

Overcoming Blockades and Improving Intra-State

Neighbourhood Relations in South East Europe

Predrag Jureković (Ed.)

Study Group Information



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“Regional Stability in South East Europe”**

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Foreword

Predrag Jureković

This volume is composed of articles from the 36th Workshop of the Study Group “Regional Stability in South East Europe”. The Workshop was conducted in Reichenau/Austria, from 3 to 6 May, 2018. Under the overarching title “Overcoming Blockades and Improving Intra-State/Neighbourhood Relations in South East Europe” 40 experts from the South East European region and other parts of Europe, international organizations and major stake holder nations met under the umbrella of the PfP Consortium of Defense Academies and Security Studies Institutes and the Austrian Ministry of Defence, represented through its National Defence Academy and the Directorate General for Security Policy.

Being faced with the forthcoming Brexit and attempts by Russia, China and Turkey to extend their influence in this part of Europe, the EU through its Commission strategy in February offered to the Western Balkan countries “a historic window of opportunity to firmly and unequivocally bind their future to the European Union”. According to this document a realistic membership perspective for 2025 was promised to Montenegro and Serbia, which are already negotiating candidate countries. In consideration of their progress in implementing reforms and fulfilling conditions the other Western Balkan countries should follow.

Besides credible efforts in applying EU standards and reforms (regarding the rule of law, fundamental rights and governance reconciliation) good neighbourly relations and regional cooperation are listed by the EU Commission as further prerequisites for accession. Against this background, the Workshop and thus the articles presented here dealt and deal with the following key questions:

- Which factors are responsible for the circumstance that in some parts of South East Europe the consolidation of intra-state and neighbourhood relations have suffered setbacks or remain trapped in stagnation in recent past?

- Which steps have to be taken by regional and international actors to support overcoming of blockade policies and improve both intra-state and neighbourhood relations in South East Europe?
- To what extent can the EU's reaffirmed enlargement strategy for the Western Balkans be used to consolidate intra-regional relations in a more intensive way?

The covered topics in this Study Group information range from conceptual and theoretical views about constructive and effective negotiating, the issue of cooperation and antagonism in the "Post-Dayton-Triangle" Bosnia and Herzegovina – Croatia – Serbia to the triangle of regional (in)stability between Belgrade, Prishtina/Priština and Tirana as well as specific domestic and regional challenges of single countries, in particular the Former Yugoslav Republic of Macedonia.

The editor would like to express his thanks to all authors who contributed papers to this volume of the Study Group Information. He is pleased to present the analyses and recommendations to the valued readers and would appreciate if this Study Group Information could contribute to generate positive ideas for supporting the still challenging processes of consolidating peace in South East Europe.

Special thanks go to Veronika Fuchshuber, Benedikt Hensellek and Raffaella Woller, who supported this publication as facilitating editors.

Abstract

South East Europe, and especially the peace consolidating Western Balkans, seems to be at a decisive crossroads once again. This will either lead to the substantial improvement of intra-state and regional relations among future EU members or will prolong nationalistic, anti-democratic and exclusive policies, thereby harming also EU integration as the core consolidation tool in the Western Balkans. The opportunities to support the cooperative scenario were discussed at the 36th Workshop of the Study Group “Regional Stability in South East Europe”.

Against the background of a new and positive momentum regarding EU’s Western Balkan strategy the contributions in this Study Group Information deal with the challenges lying ahead for overcoming blockades and improving intra-state/neighbourhood relations in South East Europe.

The covered topics in this Study Group information range from conceptual and theoretical views about constructive and effective negotiating, the issue of cooperation and antagonism in the “Post-Dayton-Triangle” Bosnia and Herzegovina – Croatia – Serbia to the triangle of regional (in)stability between Belgrade, Prishtina/Priština and Tirana as well as specific domestic and regional challenges of single countries, in particular the Former Yugoslav Republic of Macedonia.

PART I:

CONCEPTUAL AND THEORETICAL VIEWS

Constructive and Effective Negotiating in South East Europe

Plamen Pantev

Let me start this paper with the reminder that in 2018 the region of South East Europe is no longer the “powder keg” of Europe and the world. The decade of the 1990s of the last century created the expectation of the Balkans sliding again to the quagmire that usually the peninsula has been from the end of the 19th century till the end of the Cold War. We in the Balkans owed this logical expectation and fame during the 1990s to a regime and state that no longer exist – the regime of Slobodan Milošević and the state of Yugoslavia.

The tectonic geopolitical change of the region of South East Europe encompasses the shift from a frontline of the southern flank of NATO and the southern flank of the Warsaw Pact Treaty Organization through the several wars in a dissolving Yugoslavia to the regional security community that the Balkans are today, despite its many and different deficiencies. The driving factor of this change is the attraction for the local peoples and countries of the expanding democratic space after the crash of totalitarian socialism and the Soviet federation. Symbols and exponents of this democratic space for the region of South East Europe have been NATO and the EU. They still remain attractive despite Brexit, the difficulties of EU-US relations and the assertive Russian policy in the Balkan Peninsula.

A major contribution to the build-up of the new state of affairs in the Balkan region had the intensified application of the negotiation instrument. This could be seen in the record of bilateral, trilateral and even quadrilateral negotiations in the 1990s between Bulgaria, Greece, Romania and Turkey and aimed at creating an area of stability and cooperation. These negotiation fora have been followed by negotiations to enlarge NATO and the European Union. It deserves to register the fact that all present memberships of South East European countries in NATO – in addition to the older members Greece and Turkey, mainly Bulgaria, Romania, Slovenia, Croatia, Albania and Montenegro – are based on accession treaties, which mark

the outcomes of respective negotiation processes. A similar conclusion holds true for all the other formats of formal relationships of the non-member state of NATO from South East Europe with the Alliance, mainly the Partnership for Peace or candidate states of Bosnia and Herzegovina, Macedonia, Kosovo and Serbia.

A similar negotiation perspective is valid for the enlargement of the European Union to South East Europe. Before dealing in greater detail with this issue a preliminary conclusion could be drawn: after the successful end of the negotiations closing with agreements for stopping military activities or joining voluntarily successful institutions as NATO and EU, the Balkan region is no longer the area lacking the capacity to reach big political results through dialogue. The ability of constructive negotiating to reach agreements and solve problems is already an undisputable feature of the political culture of the region of South East Europe.

