in the media, see for example: Koha Ditore. (2020, 22 November). Kamberi: Pasivizimi i Adresave të Shqiptarëve po Ndryshon Strukturën Etnike në Luginën e Preshevës [Passivization of Addresses of the Albanians is Altering Ethnic Structure in the Presevo Valley]. *Koha Ditore*. <https://www.koha.net/arberi/246712/kamberi->

National Assembly, Mr. Shaip Kamberi asked the Ministry of Internal Affairs of Serbia about the total number of passivized permanent addresses for the municipality of Medvegja/Medveđa. He tactfully asked for the numbers for those areas where Albanian constituted an overwhelming majority population in this municipality and for the period 2017 to 2020. By December 9, 2020, the Minister of Internal Affairs of Serbia Aleksandar Vulin responded to him with an official letter in which he claimed that “based on the information of the Ministry there were 1751 persons passivized for the requested areas for the period January 1st 2017 until 26 November 2020.”²¹ A few months later, Mr. Kamberi asked the Minister of Interior the same question, for the same areas, for the same municipality, but for the period from 2011 to 2017. According to Minister Vulin’s second response, there were no passivization cases to be reported for these years. More precisely, he wrote in his response that “based on the information of the Ministry there was no single permanent addresses passivized in these specific settlements for the requested years, and there were no initiated cases at the moment awaiting a decision on passivization of permanent addresses in those areas.”²² Obviously, Mr. Vulin’s information was not accurate.

First, other institutional levels in Serbia have provided different statistics from Minister Vulin. Just as the campaign against mass and selective passivization of Albanians was beginning to take off in early 2020, the mayor of Presheva/Preševo then, Mr. Shqiprim Arifi, also inquired with the authorities about the total number of passivized cases in the Albanian-populated areas. However, he neither turned to the local authorities in the town of Medvegja/Medveđa nor did he approach the Ministry of Internal Affairs in Belgrade. Instead, he made the inquiry with the regional directorate of the Ministry of Internal Affairs of Serbia, in the city of Leskovac, which is an intermediate level institution that has competences over the local authorities in the municipality of Medvegja/Medveđa. In the official response to Mayor Arifi, the Chief Police Officer of the Police Department of the Ministry of Internal Affairs in Leskovac responded saying:

[pasivizimi-i-adresave-te-shqiptareve-po-ndryshon-strukturen-etnike-ne-luginen-e-presheves/](#)

21 The official letter was made available for this study by Albanian political representatives. It can be requested under the subject matter 01-8409/20-2, December 9th 2020, Ministarstvo Unutrašnjih Poslova Srbije, Narodnoj Skupštini: Narodnom Poslaniku Šaipu Kamberiju [Ministry of Internal Affairs of Serbia, National Assembly: National MP Shaip Kamberi].

22 The second response of Minister of Internal Affairs of Serbia to Mr. Shaip Kamberi can be located under: subject matter 01-8409/20-4, April 6th, 2021, Ministarstvo Unutrašnjih Poslova Srbije, Narodnoj Skupštini: Narodnom Poslaniku Šaipu Kamberiju [Ministry of Internal Affairs of Serbia, National Assembly: National MP Shaip Kamberi].

“based on the verification of information [across different sectors] we confirm that the police department in Leskovac, police department in Medveđa have passivized since 29.11. 2011, the year when the Law of Permanent and Temporary Residence of Citizens entered into force, until 12.03. 2020, with a final decision 4214 persons in the territory of the municipality of Medvegje/Medveđa”.²³

Yet, by March 2021, the Serbian state officials reported different numbers on passivization. At the request of Viola von Cramon-Taubadel, MEP, and European Parliament's Standing Rapporteur for Kosovo, just weeks prior to the adoption of the “2019-2020 Commission Report on Serbia” in the European Parliament, the Serbian Ambassador provided MEPs with an exhaustive list entitled: “Passivated Addresses in Serbia”. For the three southernmost municipalities, the Serbian Ambassador in Brussel reported a) 1782 cases for the municipality of Medvegja/Medveđa, b) 570 for Bujanoc/Bujanovac, and c) 92 for Presheva/Preševo. In sum, the Serbian state officials reported rather accurate data on passivization before the issue became widely known, but lowered the numbers by the time it reached international policymaking levels such as the European Parliament.²⁴

Third, state officials in Serbia have not engaged with the question of how passivization is reflected in the voter lists in southern Serbia. In the Republic of Serbia, as the right of the citizens to vote in local elections is dependent upon having a registered permanent address in a self-governing unit, the voter lists are a strong evidence of passivization. In other words, mass and selective passivization is almost always associated with a sharp decline in the number of voters. Indeed, looking at the municipality of Medvegja/Medveđa, between 2012 and 2019, the number of registered voters was reduced from 10.102 to 6.602.²⁵ And during a four-year period alone, between 2015-2019, the number of Albanian councilors dropped from 8 to 3.²⁶

23 The letter was made available to me by the cabinet of Mayor of Presheva/Presevo Shqiprim Arifi. The official response can be requested under the following: subject matter 205-1259/20, April 13, 2020, Ministarstvo Unutrašnjih Poslova: Direkcija Policije, Policijska Uprava Leskovac: Opština Preševo, Kabinet Predsednika Opštine [Ministry of Internal Affairs: Police Directorate, Police Administration Leskovac: Municipality of Preševo, Office of the President of the Municipality].

24 In fact, a group of MEP had seen enough evidence that they proposed an amendment/resolution to the “2019-2020 Commission Report on Serbia” which condemned the problem of a selective passivization of residential addresses and targeting of members of the Albanian minority in Serbia. See for more details, resolution 54 of the “2019-2020 Commission Report on Serbia”.

25 I have extracted the numbers from the Statistical Office of the Republic of Serbia.

26 As a result, for the first time Albanians were left outside the local government in Medvegja/Medveđa.

Finally, the Serbian authorities have not provided ethnic breakdown data neither about the passivized cases, nor about the voters removed from the voter lists since 2011. Taking a lead from the results of my survey, where 90% per cent of the 500 passivized of Medvegja/Medveđa claimed that they were not able to vote during the local elections held in 2019, I conducted a two-level analysis of the voter lists for this municipality. First, I analyzed the total number of registered voters for the cycle of local elections that were held in 2012, and 2019 respectively. That is to say, I investigated how the number of the registered voters changed in this municipality since the Law on Residence entered into force in 2011. In the second step, I compared the decrease of the number of Albanian and Serbian voters in the villages/settlements where they constituted the absolute majority population (over 95 percent population). As the comparison of tables 2 and 3 show, between 2012 and 2019, the number of Albanians voters removed from voter lists in the municipality of Medvegja/Medveđa was 61.58%, whereas that of Serbs was 14%.