How can we further exploit the negotiation instrument in the process of integrating the whole Balkan region in the European Union and realize the EU objective of December 2003 as well as the EU Strategy for the Western Balkans of February 2018?¹ Here I shall treat the following issues that could facilitate the answer to this question:

- First, raising our awareness of the practical capacity of the theoretic knowledge of negotiating and the negotiation process;
- second, what are the applicable models of international negotiations in South East Europe;
- third, what does the negotiation analysis of the cases of EU accession negotiations with Turkey and Serbia show about the effective

¹ European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for an enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM(2018) 65 final. <https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf>, accessed on 02.07.2018, 18 pp.

achievement of the claimed results by these two contending for membership South East European states and;

- fourth, what could be recommended for a comprehensive application of the most desired and peaceful instrument for reaching international political results and how may the Regional Stability in South East Europe Study Group (RSSEE SG) of the NATO/Partnership for Peace Consortium of the Defense Academies and Security Studies Institutes contribute in this direction?

First, Theoretic Knowledge of Negotiating and Practical Capacity of Regulating Conflicts and Tackling Issues

Ever since the 1960s the definition of the negotiation process is borrowing from the seminal work of Fred Charles Iklé, “How Nations Negotiate”. It states that international negotiation is

“a process in which explicit proposals are put forward ostensibly for the purpose of reaching an agreement on an exchange or on the realization of a common interest where conflicting interests are present”.²

In other words, negotiations always involve a combination of common interests and conflicting interests. International negotiation scholars systematically point to the mixed motive nature of the international negotiation process and the need of the negotiating parties to discover through communication and locate in a middle territory the space in which both sides’ cooperative and conflicting interests can be satisfied.

A second major feature of the definition of the negotiation process is it always includes a situation of an interdependent decision-making. A respectful scholar, I. William Zartman, writes that

“negotiation is considered one of the basic processes of decision-making. That is to say, it is a dynamic or moving event, not simply a static situation, an event concerning the selection of a single value out of many for implementation and action. This

² Iklé, Fred Charles: How Nations Negotiate. New York 1964, p. 3-4.

decision-making event is a socio-political process involving several parties, and not simply one individual's making up his mind".³

So, negotiators make their choice among several options aiming to reach their goals at the lowest possible cost. The peculiarity is that the final result they are aiming at depends also on the negotiation partner. Very often in international negotiations beneficial results may be priority interests whose realization depends on the other party too. Thus, mutual benefit becomes a 'must' in the process of negotiation. This process is an interactive and interdependent relationship that includes the possibility to influence the other party's position as well as the need to constrain or tailor your own.

The third feature of the negotiation process is that it is part of an ongoing social relationship that precedes the formal negotiation and will continue to exist long afterwards. Roger Fisher highlights the nature of negotiations as a dynamic social relationship in which "*conflicting interests are to be accommodated as well as possible shared interests to be advanced*".⁴

A major conclusion stems from this last feature of the negotiation instrument: the relationship cannot be built and grown on a win-lose approach to negotiations, i.e. one participant is victorious at the expense of the partner. Agreements that favor only one of the participants do not last long. Agreements imposed by coercion or not serving the interests of both parties are not effective. The losing party avoids or fails to implement the agreement. Then the "victorious" party cannot profit from an agreement that is not fully implemented. When participants in the negotiations view the negotiation process and its outcome as part of a long-term relationship they would prefer to respect the contents of the agreement they have reached. Unfair, imposed agreements in the history of the Balkans in the last 100-140 years generated resentment and conflicts. In this period there have been many examples of unsuccessful negotiations because of the ambition to realize national interests at the expense of the partner, usually – the neighboring country. The history of the region of South East Europe is

³ Zartman, I. William: *The 50% Solution. How to Bargain Successfully with Hijackers, Strikers, Bosses, Oil Magnates, Arabs, Russians, and Other Worthy Opponents in This Modern World.* Garden City, N.Y. 1976, p. 7.

⁴ Fisher, Roger: *What Is a 'Good' U.S.-Soviet Relationship – And How Do We Build One?*, *Negotiation Journal*, 3/4/1987, p. 319.

proving the negotiation strategies to win over the opponent have only continued the propulsion of the spiral of conflicts. This region is ripe for getting rid of diplomacy as a sporting contest in which one side wins and the other loses. The historic window of opportunity for the Balkans is luckily open again in 2018 and the local peoples and states should take advantage of that and make the right choice of applying international negotiation models.

Second, Applicable Models of International Negotiations in South East Europe

Two models of international negotiations have been established in the theoretic toolbox – the traditional bargaining model and the joint problem-solving one. Both are applicable and applied for long in the international relations of South East Europe. What are their most characteristic features?

The Negotiation Model of “Traditional Bargaining”

This negotiation model is based on the theory of the mixed motivation games, defined also as non-zero games. They have to deal with situations of interdependent decision-making, in which co-exist elements both of conflict and cooperation. Relying on their power potential the negotiating parties use manipulatively their commitments, promises and threats.⁵ The tradeoffs for each of the parties to reach an agreement are different. There are points in the framework of the negotiation issue towards which the parties remain indifferent whether they will have an agreement or not – ‘points of indifference’ or ‘resistance points’ or ‘security points’. The essential issue is to localize the space in which the bargaining parties can find the benefit of reaching an agreement. Generally this ‘negotiation space’ is defined by the ‘points of indifference’ of each of the parties beyond which they may act unilaterally due to the absence of benefit of having an agreement. Necessarily the parties must be able to answer the question, “What is the price of not reaching an agreement?” They have to be aware of the alternatives to not concluding an agreement by negotiation. In the theory this standard has been named BATNA – best alternative to a negotiated

⁵ Hopmann, P. Terrence: *The Negotiation Process and the Resolution of International Conflict*. University of South Carolina 1996, p. 53-75.

agreement.⁶ This negotiation process is called ‘concession-convergence’, starting with offers, followed by an effort to find the acceptable balance of conflicting and cooperative interests of the parties. This may take place by ‘integrative’ or ‘distributive’ bargaining. These approaches create dilemmas linked to the levels of benefits for each of the parties due to the various tactical applications of the opening bids, the rate of concessions, the sincere use of the commitments, the eventual use of promises and/or threats.

The major deficiency of this negotiation model is that it cannot solve the contradiction between the tactics of cooperation and the tactics of conflict. It is virtually impossible to reach simultaneously cooperation for an integrative solution and contest for reaching victory and larger share of the distributive outcome. So when applying the bargaining negotiation model negotiating partners should consider this limitation in the efforts to find solutions to their problems. The ‘Damocles sword’ of win-lose results is always part of the traditional bargaining model.