In my study with the affected citizens, found a strong correlation between passivized Albanians and their removal from the voter lists. At least, for the case of the municipality of Medvegja/Medveđa, I was able to independently evaluate the claims of the participants in the survey about their inability to exercise their right to vote in the local elections in 2019. As I received full access to the voter lists from that year – which Albanian political councilors made available for this study – I could trace down which of the passivized citizens had been removed from the voter lists by the time local elections were held in September 2019. I also found out that more than 90 percent of the 500 passivized Albanians from this municipality who participated in this study had been removed from the voter list without them being notified about it. The remaining 10 per cent still figured in the voter lists though.²⁷

Although the state authorities have insisted that passivization is being carried out evenly all over Serbia, data shows that municipalities with large Albanian population have clearly the highest number of passivized citizens in the Republic of Serbia. Furthermore, as the case of Medvegja/Medveđa shows, the municipality with the highest number of passivized citizens in Serbia, mass passivization of the Albanians led to a sharp decline in the number of Albanian voters as well as the number of political councilors.

27 This was probably because the relevant information about the status of their permanent residential addresses was not sent out to the Register of Voters. Some Albanian political activists, however, saw this also as a strategy of the state authorities to create confusion among members of the Albanian minority and to make the entire process difficult to comprehend.

Table 2. Passivization and Decline of Albanian Voters in Medvegja/Medveđa (2012-2019)

Villages/Settlements with Albanian majority	Registered Voters 2012	Registered Voters 2019	Decline of Albanian Voters Percentage
Gjylekreshtë	379	163	-56.99 %
Kapit	293	123	-58.02 %
Tupallë	943	407	-56.83 %
Sijarinë	603	177	-70.64 %
Sfricë	807	232	-71.25 %
Rama Banjë	433	255	-41.10 %
Stara Banjë	113	41	-67.71 %
Gërbac	446	133	-70.17 %

(source: author's compilation from the official data obtained from: Spisak Upisanih Biraca/Rezultati Lokalnih

Izbora, Opština Medvegja/Medvedja, 24 June 2012; and Spisak Upisanih Biraca/Rezultati Lokalnih Izbora, Opština

Medvegja/ Medveđa, 08.09.2019). Decline of voter by percentage is my own.

Table 3. Passivization and Decline of Serbian Voters in Medvegja/Medveđa (2012-2019)

Villages/Settlements with a Serb majority	Registered Voters Year 2012	Registered Voters Year 2019	Decline of Voters Percentage Decreases
Donji Bucumet	198	155	-21.71 %
Lece	275	237	-13.81 %
Gazdare	382	374	-2.09 %
Negosavlje	306	303	-0.98 %
Macedonce	158	128	-18.98 %
Rujkovac	270	200	-25.92 %
Stublla	118	105	-11.01 %
Tullare	152	144	-5.26 %

(source: author's compilation from the official data obtained from: Spisak Upisanih Biraca/Rezultati Lokalnih Izbora, Opština Medvedja, 24 June 2012 [List of Registered Voters/Local Election Results, Municipality of Medvedja], and Spisak Upisanih Biraca/Rezultati Lokalnih Izbora, Opština Medvedja, 08.09.2019 [List of Registered Voters/Local Election Results, Municipality of Medvedja]. Decline of voter by percentage is my own.

How Passivization Policy Affected Regular Citizens in southern Serbia

Passivization statistics are central to the debate on whether state institutions have acted in good faith when implementing the Law on Residence in Serbia. Not only do they tell us about the *modus operandi* of various state institutions, they can also discern distinctive patterns of discrimination and the targeting of specific ethnic groups. Yet, as important as statistics might be, the debate on passivization cannot end with statistics. Behind every passivization number there is a unique personal experience of a citizen of Serbia. So far, insufficient attention has been given to the personal struggles of passivized Albanians from southern Serbia; neither in the media, nor in academic settings has the question been raised on how passivization impacts these individuals and their families both in the short and long term. While there has been a reference with regards to the point that Albanians can appeal against the decision of authorities within 8 days, as the law stipulates, but they are failing to do so because authorities do not notify them about the decision on time—hardly any attention has been given to those cases where the Albanians initiated procedures against the Serbian authorities with the aim to restore the status of their residential addresses. Perhaps more strikingly, there has been even less debate about the impact of passivization upon chronically ill individuals, retired persons, and other vulnerable groups in southern Serbia.

Data from my survey shows that the Serbian competent authorities did not spare of passivization even the most vulnerable categories of citizens in southern Serbia. In some cases, not only did the competent authorities passivize the vulnerable members of the Albanian minority, they were the only members from the entire family whom they had passivized. In the following, I provide insights into a range of personal experiences and struggles of the Serbian citizens of Albanian ethnicity with passivization policy since 2011. Each case presented reflects more than just a personal experience of dealing with the consequences of passivization; it reflects a category of passivized citizens in southern Serbia. Because the focus is on the experience of individuals, my method of research and data analysis switches to an anthropological study. For instance, in order to obtain the data not captured by statistics, I conducted more than one in-depth interview with each participant over a 15-month period. I asked them over twenty open-ended questions. I kept track of their legal procedures initiated in Serbia, officials' responses, and conducted textual analysis based on the official documents which the passivized citizens made available for the study.

Data obtained from my study shows that there were no objective criteria in the process of deciding who was being passivized from the Albanian community in southern

Serbia. There was also not one particular category of Albanians that was being passivized either. Authorities were passivizing young and elderly, healthy citizens as well as those with life threatening diseases. They were passivizing people who were working for the local administration of the municipality in southern Serbia, Albanian students from southern Serbia studying in Kosovo, as well as individuals who had taken temporary jobs in Western Europe. Finally, they were passivizing those who had registered their long-term residence abroad with the authorities in Serbia. In the following, I will give examples of each category.

The first category of passivized Albanians from southern Serbia are those working temporarily in Western Europe. Due to high unemployment rates in the three southernmost municipalities in Serbia, and making use of the fact that Serbia has a visa waiver agreement with the Schengen Area, many Albanians from the region end up taking seasonal jobs in Switzerland and Germany. Although they continue to have property on their name in southern Serbia, and have no permanent job contracts abroad, the authorities tend to systematically deactivate their permanent addresses in their hometowns. This way, they are treating this category of citizens as foreign citizens, or as individuals who relinquish their Serbian citizenship in order to obtain another foreign citizenship, and more likely will never return to live in southern Serbia. In practice, this is not necessarily the case though; the Albanian seasonal workers from southern Serbia do not automatically obtain permanent residences in Western Europe or the citizenship of the host countries. Typically, they engage in circular migration but passivized status makes it harder for them to return to their hometowns in southern Serbia.