The Negotiation Model of “Joint Problem-Solving”

The limitations of the traditional bargaining model are linked to the drive of each of the negotiation parties to one-sided benefits at the expense of the partner, i.e. the “win-lose” effect. The high level of complexity of international negotiations cannot be dealt with adequately by the theoretic model of traditional bargaining. In this model the accent is on the conflicting and distributive aspects and the integrative ones are utilized less. The agreement is searched in the bargaining space, but no effort is exerted on enlarging or re-defining it. The parties are defending positions thus making the negotiation process stiff and hard.

The negotiation model of ‘joint problem-solving’ stems from the need to reflect a new dynamic and complicated nature of the negotiation processes as well as the need to educate and find out common thinking, terminology and structured communication process. This model builds on the achievements of the integrative bargaining. Here the accent is on the joint search by the parties of ways of solving the problem that generated the conflict.

⁶ Fisher, Roger/Ury, William/Patton, Bruce: Getting to Yes. Negotiating Agreement Without Giving In. New York 1991, p. 100.

Psychologically, that means the negotiating parties begin to perceive and consider differently their opponent – it turns out to be their problem, not the partner. This brings them to the need to empathize and better understand the motives and positions of their partner. This leads the negotiating parties to the need to diagnose, construct the formula of solving the issue and jointly work out the details of the implementation of the agreed formula. The Harvard University scholars Roger Fisher and William Ury have suggested and the academic as well as the dominating part of the political community has accepted the following recommendations as axioms:

- De-personalize the conflict – the “enemy” in the negotiation process is the common problem, not the other party.
- Focus on the interests, not the positions. The explanatory model or standard should be the BATNA – the own and the partner’s. The negotiating parties should ask themselves what are the available alternatives to an eventual agreement in case the negotiations break off. In this way the negotiating countries can identify the costs and price of non-agreement. The agreement should be worth at least a little bit more than the next best alternative. An effective BATNA should reflect the fundamental interests of the negotiating parties and the eventual agreement should serve these interests. The orientation should come from the BATNA – not from the declared positions or bluffs. The space for negotiations should be shaped not by the initial offers but by the fundamental and long-term interests.
- Once the negotiating parties have identified their interests they may undertake a creative problem-solving: individually and jointly they try to find out a solution, which is profitable for both sides.
- Finding mutually profitable solutions are linked to the ability to apply objective criteria as a basis for the negotiation formula. The discussion on the criteria neutralizes eventual efforts to put pressure on the other partner.

This is, more or less, the short list of the “technological steps” of reaching win-win solutions through negotiations.

Third, Turkey and Serbia: Instructive Cases of EU Membership Negotiations in South East Europe

There are two instructive negotiation cases in South East Europe that deserve a special focus: the accession negotiations of Turkey and the accession negotiations of Serbia for EU Membership.

Turkish negotiations for membership in the Union have a long record. The purpose of this negotiation example is not to provide a full picture of the antecedents, the opening, the development and freezing of the EU-Turkey negotiation process. Rather the focus would be on the theoretic framework of negotiating that Ankara has chosen to stick to and apply – the traditional bilateral bargaining model.

A lot has been written about the meaning of factors that influence the effectiveness of reaching an acceptable outcome of these negotiations – the demographic weight of Turkey, its large economy with recurrent crises, the eventual number of Turkish members of the European Parliament that would outnumber those of the biggest present old Union members, the insufficient readiness of both Turkish and European societies to culturally accept each other, and so forth. There are, for sure, many difficult issues that become serious obstacles for the smooth progress of the negotiation process.

However, conceptually, intellectually, psychologically and finally – politically, it is the adoption by Turkey of the distributive bargaining attitude that has led for long to the periodical standstill in the negotiation process before Turkey was taken by a dictatorial, repressive and aggressive regime that makes virtually impossible further membership negotiations, though not closing the door remains the realistic optimal option for the EU. For years Turkey was not able to match its negotiation approach to the only possible model of negotiating with the EU for membership – the problem-solving one. Turkish governments and their negotiating agents have been trying to bargain membership, the opening of EU funds and freedom for travel in the Union in exchange for guaranteeing security of borders in part of the Middle East on Turkish terms, providing huge and well trained Turkish NATO armed forces for the Common Defence Policy and Common Defence of the EU. For many years the Turkish negotiating partner could not

conceive that EU accession negotiations are an example of joint problem-solving negotiation in which the two parties are sitting figuratively on the same side of the table and on the opposite side is the problem, linked to the respective negotiation chapter.

The EU has never bargained about the criteria for membership with contending for membership countries, though it has always been supportive throughout the negotiation process to the candidates' efforts of covering the membership standards. Turkish stated disappointment today is stemming not from unfair EU behavior, but from Turkish unwillingness and/or inability to accept a clear list of criteria, usually named "the Copenhagen criteria", that the Union has defined for its present members and contending for membership countries. Human rights, rule of law, freedom of speech and media, democratic oversight of the security sector are standards that Turkey is still very far from adopting and implementing. Any effort of Ankara to diminish the value or political weight of the EU as a tactical method of imposing the traditional bargaining model is futile. Notwithstanding, EU and Turkey do apply in their relations the traditional bargaining approach on the issue of migration: Turkey keeps on its territory more than 3 million refugees, not allowing them to march northwest while the EU has pledged to compensate with 3 billion Euro this tremendous Turkish operation.

Next – Serbia. While Serbia is considered the best developing contender for membership in the EU from the Western Balkans, Belgrade risks repeating the same methodological mistake concerning the application of the right negotiation model. By now the stumbling blocks are mainly the missing agreement by Serbia to fulfill the requirements of the Common Foreign, Security and Defence Policy of the EU, the missing legally binding agreement for a comprehensive normalization of relations with Kosovo and the still missing full and unequivocal acceptance and implementation of the ICTY's rulings and decisions and demonstration of preparedness to face its recent past.⁷

⁷ Commission Staff Working Document, Serbia 2018 Report, Accompanying the document: Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018 Communication on EU Enlargement Policy, {COM(2018) 450 final}, Strasbourg,

The delicate diplomatic terminology of the European Commission that has been used in relation to Chapter 31: Foreign, security and defense policy is that *‘Serbia is moderately prepared’*.⁸ What is the problem?