As a passivized Albanian from one the villages of Medvegja/Medveđa recalling his experience of being passivized told me in a personal interview:

“I went to renew my expired passport in 2014 in the department of the Ministry of Internal Affairs in our town after spending one year in Germany, and it was only then I learned that I had been passivized. The police told me you have been deleted, you no longer figure in the database, and therefore you cannot receive new passport. Since then, I don't have a valid passport and my personal ID has expired too. I no longer have any valid document from the Republic of Serbia. This makes my life impossible in Medvegja/Medveđa; last time I was there I could not buy a phone number in my hometown where I was born because of a lack of a valid ID. They eventually cut off my electricity, again because I had no valid ID when I went to pay my monthly bills. This is an extremely distressing situation.”²⁸

28 Participant 78, Albanian from Medvegja/Medveđa, personal communication, 18 February, 2021.

The second main category of passivized Albanians from southern Serbia are those currently working in Kosovo. In one case, I spoke to a young Albanian man from a village in Bujanoc/Bujanovac who been passivized in recent years. His family owned a large amount of land which they had passed on to him. He provided evidence of his birth certificate, citizenship certificate, and that he paid regularly taxes to the Serbian government. He was multi-lingual and well educated. Still, he was never able to find a job in Serbia. A few years ago, he landed a good paying job in Kosovo where he worked for an international company but spent most of the weekends with his parents in his village in southern Serbia. Recalling his seven-year passivization battle with the Serbian state institutions, he told me in a personal interview: “when my personal ID expired in 2014, the Serbian authorities told me we cannot renew it because this is not the address where you live regularly.”²⁹ He subsequently filed a complaint that made it to the highest competent authority in Belgrade, but to no avail. “They passivized not only my permanent addresses, but my complaint as well”, he told me in a personal interview.

After more than seven years of legal battles, he became *de jure* a stateless person. In the meantime, his personal ID and passport expired and the authorities refused repeatedly his requests to renew them. As in every other passivization case that I investigated, the Serbian Ministry of Interior made sure not to leave anything in writing that would show that they refused to issue him travel documents. Reading the official decision, one gets the impression that the citizen simply failed to “convince” the authorities that he intends to live permanently in his hometown. In reality, however, he was taken away all his basic civic and citizenship rights in Serbia by the state authorities.

The third main category of Albanians being passivized in Serbia are the young people studying in Kosovo or Albania. Based on accounts that I conducted with the affected citizens, the facts objectively didn't play role in these cases for the Serbian authorities. As an Albanian student from the municipality of Bujanoc/Bujanovac studying medicine in Pristina explained poignantly:

“I informed the Serbian authorities that I would study medicine in Kosovo. Next year I will start my medical residency, which means I will be spending another four years mostly in Kosovo [...] I have been passivized since 2015. I have no valid ID since that year. I have become a *de facto* foreign citizen in my hometown. I applied three times to renew my personal ID at the department of the Ministry of Internal Affairs in Bujanoc/Bujanovac [...] they even found me home once when they came to check if I lived in my registered permanent address, but still they passivized me. Can you imagine this happen-

29 Participant 24, Albanian from a village of Bujanoc/Bujanovac, 24 October 2020.

ing anywhere in Europe today that you lose your state IDs because you work or study in another country?”³⁰

There is strong evidence demonstrating that the personnel of the Ministry of Internal Affairs of Serbia passivized Albanians from southern Serbia with life threatening health conditions as well. In the municipality of Medvegja/Medveđa, there was a case, where a passivized citizen suffered from a rare disease which had left him on wheelchair in a short time. He had his doctors abroad where he went for regular check-ups and to participate in clinical trials since the summer of 2010. What was striking about this family case was that the Serbian Ministry of Interior “verified his residence” three times and the police inspectors found him each time home during 2020. However, the department in charge refused to recognize the validity of his permanent address. Even more disturbingly, the same institution issued new passports to the parents – on whom the wheelchair bound person – was dependent for his daily activities and to his two siblings but not to him.

This passivized young Albanian who had studied in the US for four years before falling ill provided a detailed account in the survey, saying among other things: “I must have passivized just before the local elections were held in 2019 in Medvegja/Medveđa or at least that is when I learned about it because when the authorities brought the voter lists my name was not on it.”³¹ At that point in time, although this passivized citizen had still valid personal ID when local elections were held, he was passivized without ever receiving notification about it, and subsequently deleted from the voter list without being aware of it. He eventually made a complaint at the department in charge of the Ministry of Internal Affairs in his hometown, but authorities refused to issue him a written decision confirming that he was actually passivized.³² Instead, they communicated everything to him orally. Despite his plea letter to reactivate his permanent address, the authorities never gave him any answer. In one of the questions of the survey, the passivized citizen with the life-threatening disease recalled:

“the competent authority told me only verbally I am passivized at their office, they gave me nothing in written...it was a very distressing feeling for me...it was a heavy discrimination that Republic of Serbia committed towards me, I who was just a normal citizen

30 Participant 5, Albanian from Bujanoc/Bujanovac, personal communication, 15 May, 2020. I changed the year of passivization for this case in order to prevent possible tracing by the Serbian authorities.

31 Participant 31, personal communication, May 13th, 2021.

32 As I was particularly familiar with this family case, I was able to obtain the written complaint directed to the authorities which the wheelchair bound wrote by hand. On it, he emphasized his health condition and described in details how his passivized status affects the entire family.

of this country and paid regularly taxes to this country. It has been two months since I appealed against this unjust and inhumane decision but I never heard anything back from the authorities. The fact that I am on wheelchair, and in the middle of the pandemic does not seem to affect them at all.”³³

By November 2020, while still waiting for an answer from the Serbian Ministry of Internal Affairs, the wheelchair bound citizen who was unjustly passivized fell gravely ill and was rushed into the hospital in Belgrade. On the day, he was admitted at the Emergency Unit in Belgrade, he had no valid passport, no health insurance, and no recognized permanent residence by the state authorities Serbia.³⁴ It was only due to much pressure upon the the local authorities, that they issued him a temporary health-insurance card and only for two months, which enabled the family to cover the costs of what could have easily been a couple of thousand Euros medical bill. He died three weeks later. And the Serbian Ministry of Interior never renewed his passport.³⁵ Had this 30-year-old needed a complex surgery abroad, he had no valid Serbian passport to leave the country.

The fourth main category of passivized Albanians from southern Serbia comprise elderly and retired persons. Aside from the chronically ill, I found that this was one of the most vulnerable social groups among the passivized Albanians in southern Serbia. In the municipality of Medvegja/Medveđa, I spoke to a 70-year old told who told me about her long battle with passivization in Serbia. She recalled during a personal interview, “it was just another regular day in life,” she had a doctor’s appointment at the local clinic when police inspectors came to check for her at home. When she came back home, her neighbor told her that the police came and asked questions about her whereabouts, including “how much time she spends in her apartment, as well as where her children lived”.³⁶

When I interviewed her, she told me that she was in poor health, living alone, and had no longer a valid passport. After being unjustly passivized in 2017, she was deleted from the voter list, and therefore was not able to vote in the local elections that were held in 2019 in Medvegja/Medveđa. When I asked her how passivization impacted her life, she said to me:

33 Participant 30, Albanian citizen from a village in Medvegja/Medveđa, personal communication, July 15, 2021.

34 He still had a valid personal ID though.

35 I was able to independently verify that the chronically ill family member was indeed purged from the Voter List of the 2019 local election that were held in the municipality of Medvegja/Medveđa.