The ability to assume the obligations of membership in the EU requires that *“Member States must be able to conduct political dialogue under the foreign, security and defence policy, to align with EU statements, to take part in EU actions and to apply agreed sanctions and restrictive measures”*.⁹ By now Serbia has just partially fulfilled EU’s recommendations and some progress has been made concerning participation in civil and military crisis management missions. The Union strongly recommends that in the coming year, in the context of supporting Serbia’s capacity to assume the obligations of membership from a joint problem-solving win-win perspective, Belgrade should:

“complete the review of its national security and defence strategies fully reflecting Serbia’s EU orientation in these areas;

continue to apply its law adopting international sanctions, including EU restrictive measures, and monitor its implementation;

improve alignment with EU declarations and Council decisions on common foreign and security policy”.¹⁰

Further in this document the EC notes that

“the review of Serbia’s 2009 national security and defence strategies is ongoing and needs to be finalised to move towards a policy based on the EU’s guiding principles for international action, in line with Serbia’s strategic goal of EU membership.

When invited, Serbia aligned with 34 out of 65 EU declarations and Council decisions, representing an alignment rate of around 52 % during the reporting period. Serbia did not align with EU restrictive measures related to Russia and Ukraine, among other matters. A database for monitoring the imposition and implementation of restrictive measures needs to be established, as provided for in Serbian law on the implementation of international sanctions, including EU restrictive measures”.¹¹

17.4.2018, SWD(2018) 152 final. <<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf>>, accessed on 02.07.2018, pp. 48, 52, 84.

⁸ Ibid., p. 84.

⁹ Ibid.

¹⁰ Ibid., p. 85.

¹¹ Ibid.

A more detailed reading and interpretation of these recommendations in the context of the joint problem-solving negotiations means that Serbia as a prospective EU member can no longer be equally distanced from the major centers of power in the present international system – Russia, China, the United States and the European Union. If Serbia is to be an integral part of the Union it is expected to be loyal to the Union’s common foreign, security and defense policy. The old Yugoslav style of non-alignment and profiting from both East and West does no longer work. This should not be perceived as a victory for the EU and loss for Serbia. There is no pressure on the part of the Union on Serbia to join it – it is a free and voluntary policy by Belgrade. However, Belgrade cannot bargain its contribution to the EU’s interests in certain areas of the latter’s common foreign, security and defense policy in exchange of Serbia’s free riding in relation to the other power centers deviating from the accepted norms in the fields of CFSP and CSDP. In other words, Serbia is not mandated to change the negotiating model from joint problem-solving to traditional bargaining and back again as it wishes. These are the peculiarities of the slow and incremental process of creating, enlarging and deepening of the EU integration community.

As for the difficult relationship between Belgrade and Pristina, according to me, the shortcut to EU membership is recognition by Serbia of the sovereignty and independence of Kosovo. That would raise Serbia’s political and moral authority in the region of South East Europe and in the EU in general.

Fourth, the “Regional Stability in South East Europe” Study Group’s Possible Contribution to Win-Win Negotiations

How could the Regional Stability in South East Europe Study Group (RSSEE SG) contribute to the practical application of the peaceful instrument of win-win negotiations in the process of further strengthening the regional security community in South East Europe and solidifying the EU integration process by bringing the Western Balkans in the Union?

There are several directions, in which the RSSEE SG could reveal its capacity of providing support for the decision-making process in both stabilizing the Western Balkans and guaranteeing a long-term effect of that by

enlarging the European Union and intensifying the NATO/PfP/ESDP interaction in this region.

1. The RSSEE SG can explain the theory of international negotiations and its application on both security and broader regional integration issues. It can demonstrate how this decision-making and relationship-building instrument relates to other tools of stabilizing and developing the region in times of international disorder in other global regions. This definitely would raise the negotiation culture and its practical use in various complicated and/or conflictual situations – domestic or regional. A specific Balkan problem of ‘saving face’ when negotiating with opponents and partners can be adequately addressed by appropriate negotiation techniques developed by the International Negotiation Theory.
2. Based on the long record of organizing workshops, seminars and conferences and after stock-taking them and by additional studies, the RSSEE SG could successfully ‘map’ the various negotiation issues on security and resolving conflicts in South East Europe and especially in the Western Balkans. The ‘map’ may serve as a useful political agenda for the way ahead of the Balkan region. It is important to remember that here applies the rule “One size doesn’t fit all”, i.e. one type of negotiation model does not fit and cannot be applied to various negotiation situations. A dynamic interaction between “traditional bargaining” and “joint problem-solving” should be applied with the tendency of the latter one, the win-win’ model gets the upper hand.
3. Surely, the RSSEE SG, after analyzing certain practical cases of negotiations, could draw lessons about future negotiation undertakings. The study of post-agreement situations deserves also a specific attention as to how to negotiate on issues that arise in the post-agreement periods.
4. Lastly, these intellectual efforts should lead to developing more operational and effective policy recommendations.

The Development of the Western Balkans from the View of a “Neutral” Austrian Diplomat

Thomas Ahammer

Introduction

The political life of each nation worldwide is marked by political discussions, regarding national and bi- and multilateral topics. However it is also necessary to assess the political development of a region out of the daily political business. By this way a strategic assessment over a period of five years is conducted to compare the political status quo in summer 2013 with the current status quo.

National Situation¹

Serbia

Regarding Serbia there has been a strong development in the last five years. For example in January 2014 the EU accession talks were opened. Until June 2018 14 of 35 chapters have been opened, and two of these chapters have been finished successfully. The EU assessed in its last report from February 2018 that there is a concrete EU accession perspective for Serbia until 2025 if this nation continues to fulfil all its obligations.

Generally the domestic political stability improved. For example the time, when every 20 months new early parliamentary elections were announced, is over. Also the unemployment rate decreased from 27% to 18%, while parallel the Serbian economy is slowly improving. Additionally this can be seen by the fact that many international enterprises are investing in Serbia and are opening different facilities.

¹ The author is aware of the different views about the status of Prishtina/Priština and Kosovo. The Republic of Austria recognized Kosovo as an own state and the author proposes to accept the official line between Serbia and Austria on this topic that “we agree to disagree”.

Processing the past is becoming more and more academic with lesser emotions.

Big progress could also be seen in NATO cooperation. On the one hand the NATO Secretary General visited officially Serbia, and vice versa the Serbian President paid an official visit to the NATO HQ. But also the PfP-Status of Forces Agreement (SOFA), the Individual Partnership Action Plan (IPAP) and the treaty with NATO for the exchange of classified information were ratified by the Serbian Parliament. And it is worth mentioning that in the last years the Serbian Armed Forces conducted more exercises in the framework and spirit of NATO-PfP than with the Russian Armed Forces.

Finally, regarding the migration crisis Serbia did and does an outstanding job which is also evaluated in this way by UNHCR and other international actors. Serbia tries its best to fulfil its obligations concerning this topic. Especially during the “migration tsunami” from summer 2015 until spring 2016 Serbia was at its limits handling this political and humanitarian challenge.