36 Participant 5, Albanian from Medvegja/Medveđa, personal communication, 2020.

“I was bound to my house for one year [...] after learning that they passivized me I made a complaint about the decision and initiated a legal procedure to reactivate my permanent residence. They found all possible excuses, the most absurd one you can imagine only so they can prolong the process. I even hired a Serbian lawyer, but the regional department of the Ministry of Internal Affairs in Leskovac did not take my arguments into account.”³⁷

Left with only one valid document, the personal ID, the biggest fear for this retired and passivized Albanian woman from Medvegja/Medveđa was that she would not be able to get her pension for much longer. One needs a valid document to open a bank account and receive pension in Serbia. As a preemptive measure, she thought that it might be smart to authorize one of her daughters to receive the pension for her. This way, should the authorities not extend her personal ID too, someone from the family would be eligible to get her monthly pension. But this plan didn't work out either, as she shared with me in a personal interview:

“given that I am passivized and in poor health, I decided to take the necessary steps to authorize my youngest daughter to get my pension. We went to the city of Leskovac, where the regional office that regulates such matters is located. My daughter has a Kosovo citizenship and she has no Serbian passport. At first, the Serbian official in Leskovac told me it is not a problem at all to authorize my daughter to receive my pension, but in the moment he saw my daughter's Kosovo personal ID said ‘wait a moment’ and went to consult with his colleague; he came back and told me in Serbian ‘ne može’...meaning we can't do it...this is how Serbia deals with the Albanian minority nowadays.”³⁸

The retired woman appealed the passivization decision to the department in charge at the Ministry of Internal Affairs of Serbia in Medvegja/Medveđa and Leskovac. After making her wait for almost a year for an answer, the respective institutions rejected her complaint and gave as the main reason that “during the verification process, the police authorities have established that the person does not live in the declared residential address, and that her declared permanent residential address does not represent the center of her life activities”.³⁹ Unusually candid, these institutions made two additional remarks in the final verdict. They mentioned that they had found the retired woman home twice during the unannounced police visits, yet they stated “we refuse her complaint because based on the electronic evidence of the Ministry of Internal Affairs of Serbia, we could prove that she came only once in a while in the territory of the Republic of Serbia and that she spent most of the time in the territory of “Kosovo and Metohija”.

37 Participant 5, Albanian from Medvegje/Medveda, personal communication, 2020.

38 Participant 5, Albanian from Medvegje/Medveda, personal communication, 2021.

39 Official response to participant 5.

The official letter made another unusual reference which shows that the passivization praxis can put an entire community under pressure. In the final verdict, they argued that they asked the neighbors about the whereabouts of the passivized retired woman, and their answer allegedly was, that she spent most of the time with her sons in Pristina, Kosovo.⁴⁰ After more than one year battle with the Serbian Ministry of Internal Affairs, not only was the retired lady unable to reactivate her residential address, purged from the voter list without her will, but her passport expired in the meantime too. They competent authorities of the Serbian Ministry of Internal Affairs, of course, refused to renew her passport.

The fifth category of passivized Albanians are members of the Albanian community with registered permanent residences abroad.⁴¹ On June 2020, Haki Emini, a prominent human rights activist from Medvegja/Medveđa wrote a protest open letter to the Serbian institutions that was published in the daily newspaper *Danas* in Serbia. In the letter, Mr. Emini explained that, even though he had properly registered his residence abroad with the Serbian authorities and was able to regularly vote for years at the Serbian consulate in Bern, Switzerland, he was suddenly illegally passivized and then removed from the voter list in 2019. In the letter entitled “Administrative Ethnic Cleansing of Albanians”, he reiterated that thousand members from his community were confronted with similar illegal and discriminatory decisions by the Serbian authorities.⁴² The case of Haki Emini is a case in point and important in several regards. First, it shows that passivization was extended to encompass those Albanians of southern Serbia with properly registered residences in Western Europe or beyond. It also illustrates that even if the Serbian citizens of Albanian ethnicity properly registered their new residence abroad, in line with the pro-

40 According to the account of the retired woman though, her neighbors claimed that the police had never asked her these questions.

41 During my field work, I spoke to dozens of passivized Albanians from this region who had temporary residence abroad or were studying outside of Serbia. They all expressed the wish to maintain Serbian citizenship, and were concerned in particular about access to their property in southern Serbia in the long-term.

42 See H.D. (2020, June 18). Administrativno Etnčko Čišćenje Albanaca [Ethnic Cleansing of the Albanians through Administrative Measures]. *Danas*. <https://www.danas.rs/drustvo/administrativno-etnicko-ciscenje-albanaca/>; and Helsinki Odbor za Ljudska Prava u Srbiji (2020, June 17). Otvoreno Pismo Povodom Nezakonitog Brisanja iz Biračkog Spiska Većeg Broja Gradana Albanske Nacionalnosti na Teritoriji Opštine Medveđa [Open Letter Regarding illegal Deletion from the Voter List of a Large Number of Citizens of Albanian Ethnicity on the Territory of the Municipality of Medveđa. Retrieved from https://www.helsinki.org.rs/serbian/aktuelnosti_t447.html.

visions of Article 19 of the Law of Residence, this ultimately does not protect them from being passivized by the Serbian authorities.

Passivizing Albanians from southern Serbia who have temporary residence abroad has little to do with concerns about electoral outcomes. For, as a pattern, Albanian voter turnout in the parliamentary and presidential elections in Serbia has been traditionally low. Instead, by passivizing highly skilled and financially affluent members of the Albanian community working abroad, the Serbian authorities appear to have other objectives in mind. Their aim is to prevent highly educated Albanians from establishing any kind of meaningful connection with their place of origin. Ultimately, whether an Albanian is passivized while living in Bujanoc/Bujanovac or while temporarily studying in San Francisco, the consequences are the same and the practice affects both citizen categories alike. It prevents them from being able to vote, from being employed or employing someone in their hometowns, and it strengthens the brain-drain of the Albanian elites, as it prevents affluent members from returning home and making investments in southern Serbia.

The sixth category of passivized Albanians is comprised of Albanian women from the three municipalities in southern Serbia who are married with Kosovar Albanian men, and women from Kosovo married to Albanians from southern Serbia. These people, by the virtue of marriage connection, often divide their time between the two places. Teuta Fazilu, a native of Bujanoc/Bujanovac, who was married to a Kosovar Albanian man and worked at the Ministry of Local Government Administration in Kosovo, was one of them. She was nine-months pregnant staying with her parents in the native Bujanoc/Bujanovac, in the middle of the pandemic, when she had no choice but leave her hometown in order to give birth to her first-born in Pristina, Kosovo.⁴³ In a personal interview, she explained that after learning about her passivized status and after being removed from the voter list, she filed a complaint against the decision. "It has been almost a year now, but I have not heard back from them", she explained. As Teuta is a citizen of Serbia, her newborn daughter is entitled to obtaining Serbian citizenship, but her passivized status makes realization of this right for her daughter impossible. How the passivization of Albanian parents from southern Serbia affects the rights of their minor children, is another question that the Serbian officials did not engage with so far.