Bosnia and Herzegovina

From my point of view the domestic political situation in Bosnia and Herzegovina (BiH) is not developing in the optimal way. The inner-ethnic tensions continue. However, the unity of this state is not questioned – with the exception of parts of the ruling party SNSD in the entity Republika Srpska. But the three ethnic groups are not able to find a solution for a new election law, and this is an urgent case because of scheduled elections on all political levels in October 2018. This legal and political absolute non-fulfilment was also openly criticized by the EU. Additionally the EU assessed this general negative political development in its last progress report and stressed that there is enough work to be done. Bosnia and Herzegovina wants to continue its path to the EU membership and in 2016 sent an official request to Brussels to become EU member.

Regarding the security situation this state increases its fight against international terrorism and organized crime, but the situation is very difficult because of the low level of cooperation between the different national com-

munities. The political elite of BiH generally does not really support this fight against corruption.

Former Yugoslav Republic of Macedonia

After the fights in Kumanovo in May 2015 and the domestic political tensions from summer 2016 until end of April 2017, which lasted in the turmoil in the parliament of Skopje on 27th May 2017, the political situation stabilized. Further the opposition returned to the parliament and the normal parliamentary life is now the daily political business.

Regarding the unsolved name dispute with Greece since decades, a new positive momentum of high-level dialogue can be observed between the governments of these two states. After a long period of diplomatic silence, there seems to be a window of opportunity to overcome this open question now.

But also the bilateral relations with other neighbours improved. The annual economic tensions with Serbia regarding some specific taxes on agricultural goods become lower. And since the signing of a bilateral friendship treaty with Bulgaria in summer 2017 this bilateral relationship improved fast.

The Former Yugoslav Republic of Macedonia is willing to become member of the EU. The current EU progress report is the most positive one after many years and because of this fact the European Commission recommended to start the EU accession talks; but this recommendation has to be agreed by all EU member states.

Regarding the migration crisis this nation does its best to handle this sensitive topic and to support currently the closing of the Western Balkan route. For a small nation like this one it is challenging to fulfil all the expected obligations.

Albania

Comparing the current situation with the domestic political situation five years before, a clear improvement can be assessed. The domestic political situation stabilized and the last elections were conducted in a democratic

manner. As a result of this Albania has the status of an official EU accession candidate since 2014 and it looks like that in the near future EU accession talks between Albania and the EU could be opened.

Montenegro

Over the last five years Montenegro generally made a big step forward. After opening the EU accession talks in April 2012, the EU opened step by step more and more chapters. Until the current date, 30 of 33 chapters have been opened, and three of them have been closed successfully. But in this context it must be underlined that the EU openly criticizes – regarding the crucial chapters 23 (judiciary and fundamental rights) and 24 (justice, freedom and security) – that there has been no substantial progress in the last four years. But it looks like the new published EU membership perspective of 2025 has created a new positive momentum to increase the efforts by the Montenegro government to join the EU in some years.

Regarding NATO, Montenegro joined this international organisation in summer 2017. This can be assessed as a clear example of positive accomplishment of the efforts of the Montenegrin government to adapt their structures and legislation in accordance with the Euro-Atlantic standards.

The parliamentary election in October 2016 and the presidential election in April 2018 were conducted in a very democratic way without any incidents. This positive assessment was also published by the OSCE and the EU.

Finally two additional aspects developed in a positive way. The economic situation of Montenegro has been improving, slightly, but it has been improving. Moreover, living together of people of different religious confessions works without problems nowadays.

Kosovo

Kosovo tries to come closer to the EU and in this context, in October 2015, a political, legally non-binding “Stabilization and Accession Agreement” with the European Commission was signed. After ratifying the bilateral agreement with Montenegro about the border with these nations, Kosovo made one step closer to fulfil the criteria for the EU visa liberalization.

Currently Prishtina/Priština started the process to implement the community of the Serb municipalities, one of the agreed main points in the Belgrade-Prishtina/Priština dialogue.

Bilateral Relations

Serbia – Croatia

This is for both sides, Serbia and Croatia, a very sensitive and emotional topic because this lasts up to the young history of both nations. But despite all the open unsolved bilateral topics there is a clear sign towards a positive development in the bilateral relations. The Serbian president paid an official visit to Croatia in February 2018 and between March and May 2018 the two presidents came together three times in the frame of international meetings and used these opportunities concurrently for informal bilateral meetings. After the official visit of the Serbian president to Croatia, there took place some bilateral meetings on the level of ministers. During his official visit to Belgrade in April 2018 the Croatian speaker was verbally attacked and had to interrupt his visit. After this negative episode the two presidents corresponded via phone and the Serbian president as well as the Serbian prime minister condemned this incident provoked by a member of the Serbian parliament.

It is also worth mentioning that this year both presidents agreed on a de-escalation in the bilateral communication and on looking for a common way. Beside this, Croatia is, despite open bilateral issues, not blocking Serbia on its path to EU membership. In the meantime Serbia fulfilled its legal obligations to provide the adequate school books for the Croatian minority in Serbia.

Regarding the migration issues, especially during the intensive phase from September 2015 until March 2016, both sides cooperated at all levels without any bigger incidents.

Serbia – Former Yugoslav Republic of Macedonia

On the political level the bilateral cooperation has been better five years ago than it is nowadays. Since the Former Yugoslav Republic of Macedonia had a governmental change in June 2017 with Zoran Zaev from the SDSM as new prime minister, the bilateral relations cooled down. But nevertheless both nations follow a pragmatic approach and try to avoid any tensions.

It is also worth mentioning that the annual temporarily border blockade maintained by farmers in order to avoid an import of agricultural products of the other nation does not happen since 2016.

Serbia – Kosovo

This bilateral relation is a political hot spot with many open, unsolved issues. The main challenge is the ongoing open status of Kosovo in the Serbian view. Nevertheless it must be underlined that there is an ongoing bilateral dialogue, moderated by the EU. At the same time this dialogue has led to 28 agreements by now, but only three of these agreements were implemented. Though, the steady communication of the two presidents, either by phone or in the framework of international meetings, must be regarded as a positive political development.

But this bilateral relation also has the dangerous potential to destabilize the region. As long as the EU will continue to moderate this bilateral dialogue and to offer concrete progress on the way to have closer relations with the EU, there will be the future hope that this challenging and tensing relations could improve in the future. Despite the small improvement between both sides, the real progress of the last five years has been very small and could be damaged or destroyed by any major incident.