43 See „Serbia vazhdon Pasivizimin e Adresave të Shqiptarëve në Luginë të Preshevës [Serbia Continues to Passivize Albanians of the Presevo Valley]“, 3 November 2020, Telegrafi, accessed <https://telegrafi.com/serbia-vazhdon-pasivizimin-e-adresave-te-shqiptareve-ne-luginen-e-presheves-teuta-fazliu-viktima-e-radhes/>.

What Teuta Fazliu's case shows is that one passivized person does not necessarily mean one passivized permanent address. For, in those cases where the heads of households were passivized, the policy had direct implications for their minor children as well. In the short-term, passivized Albanian parents in Serbia face obstacles ranging from getting birth certificates for their minor children to inability to register them at specific institutions in Serbia. In the long-term, most of the passivized Albanian parents without valid IDs maintained in the survey that they feared that their children would also be removed from the voter list and eventually refused IDs by the Serbian state authorities. As a consequence, the question of access to property preoccupied all these passivized categories.

There is an inter-generational passivization par excellence taking place in southern Serbia. This study showed that there is a strong correlation between passivized/stateless Albanians and refusal of the Serbian authorities to issue their children who are born in Kosovo state IDs and passports, which is a right guaranteed to them by the Law on Citizenship of the Republic of Serbia, by the virtue that one of their parents was born in Serbia and has Serbian citizenship. The parents, however, can hardly prove that the Serbian authorities have refused citizenship to their children due to passivization. Again, this is because the authorities communicate this information to the Albanian families only verbally.

At this point in time, this study finds that at least 850 Albanians from southern Serbia have registered as people without any IDs in Kosovo.⁴⁴ According to the representative of the Office for Presheva, Medvegja, and Bujanoc, which operates within the Office of the Mayor of the municipality of Gjilan in Kosovo, "this creates an intractable number of problems for them and their families, their children even though may be born in Kosovo cannot obtain Kosovar citizenship because their parents were not born in Kosovo, and yet they cannot obtain Serbian IDs either due to ethnically motivated passivization".⁴⁵

This section made it clear that Albanians from Serbia are not only losing their basic civic and political rights due to passivization of their residential addresses, they are systematically being denied state IDs by the Serbian Ministry of Internal Affairs. There is no clear category of Albanians that are being passivized but the authorities have targeted for mass and selective passivization, especially the Albanians who currently live in Kosovo either because of jobs, study, or because they arrived there as IDPs during the

44 Based on the data obtained from the NGO "Trojet" which represents Albanian IDPs from the Presevo Valley in Kosovo, and based on communication with the representatives of the Office for Presheva, Medvegja, and Bujanoc in the municipality of Gjilan.

45 Personal interview, representative of the Office for Presheva, Medvegja, and Bujanoc in the city of Gjilan, Kosovo, July 5th, 2021.

armed conflict in 2000/2001. However, one fundamental question that needs to be raised is the following: Is there a legal base in Serbia to deny citizen IDs based on the status of residential address? And are the grievances of the Albanians to be found among other minority groups and majority population in Serbia? These are the two questions that I will discuss next.

Serbia's Passivization Policies Towards the Albanian Minority: The Emergence of an Ethnicized Passivization Policy

The National Assembly of Serbia promulgated the new Law on Residence and Temporary Residence of Citizens on November 17, 2011. As stated in the Article 1, the purpose of the law was to regulate the registration and deregistration of residence inside the country and to keep a record of temporary residence abroad for the Serbian citizens, with the aim of maintaining appropriate records.⁴⁶ In this manner, Article 3 defines the meaning of the term "citizen" as following: a "citizen shall mean a citizen of the Republic of Serbia", and residence is "a place where citizen has settled intending to live there permanently, i.e. a place which is the center of his/her life activities, professional, economic, social and other relationships which prove his/her permanent connection with the place where he/she settled."⁴⁷ In the same paragraph, the term "passivization of address" appears and is defined as "an indication in the competent authority records that the citizen does not live at the address of the registered residence or temporary residence".⁴⁸ Lastly and related to this, the law defines another key term "competent authority" as a "territorially competent regional organization unit of the ministry responsible for internal affairs".

From a legal definition, it follows that the category of permanent residence is not defined as a set formal or an administrative category. Rather, it is much more a category that is dependent upon assessment of several criteria by the state authorities, including checking whether a citizen can demonstrate "professional, economic, social, and other ties" to the current registered residential address, as well as an intent to permanently settle there. In this manner, the law ultimately leaves it up to the authorities to interpret and establish the facts about the validity of a permanent residence. It gives them the power to make a judgment about the validity of a residential address in the present and the prob-

46 See RS Official Gazette, no. 87/2011, Article 1.

47 See for more details, RS Official Gazette, no. 87/2011, Article 3, paragraph 1 and 2.

48 Ibid. Article 5.

ability of an individual to reside there the future. This is stated explicitly in the law as it outlines the requirement of : “proving his or her permanent connection with the place [...] and intention of living there permanently”.⁴⁹ Furthermore, the ultimate powers of the state authorities are stipulated in Article 13 of the Law, which clearly states that “the competent authority shall reject the registration of permanent residence by a decision if the citizen’s intention to permanently reside at the address he/she is registering cannot be determined.”⁵⁰

Regarding passivization of a permanent residence, it is regulated by Article 18 of the same Law that stipulates that “at the request of the court, state administration authority, other authority or organization, as well as another legal or natural person who has a justified legal interest, shall check the fact of a permanent residence or temporary residence at the address where a citizen has registered.”⁵¹ Should any of the above-mentioned authorities come to conclusion that “the citizen does not reside at the address where he/she registered residence or temporary residence...or that he/she gave false information during registration...the competent authority shall issue a decision passivizing the address of permanent residence.”⁵²

Another relevant concept that is clearly defined in the Law is the process of issuing decisions on passivization of residence. Article 18, paragraph 3, says that “the competent authorities should issue a decision on passivization of address,” and makes a reference to it once again when referring to the right to appeal against the decision on passivization. In this manner, Article 18 foresees that the citizen is properly informed about passivization and stipulates that it is possible to make an appeal against the decision to the department in charge of internal affairs “within eight days from receiving the decision on passivization of residence”.

The passivization of permanent residence can have major repercussions for the right to vote in local elections in Serbia and by implication for political representation. Article 6 of the Law on Local Elections stipulates that all adult citizens with legal capacity have the right vote in local elections in the Republic of Serbia. However, the right to vote in local elections is tied to a citizen possessing a registered permanent residence in a given area. To this end, Article 6 on the Law on Local Elections makes it clear that the right to elect a local councilor depends on having a permanent residence on the territory of the respective local self-government unit. Perhaps less surprisingly, this law defines the same

49 This is stipulated in Article 2, paragraph 2 of the Law on Residence and Temporary Residence.

50 Ibid. Article 13.

51 Ibid. Article 19.

52 Ibid. Article 19, paragraph 2.

preconditions for the ability to run as a political councilor in a local election.⁵³ In this manner, should there be a politically-motivated passivization that is targeting a particular minority group, passivization will almost always lead to shrinking the number of voters and councilors from that minority group, which in turn it will gravely undermine their political representation.

Yet the Law on Permanent and Temporary Residence of Citizens of Serbia does not explicitly state that citizens must have a permanent registered residence in order to obtain personal ID or passport.⁵⁴ In fact, Article 17 of the Law states that if a citizen with the right to an ID does not have a permanent address, nor can his or her residence be determined by a decision in accordance with Article 11 of the Law, then his/ her temporary residence shall be determined by a decision “for the purpose of obtaining an personal ID”.⁵⁵ In the Republic of Serbia, the right to be supplied with IDs and passport is a basic constitutional right afforded to all citizens. It is derived from the citizenship right, which is determined by the criteria of citizenship. If the right to be supplied with state IDs is a constitutional right guaranteed to citizens of Serbia, if there are no legal grounds to deny them personal identity cards based on the Law on Residence either, how come the Serbian state authorities were able to enforce this very legality in the areas with large Albanian-population in southern Serbia? In order to understand the motivations of the authorities to bend the law, it is essential to take the wider political context into the picture.

When Serbia adopted the new Law on Residence in 2011, one of the leading arguments used in favor this law was that it would help to establish the objective number of citizens residing in a given area of the country. This was important for the government for the purpose of collection of taxes and social services. In addition, the law was also hailed as a helpful mechanism that would strengthen Serbian democracy, as it would help to “clean up” voter lists, which it was argued, did not represent the actual number of voters in different self-governing units in the country.⁵⁶ Back then, both Serbian politicians and international diplomats in Serbia hardly had any concerns about its potential negative consequences, be it in economically weak regions of Serbia from where there was sig-

53 See for more details “Pravno Informacioni Sistem Republike Srbije,” *Zakon o Lokalnim Izborima [Law on Local Elections]*, Article 6, paragraph 1 and 2, accessed <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2007/129/3/reg>.

54 The law doesn't refer to this scenario.

55 See RS Official Gazette, no. 87/2011, Article 17, author's translation.

56 See Marinković, D. (2015, September 9). U Medveđi Duplo Više Glasaca Nego Stanovnika [In Medveđa, Twice as Many Voters as Residents]. *Južne Vesti*. Retrieved from <https://www.juznevesti.com/Drushtvo/U-Medvedji-duplo-vise-glasaca-nego-stanovnika.sr.html>.

nificant temporal migration to cities, or in those areas of the country dominated by an ethnic minority group. They saw the law as necessary for maintaining important records, and the overall impact of the Law was expected to be positive. At any rate, there were no discussions about the possibility of (mis-)using the Law to target for mass passivization one particular social or ethnic minority group in Serbia.

Hardly a year after the Law went into force, however, the first complaints of an irregular and arbitrary passivization praxis began to arrive from southern Serbia. It was the Albanians from the municipality of Medvegja/Medveđa and Bujanoc/Bujanovac who were first reporting that the Serbian Ministry of Internal Affairs was questioning the validity of their existing permanent residence and subsequently passivizing them, and refusing to issue them IDs and passports.⁵⁷ What's more, by 2012, when the first local elections were held in the municipality of Medvegja/Medveđa after the Law of Residence went into force, a number of Albanians reported that they were surprised to learn they had been purged from the voter list, too. To be sure, the numbers of passivized cases were small at the beginning in southern Serbia but the pattern of an ethnically motivated passivization soon became visible: the Serbian authorities were passivizing permanent addresses of the Albanians, they were refusing to renew their personal IDs and passports and removing them from voter lists. The deregistered citizens also complained that the authorities in charge were not providing any detailed answers about the procedure.⁵⁸

In the municipality of Medvegja/Medveđa, where Albanians constitute a majority population in several villages and settlements, it soon became clear that the new passivization policy was being applied unevenly to the two main ethnic groups⁵⁹. While some local passivized Serbs complained of the administrative hurdles related to passivization, passivized Albanians were complaining of the inability to continue their lives in their

57 Personal Interview with Femi Beha, Albanian political councilor from Medvegja/Medveđa, 2020. To learn more how the members of the Albanian minority articulated their struggles with passivization in the first five years, see Al Jazeera Balkans. (2016, June 16). *Pasiviziranje Prebivališta Albancima iz Medvede* [Passivization of Residential Addresses of Albanians from Medvegja]. [Video]. YouTube. <https://www.youtube.com/watch?v=rRJWp1-gsWs>.

58 Personal interview with a former municipality councilor.

59 Albanians constitute the majority population in the following villages of Medvegja/Medveđa: Tupallë/Tupale, Gjylekreshtë/Đulekare, Llapashticë (e Epërme dhe e Poshtme), Lapaštica (Gornja i Donja), Kapit/Kapit, Sijarinë/Sijarina, Rama Banjë/Ravna Banja, Stara Banjë/Stara Banja, Svirçë/Svirce, Gërbac/Grbavce, as well as in parts of the town of Banja e Sijarinës/Sijarinska Banja and the city of Medvegja/ Medveđa.

hometown due to expired state IDs which the authorities refused to issue.⁶⁰ Parallel to this, beginning in 2015, influential political figures in Serbia as well as various media outlets close to the government of Serbia began to refer to Medvegja/Medveđa as a “Serb municipality”. Following the sudden death of the mayor of this municipality, Slobodan Drašković, from early elections were held in September 2015.⁶¹ This election was, in many ways, a watershed when it comes to the passivization campaign in southern Serbia. First, just two days prior to the election day Albanian political representatives adopted the declaration for the creation of the “Association of the Municipalities with Albanian Majority in the Presevo Valley”, which they maintained will have the same judicial and political competences as the “Association of Serb Municipalities” that Belgrade was demanding to create in Kosovo.⁶² And second, thousands of Albanians were effectively not allowed to vote in the local elections in 2015 in Medvegje/Medvedje.

More specifically, on September 14, 2015, a large number of Albanians of Medvegja/Medveđa who had been displaced during the 2001 conflict to Kosovo, and young professionals from the region working in Pristina, Albanian students, as well as members of the Albanian Diaspora organized in large numbers to vote in the local elections in their hometown. However, they were halted at the border crossing between Serbia and Kosovo “Mutivode” and were not allowed to enter Republic of Serbia. An estimated “2,000 Albanians of Medvegja/Medveđa who were organized in 28 buses and 250 vehicles”⁶³ were left waiting all day at the border crossing “Mutivode”, and the Serbian border police didn’t let them enter Serbia and were eventually forced to return to Kosovo. The official explanation was that the electronic system had gone down, but the real reasons were political and not technical, as the ensuing weeks and months would demonstrate. In 2015, not only were the local elections in Medvegja/Medveđa held without participation of thousand members of the Albanian minority, but the Serbian Progressive Party (SNS),

60 Participant 52, Albanian from Medvegja/ Medveđa, personal communication, 15 October, 2019.

61 Slobodan Drašković had a long political tenure in Medvegja/Medveđa. He was in power for almost 15 years. Although he was close to various government circles in Belgrade, he run in the local elections mainly as a non-partisan candidate. This made him favorable candidate for a mayor among the local Albanians, with whom he often created governing coalitions, for most of his political tenure. Serbian nationalist parties such as the SNS (the Serbian Progressive Party) accused him often for his “closeness with Albanians”.