Serbia – Albania

These bilateral relations really had a strong improvement in the last five years. After the visit of the Serbian prime minister to Tirana and the counter-visit of the Albanian prime minister to Belgrade, including the signing of different agreements to cooperate in the fields of economy, tourism and exchange of students, this can really be assessed as a normalization of the

bilateral relations. Also opinion polls confirm that even the Serbian population does not feel any threat for Serbia coming from Albania.

Serbia – Bosnia and Herzegovina

Despite many open issues, since the last two years the number of official high-level visits between the two capitals strongly increased. This is worth mentioning because five years ago, Serbian high-level politicians paid only official visits to Banja Luka, the capitol of the Republika Srpska, but generally refused to pay official visits to Sarajevo. During the current political visits, both sides try to de-radicalize the political language.

Generally the way for a common together improved and currently different border-crossing projects in the field of economy and infrastructure are in the planning status. But more important will be the realization of these planned projects in the next years.

Former Yugoslav Republic of Macedonia – Greece

Generally the only unsolved question is the future name of the Former Yugoslav Republic of Macedonia. It is worth mentioning that both sides are willing to use the current window of opportunity to solve this topic and to open therefore the door for Skopje to join NATO and to start the EU negotiations talks.

Former Yugoslav Republic of Macedonia – Bulgaria

In August 2017 these two nations signed a friendship agreement which led to the result that most of the open bilateral points could be successfully solved. By this agreement the bilateral relationship improved and can be now generally assessed as positive and without main challenges. This would not only mean a big political victory for the current government in Skopje, but also can be assessed as a unique opportunity to improve the economic situation, which is at the time on a low level.

Summary

The above mentioned assessment consists of many indicators for a generally positive development in the Western Balkans. And it must be underlined that this is a very positive result. To be realistic it also must be stated that despite the above mentioned positive developments, there are enough unsolved open national, bilateral and regional issues which could also turn the whole process into a negative and destabilizing development. The EU, together with its member states, has the biggest potential of all international actors to influence the region to stay on a positive and constructive path. The financial, economic and political support by the EU, combined with a realistic future EU perspective, is the currently biggest motivation for the states of this region to continue this way.

For all nations of the Western Balkans this will mean big efforts and sometimes radical changes of the political thinking, but it will be possible if the nations of this region are willing to do it. The EU can only support; the political process in each nation in order to lower tensions and to improve the political together must be led by each nation of the Western Balkans. It must be the strategic decision of the political elite to be willing to continue this challenging path for a better future.

Currently there is a strategic window of opportunity because most of the people of the Western Balkans are tired of wars, regional armed conflicts and a catastrophic economic situation. They are looking for a better future in the Western Balkans. If this will happen, these people will stay in the region and work for a better and common future.

PART II:

COOPERATION AND ANTAGONISM IN THE POST-DAYTON TRIANGLE

Cooperation and Antagonism in the Post-Dayton Triangle: Unlikely Coalitions and Dishonest Partners

Denisa Sarajlić

Over the past few years, what seemed like a post-Dayton triangle may have turned into a different shape. With the more explicit role of external non-Western powers, the post-Dayton Bosnia and Herzegovina (BiH) is more of a geopolitical hexagon. That naturally makes an already complex political situation even more challenging and solution to its permanent crises harder to find. The role of Russia and Turkey in BiH is not only more prominent, but more controversial too. At the same time, Serbia and Croatia have largely contributed to destabilising the political situation in BiH, seizing every opportunity to deploy inflammatory rhetoric and to support the internal forces which undermine the state. As elsewhere in the region and the world, China too is gaining a more prominent role.

Although the EU and some other international actors, primarily the international financial institutions, openly expressed optimism over the initial set of reforms which the governments in BiH set to adopt in 2014 and 2015, the last two years of government proved that status quo remains the most preferred option for the governing parties. The governing coalitions in the BiH entity Federation BiH and the Council of Ministers have been largely dysfunctional, bringing government and parliament activity almost to a halt a year before elections. Obstructions from the authorities of Republika Srpska (RS) have continued in fashion similar to previous years, focusing even more on obstructing and undermining the work of the judiciary, especially at state level. On the other hand, obstructions by the Croat nationalist parties have taken a different shape – using or abusing the legal system of the country in order to block the work of institutions and undermine their functionality. This seems to be a common theme for both the RS authorities, as well as HDZs. Their partnership in undermining the state is stronger than any other coalition in the country, and that goal is now clear. At the same time, conflicts among the Bosniac parties, within parties and also with each other, have culminated and dominated the political life in FBiH. As the General Elections in October 2018 are approach-

ing, the international community is expressing its disappointment with major political players across the board, while the numbers of Bosnian citizens leaving the country are growing. The country continues to lack behind its neighbours when it comes to the EU accession, and the gap between BiH and all others is rapidly growing.

Although BiH authorities managed to provide responses to the EU questionnaire, with significant delays, the overall reform processes have stalled and the EU progress report for 2017 has been fairly critical in individual areas where progress is clearly lacking.

Pressures from the Region

Over the past year, the EU has made efforts to stabilise the situation in BiH, or at least, to prevent further destabilisation – mainly by enticing regional cooperation through the Berlin process, but also by making the promise of accession more firm through its new strategy, at least towards Serbia and Montenegro. Although at multilateral level all countries in the region appear to be making an effort to work together, at bilateral level Bosnia's immediate neighbours continued to interfere in domestic politics. President Aleksandar Vučić has led the effort on behalf of Serbia to question Bosnia's future through his statements, but also through tacit support to parties and individuals in the RS which continue to question the integrity of the country. On the part of Croatia, the efforts to undermine Bosnian statehood and sometimes openly interfere in internal matters, as is the case with changes to the BiH Election Law, were led by Croatian president Kolinda Grabar-Kitarović. As opportunities arose, other Croatian politicians also used negative remarks and tried to portray BiH as a terrain for religious radicalisation. What continues to be striking is the absence of a clear position of the EU and member states to react to attempts to destabilise BiH and question its integrity – whether it comes from an EU member state or a candidate state. As in previous cases, the EU – or the European Commission rather – is in need of good news from the region, especially when it comes to Serbia, so it turns a blind eye on their destructive politics in BiH. The responsibility on maintaining stability in the region is even greater for Croatia, which as an EU member state should strive to act and behave accordingly. Contrary to that, Croatia now acts more as a “Balkan state” than an EU state.