62 See for details, Zijadin Gashi. (September 12, 2015). *Lugina voton për Asociacionin e Komunave Shqiptare* [The Presevo Valley Votes for Association of Albanian Municipalities]. *Radio Evropa e Lirë*. <https://www.evropaelire.org/a/27243833.html>.

63 Personal correspondence with Femi Beha, Albanian political councilor in the municipality of Medvegja/Medveđa

which had won merely 12% of the votes in the elections held in 2012, won an impressive 65% of total votes in 2019.

Nebojša Stefanovic, Serbia's Minister of Interior, commenting on the results of the early election triumphantly declared: "this is a major victory for us, the reality is that Medvegja/Medveđa is a Serb municipality in the Republic of Serbia and it shall stay there, and [emphasized] that national interests were protected to the maximum and he was glad about it."⁶⁴ At the same time, Minister Stefanovic referred to the citizens of Serbia of Albanian ethnicity who were prevented from voting in their hometown simply as the "people who were brought from Kosovo with buses to vote", and as "persons without valid IDs". In this manner, he shifted the debate from questioning the legitimacy of the election to questioning the "authenticity" of the Albanian minority voters.

This discourse of high-ranking Serb politicians portraying Medvegja/Medveđa as a "Serb" municipality and overt propaganda in some Serbian media about the alleged efforts of the Albanians to alter national structure in the south continued well into 2020. The main message transmitted was that Albanians were a threat to Serbia. For example, the houses that some Albanians were building in their villages, self-financed road repairs, were predominantly financed by affluent members of the local Albanian diaspora, but these projects were labelled as money coming from "Albanian clans". There were also unfounded reports about new mosques being erected everywhere, and warnings that new Albanian settlements were being established in the south with the logistical support of Albanian politicians from Tirana and Pristina.⁶⁵

64 See Stefanović: Medveđa se nalazi u Republici Srbiji i tu će i ostati [Stefanović: Medveđa is Located in the Republic of Serbia and There Will Remain]. (September 14, 2015). *TRT*. <https://www.trt.net.tr/bosanski/region/2015/09/14/stefanovic-medveda-se-nalazi-u-republici-srbiji-i-tu-ce-i-ostati-1-52420>

65 For insights into the anti-Albanian campaign in southern Serbia since 2015, see for example, the debate between the mayor of city of Leskovac Goran Cvetanović and political councilor from the opposition Nenad Zdravković: Dragan Marinković. (December 14, 2018). O Kosovu i u Leskovačkoj Skupštini: Mi smo sledeći, Albanci već kupuju parcele u Lebanu da grade džamije! [Debate about Kosovo in the Leskovac Assembly: We are Next, Albanians are Already Buying Land in Lebane to Build Mosques!] . *JuGmedia*. <https://jugmedia.rs/o-kosovu-i-u-leskovackoj-skupstini-mi-smo-sledeci-albanci-vec-kupuju-parcele-u-lebanu-da-grade-dzamiye/>; Jug Srbije na večitom udaru Albanca: Vijore zastave, gradi džamija i sve to pred vratima srpskog naroda [The South of Serbia is Under Constant Threat by Albanians: Flags are Flying, a Mosque is being Built, and all that on doorstep of the Serbian people]. (August 28, 2020). *Srbija Danas*. <https://www.srbijadanas.com/vesti/info/jug-srbije-na-vecitom-udaru-albanaca-vijore-se-zastave-gradi-dzamiya-i-sve-pred-vratima-srpskog-2020-08-28>.

By September 2019, when the new local elections were held in Medvegja/Medveđa, a large number of Albanians did not figure at all in the voter lists due to passivization. Dragan Šormaz, a high-ranking Serbian politician within the Serbian Progressive Party (SNS) celebrated the historic victory of his party by emphasizing the following in a tweet: “the SNS wins over 65% of votes in Medveđa! A testimony that Albanians no longer live in Medvegja/Medveđa is that their two political lists won only around 7% of votes.”⁶⁶

Passivization of Albanians in Southern Serbia and Its Wider Geopolitical Contexts

According to the former mayor of Presheva/Preševo, Shqiprim Arifi, mass passivization of Albanians in southern Serbia has to be understood in the context of Serbia's plan for “land swap” and its plans to redraw national borders in the Balkans in general. In his view, Serbia has tried to lower the number of Albanians in the south through “passivization” of their residential addresses, in order to prevent Kosovo making political demands about Albanian minority in the Presevo Valley. According to him, Serbia has been pushing for the creation of Association of Serb Municipalities in Kosovo for years, and mass passivization of Albanians in southern Serbia was a preemptive measure employed to prevent them from making the same political demand. “In the event that Kosovo ends up making demand for Association of Albanian municipalities in southern Serbia, Serbia wants to be able to say: ““which Albanians of Medvegja/Medveđa, there are no Albanians left there...

66 See Dragan Šormaz [@dragansormaz]. (September 8, 2019). #SNS preko 65% u Medvedji! Dokaz da Albanci više ne žive u Medvedji je to što su dve list dobile oko 7%. Izašlo 66%, što je u realnosti (oni koji se vode u spisku, a negde su u inostranstvu poslom naravno nisu glasali) preko 80%. Toliko u bojkotu! [#SNS won more than 65% of the votes in Medvedja! A Proof that Albanians no longer live in Medveđa is that two of their lists were able to receive only around 7% of the vote. The Voter turnout was 66 %, which in reality was (given that those who are still on the list, but are abroad due to their work did not vote, of course) more than 80 per cent. So much for the boycott]. Twitter. <https://twitter.com/dragansormaz/status/1170769135137107970?F>; and Lokalni Izbori u Medvedji. Naprednjaci: Osvojili smo više od 65 odsto glasova [Local Elections in Medveđa. The Serbian Progressive Party Wins More than 65 per cent of the Votes]. (September 9, 2019). *Blic*. <https://www.blic.rs/vesti/politika/lokalni-izbori-u-medvedji-naprednjaci-osvojili-smo-vise-od-65-odsto-glasova/c9p7t8o>.

and as regards to Bujanoc/Bujanovac too our statistics show much lower numbers of Albanians than you are claiming.”⁶⁷

In a more recent interview with Radio Free Europe, mayor Arifi elaborated further this point arguing:

“if one looks back to 2011, the year when the passivization began and up to 2018, when the idea for redrawing borders first begins to circulate, it makes sense why the Serbian authorities targeted especially Medvegja/Medveđa, why this is a municipality with the highest number of passivized residential addresses [in Serbia]. They did so, simply so that by 2019, they could say that this specific region is not populated by Albanians, and if so, their numbers there are very low. That was a well-planned action against the dialogue, not only against the Albanians in the Presevo Valley, but against the dialogue [with Kosovo], because its aim was to strengthen Serbia's position at the negotiation table in Brussels.”⁶⁸

Yet it was not only some Albanian politicians who saw mass passivization of Albanians in Serbia in this context. The Serbian prominent human rights activist, Sonja Biserko, argued that: “for the Serbian government, southern Serbia is part of the Kosovo story: Serbia wants to lower the number of Albanians in the South by any means; this is a continuation of an old policy.”⁶⁹ In her view, southern Serbia is an important geo-strategic region for Serbia. Therefore, the entire debate about “exchanging Presevo Valley for north Kosovo was just a pretext to make the idea of border changes thinkable, because Serbia would not have given up the three municipalities where Albanian minority is concentrated in the south due to their geo-strategic significance; its real territorial intentions were north Kosovo and Republic Srpska.”⁷⁰

Another way to think about the passivization of Albanians in Serbia is to compare it with other minorities in the country. Serbia officially recognized 19 minorities which have enjoyed traditionally different status in the country. For this study, I inquired with the National Council of Hungarian Minority in Serbia, and asked them whether members

67 Personal correspondence with Shqiprim Arifi, Mayor of the municipality of Presheva/Preševo, February 19, 2021.

68 Branko Vučković. (Januar 26, 2021). Presdsednik Opštine Preševo: Brisanje prebivališta Albancima u Srbiji moralni zločin [The Mayor of the Municipality of Presevo: Deletion of Residential Addresses of Albanians in Serbia is a Moral Crime]. *Radio Slobodna Evropa*. <https://www.slobodnaevropa.org/a/šciprim-arifi-politika-brisanja-prebivališta-albancima-u-srbiji-moralni-zločin/31069346.html>.

69 Personal interview with Sonja Biserko, Helsinki Committee for Human Rights in Serbia, June 2, 2021.

70 Personal interview with Sonja Biserko, Helsinki Committee for Human Rights in Serbia, June 2, 2021.

of this minority group were confronted with passivization problems observed among the Albanians in Serbia. A further detailed study is needed, but so far Hungarian minority representatives responded saying that “passivization of permanent addresses was not one of the problems, and they didn’t record any case where its community members were refused personal IDs or passports by the Ministry of Internal Affairs”.⁷¹ In addition, prominent human rights organizations in Serbia such as the Helsinki Committee for Human Rights in Serbia and the OSCE representatives also claimed that “no other minority group except the Albanians approached them with complaints about suspension of permanent addresses and refusal of state authorities to issue them IDs and passports.”⁷²

Conclusion

This paper investigated Serbia’s passivization policy towards the Albanian minority in southern Serbia. It analyzed how the Law of Residence was implemented in the predominantly-Albanian populated areas and provided insights into struggles of the passivized citizens to reactivate their permanent residential addresses. Based on the data I gathered from the survey with 1,000 passivized Albanians and over one hundred personal interviewees with various actors, I conclude that the Serbian authorities targeted for mass and selective passivization especially the municipality of Medvegja/Medveđa and Bujanoc/Bujanovac and to lesser extent Presheva/Preševo.

This study showed that passivization of residential addresses in the Albanian regions in southern Serbia has been massive and systematic. It took place parallel to the EU facilitated talks between Kosovo and Serbia on normalization of relations, and it was intensified in the wake of the proposal for land swap between 2015-2019. It turns out that not only do Albanian-inhabited areas have the highest rate of passivization in the Republic of Serbia, the case of Medvegja/Medveđa shows that it was followed by a massive purging of Albanian voters from the voter lists too, thus greatly undermining their political representation at all levels.

As it has been implemented by the Ministry of Internal Affairs of Serbia, passivization of permanent addresses is turning many Albanians from southern Serbia into de facto

71 Personal correspondence, Emir Suljagic, Hungarian National Council in Serbia, October 11, 2021.

72 Personal correspondence with Sonja Biserko, Helsinki Committee for Human Rights in Serbia, June 2, 2021; and OSCE representatives in Serbia, February 19, 2020.

stateless people. There is ample evidence that key state institutions are acting in a coordinated manner in the process; the Ministry of Interior, courts, the electoral commission, as well as media close to the government. As this paper showed, the Law of Residence regulating the status of residence for citizens of Serbia is not necessarily discriminatory. Put it simply, discrimination is not found in the law, but in the way it is being implemented by the competent state authorities. Albanians are not only being passivized without being aware of it, they are being refused official decision in writing by the Ministry of Interior and are not issued new state IDs.

From 1,000 passivized Albanians, only less than 18 per cent received a written decision on passivization. Even in those cases though, nowhere do authorities mention that Albanians were refused personal IDs and passports. In reality, however, over 500 respondents claimed that they were not able to renew their IDs due to passivized status. Moreover, reports by the state authorities on passivization are incoherent and do not present the factual situation on the ground. They gave rather accurate data when passivization was not an issue, and lowered the numbers by the time it reached the European Parliament. Because the passivization campaign has targeted and affected the Albanians in a particular manner, the authorities have neither provided an ethnic breakdown of passivized cases nor has it made the voter lists available for scrutiny to independent observers. The voter list are, however, important evidence of passivization because they represent the closest number of actual passivized citizens in southern Serbia. Yet they do not provide the complete number of passivized cases, as this study showed, because the Ministry of Internal Affairs has deleted the addresses even of those Albanians who had registered their residences abroad with the relevant state authorities in Serbia. The numbers are higher because minor Albanian children have often been deleted along with their parents from the civil registry.

Both Kosovo and Albania have not addressed the systematic passivization of the members of Albanian minority in Serbia. In fact, Kosovo and Albania have led a policy of minimal engagement vis-à-vis the Albanian minority in Serbia since the end of the Kosovo War in 1999.⁷³ By and large, Pristina and Tirana have encouraged the Albanian minority in Serbia to seek an integration in Serbia's state institution after the Kosovo War ended, not the least because they hoped that this would tame the resistance of the Serb minority to an independent state of Kosovo. When in 2018, Kosovo's former President and President of Serbia began openly talking in favor of "land swap", as part of which

73 With the exception of a few ad hoc projects, they provided no noticeable support for culture, sports, and infrastructure development to the Albanian minority in Serbia.

Albanian-populated areas from southern Serbia would allegedly join Kosovo and parts of Serbian-dominated north of Kosovo would join Serbia, many Albanians in southern Serbia were puzzled. At this point in time, thousands of them had already been passivized without being aware of it and were being denied personal and travel documents by the Serbian Ministry of Internal Affairs. Indeed, this study found that although some Albanian political activists from southern Serbia had briefed the Kosovo and Albania state officials on a regular basis about their struggles with passivization policy in Serbia, the latter refused to acknowledge the problem for years, and did not provide them with any kind of legal or financial assistance to address the issue until 2022.⁷⁴

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⁷⁴ For instance, it is rather telling that the Government of Albania committed to finance the branch office of the Albanian National Council Office in Medvegja/Medveđa with the aim to collect evidence on passivized Albanians only in December 2020. That is almost a decade after Serbian authorities had been passivizing Albanians of this municipality.

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