Internal Pressures

The state-building process in BiH has been halted and to a large degree reversed since Milorad Dodik and his party SNSD came to power in 2006. That process has been gradual, but consistent in undermining the state and seeking more autonomy and power within Republika Srpska. In many instances over the past 12 years, the blame could be put solely on the shoulders of Dodik and RS authorities for stalling many reform processes and questioning the integrity of the country. However, over the past few years, Dodik has found a strong partner in that effort in HDZ and their leader Dragan Čović. Although HDZ's agenda was not always very open and clear, mainly hiding behind the recently constructed narrative about the alleged unequal rights of Croats, it has become apparent in 2017 and 2018 that their long-term objective is also destabilisation of the country and blocking of the state institutions. The partnership between HDZ and SNSD has been sustained even though SNSD was not part of the governing coalition at state level in which the HDZ has participated. That has strengthened the case that their common goal exists outside the formal institutions and government. As such, that partnership has become the main internal factor of instability, questioning and openly challenging the state's judiciary institutions, many reform processes, and finally blocking the electoral system.

The difference that those examples show is that the undermining of institutions is no longer a matter of party rhetoric, as was considered by some for years. HDZ and SNSD now (ab)use the institutions and parts of the system to undermine the constitutional order and to obstruct the functioning of some of its institutions.

Dodik has been criticising the judiciary institutions for a decade mainly because they had managed to sustain their independence in the past. However, Dodik and Čović seized an opportunity during the election of the main state prosecutor and court president to install candidates that were close to them, which has instigated a process of severe erosion of the judiciary, and especially its independence. That has provided means and tools for the undermining of the judiciary and the rule of law from within the system.

Another example is the well-coordinated and concerted effort to destabilise judiciary through adoption of conclusions in the High Judicial Prosecutorial Council (HJPC) requesting from all courts in BiH to provide data on the ethnicity of defendants in ongoing and completed war crime cases, as well as the proposal to amend the Law on HJPC by introducing the exceptional possibility of dismissal of a judge or prosecutor without prior disciplinary procedure. This effort was partly contained through a strong intervention by the international community on the grounds of a need to protect the independence of the judiciary, and some of the adopted conclusions were withdrawn.

A third example of the organised undermining of the rule of law took place in June 2017, when the HDZ BiH vice-president and member of BiH Parliament Borjana Krišto filed an appeal before the BiH Constitutional Court, which subsequently declared as unconstitutional several provisions of the BiH Criminal Procedure Code (CPC) regulating special investigative measures in criminal proceedings. In spite of strong international pressure, the HDZ BiH obstructed the necessary adoption of the Law in order to lead the Court to rule on non-enforcement, which would leave the BiH judiciary without the tools necessary for fighting organized crime and corruption, effectively stripping off many executive security agencies of their powers to conduct investigations.

Borjana Krišto also successfully appealed before the Constitutional Court to annul parts of the election law regulating elections to the Federation House of Peoples (HoP) in July 2017. The Court had declared these parts of the law unconstitutional in its December 2016 decision following an appeal by and Božo Ljubić of HDZ1990. The failure to constitute the Federation House of Peoples following the elections could prevent the election of the new Federation President and Vice Presidents, who are responsible for nominating the new Federation Government, and would also prevent the election of Bosniak and Croat delegates to the BiH House of Peoples, one of the two houses of the state-level parliament.

If the latter two examples were to result in obstruction of institutions as desired by HDZ BiH, that would create the biggest constitutional crisis since the war, and would obliterate the judiciary at state level and one of the purposes of security agencies.

HDZ's efforts to create pressure and a sense of crisis have been further boosted by the Croatian president, who a day before her official visit to BiH threatened that if a solution is not found the whole of BiH would face the same destiny as Mostar – i.e. there could be no elections.

However, this threat is not new. There was a similar situation after the last elections when HDZ refused to nominate candidates for the Federation HoP and blocked formation of government and adoption of budget for months. That situation was overcome through the intervention of the High Representative. However, four years ago the HDZ created obstruction through political means, whereas this time round they are creating crisis by misusing the institution of the Constitutional Court.

The Role of the EU

What is also seemingly different in the latest example is a somewhat different position of the EU, which may have seen through HDZ's game. If so, recognising openly the HDZ as a big part of the problem would be a huge leap forward by the EU, which has otherwise rarely declared factors of instability. In order for the EU to be more effective in addressing those kinds of obstructions, it needs to be more explicit and name and shame those that are trying to create a constitutional crisis in an already volatile situation.

However, it is also clear that Brussels cannot do it alone, they need the support of member states – and that may prove even more difficult. So far, some member states (other than Croatia) have openly supported the HDZ position and advocated for the solutions which they proposed.

In the background of this looming constitutional and political crisis in BiH, the EU has adopted a new enlargement strategy for the Western Balkans. The strategy may not have received an equal amount of support and enthusiasm by the member states in the ensuing Western Balkans Summit in Sofia in May 2018, which was evident from a number of toned-down statements in its aftermath. This is not hugely surprising if we take not account for example the French president's openly sceptical position on the future enlargement. Germany, on the other hand, seems to strongly support the regional aspiration to join the EU as well as accompanying pro-

cesses such as the Berlin Process and the Connectivity Agenda. However, Germany has been playing hot and cold with the situation in BiH. Merkel has made effort to personally address the perpetual crisis in BiH in several instances since 2010, only to delegate it down after a few failed attempts. In May 2018, Merkel once again invited members of BiH presidency to discuss the current crisis, especially in regards to the Election Law, but no visible progress has been made.

The most exposed EU member is indeed Croatia, which in this particular situation, is not behaving like an EU member state, but again as a Balkan state. Croatian leadership seems more comfortable in playing regional politics, which in the case of BiH often means interference in domestic affairs. This regular game has now been raised to a different level through Croatia's growing amicable relations with Russia.

The Role of Russia

Russia has entered the region through the backdoor – not so much through Serbia as everyone may have expected, but through Croatia. The growing Russian influence in Croatia through the Agrocort crisis has given them political and economic leverage to create unlikely coalitions in the region. In doing so, Croatia and Russia seem to have established firm partnership in destabilising BiH.

This partnership needs to be viewed in the light of the partnership between Dodik and Čović, and vice versa – the partnership between two party leaders cannot be viewed in isolation from the Russo-Croatian alliance.

Russia seems to have more power over Dodik now than Serbia does. Russia seems to have recognised that Republika Srpska is more resistant to EU and NATO pressure than Serbia. That resistance is more difficult for Serbia now that EU membership is more within reach and abandoning that agenda more openly is risky domestically. That is why Russia has turned to the RS and Dodik as more reliable partners. In spite of the geographical distance, there are some elements and patterns from the Ukrainian scenario in that relationship, and Dodik seems to be happy to play the role Yanukovich.

However, the primary goal of Russia in the region and BiH in particular is destabilisation and provocation of the EU. It has done so more discreetly in the past, allegedly supporting the aspirations of BiH to join the EU and NATO. But that has gradually hanged over the past couple of years, and Russia is testing the EU and NATO's patience and political influence in the region at various levels.

At a more discursive level, one such provocation was delivered through the visit to BiH by the Chairwoman of the Russian Federation Valentina Matviyenko. In her speech before BiH Parliament, Matviyenko not only challenged BiH transatlantic integrations, but used the opportunity to fire sharp objections against both the EU and NATO.

That said, provocations of that sort might be the least of worries. Russia's arm sales to the RS should be more of a concern. While recognising the limitations of arming the military, the RS authorities have intensified the arming of the RS police, in particular the Special Forces. This initially included the purchase of small arms from Russia, but the RS recently ordered helicopters and armoured vehicles – all under the veil of fight against terrorism – the threat of which is clearly the least in the RS.

Although Russia has sought alternative partners in the region, some of their old allies remain close. Although Serbian president Vučić has sought to create an image of a regional peace maker, not all is as it seems. For Serbia it is still highly risky to abandon the partnership with Russia or diminish their influence. On the other hand, in many ways it is in Serbia's interest to keep Russia engaged and present through the RS – both as a quiet ally, and as a means to intimidate the EU in order to make Serbia's accession all the more important for the EU – more as a potential factor of instability than as a factor of stability. It can be expected that Serbia will continue to play both cards, using the RS as a proxy for friendly relations with Russia.

It has been a case for several years that Russia has been using BiH as a terrain or a playground for balancing relations with the US and Europe. In 2018, after deterioration of relations between UK and Russia and following the US and their allies' intervention in Syria over their alleged use of chemical weapons, Russia is even more keen to irritate and provoke elsewhere –

creating small pockets of influence in places like the RS. The philosophy behind Turkish influence in the region is very similar.

The Role of Turkey

Relations with neighbours also need to be seen through the prism of relations between Serbia and Turkey, as well as Turkey and Russia. In that sense, the global politics is somewhat reflecting on regional relations in the Balkans, especially in BiH.

After Austria and Germany banned Turkish election rallies in their respective countries, Turkey responded by organising a large gathering in Sarajevo. That is yet another evidence of the level of influence which Recep Tayyip Erdoğan has over the Party for Democratic Action (SDA). In previous years, Erdoğan is said to have put pressure on BiH authorities to close down educational institutions originally funded by Gülen. As some splits within SDA appeared in the run up to General Elections, Erdoğan is said to have had a hand in the process of the selection of Izetbegović's successor as a candidate for BiH Presidency. During the visit to Sarajevo, Erdoğan's wife opened a department on the University Clinic run by Izetbegović's wife Sebija, who is said to be Erdoğan's preferred candidate for Presidency or for SDA party leadership.

Turkish domestic affairs and internal rifts have had an impact on SDA in other ways too. One such example is the formation of new party by SDA's defecting Prime Minister of Sarajevo Canton Dino Konaković, whose new party seems to have received funding from an opposition-supporting Turkish businessman from London. Gülen's supporter within SDA (mainly those who had been educated in his institutions in Turkey) continue to dissent from mainstream politics within the party and more broadly too.

Other Actors

Although Turkey and Russia so far had divergent policies in BiH – in regards to the role and mandate of OHR (Russia is advocating the closure of OHR, while Turkey continues to support it, including substantial financial contributions), the state-building process (Russia was against many reforms, while Turkey supported them), and BiH aspirations to NATO – the

question is whether their joint global interests will prevail over their differences in this locality.

With that said – the biggest dilemma that may arise in the forthcoming period is Turkey’s own relationship with NATO, tainted by the situation in Syria. If Turkey’s support of NATO as a project would weaken, that would certainly have consequences in BiH. Some analysts claim that to be the case already.

This would all clearly also depend on the direction in which global politics develop, especially in relations to the situation in Syria and Iran. When it comes to the role of the US, orientations in the scope of global politics would be the main determining factor in relation to both Turkey and Russia and consequently their overall influence and policies in the region. There has been no major shift in US politics since Trump has become president, but they have sustained distance, created after the US decided to let the EU lead international efforts in BiH.

Nonetheless, for a fourth BiH election cycle in a row the US claims to be preparing something new in their kitchen as a platform for discussions after the elections. In 2006, it was the April package of constitutional reforms, followed by the Butmir package in the subsequent elections, then the reform of the Federation and cantons in 2014, and likely a whole new package in 2018. It is more likely that the proposals that are floating around come from the circles of US Democrats rather than Trump’s administration, so the likelihood of it coming on the government’s agenda is fairly low.

Meanwhile, China is slowly and quietly strengthening its presence and position within the region and in BiH. The effects of that are most concerning in regards to the transparency of investments and criteria, especially in areas such as environment – which in China’s case is fairly loose. Chinese potential investments would be more attractive, more easily accessible, and by far larger than anything the EU is currently offering to BiH.

Opportunities for Stopping the Downward Spiral

Now that the RS authorities have shown more open resistance to BiH's NATO accession, the EU accession is the main framework that might provide opportunities for stopping the downward spiral.

The EU strategy towards the Western Balkans is a novelty in many ways. It is more concrete and provides tangible support to the process of Balkan enlargement than it has thus far. Not only is it making that perspective clear and their intention deliberate, but it also seems to put the money where their mouth is. However, the prospect of its success will largely depend on the support of the member states and their appetite for enlargement. The summit in Sofia did not make those promises look very firm.

Thus, the actual reflections of the EU strategy on the internal developments in BiH are conditional upon several factors.

First, the financial support available to BiH through the Instrument for Pre-Accession (IPA) and other instruments has been limited, mainly due to our government's own inability to meet the EU requirements. At the same time, the lack of funds for structural developments for years now is clearly contributing to BiH lagging behind the neighbours, who are not only doing their EU homework, but also benefitting from the support they get along the way.

Furthermore, the limited EU funding is contributing to the popular sentiment that the population cannot benefit from the EU accession and that accession is indeterminate and distant goal. The entrenchment of that kind of view among population is benefitting the elites which seek to retain strong pressure over the public view of the EU.

Therefore, a large part of the answer could be financial – if the EU could create more financial incentives which would make the benefits of EU membership appear more tangible and accessible to a wider spectrum of players within the country, that could create the potential to mobilise popular support over the process and it would also diversify opportunities for change.

The question is how to put more money into the country without rewarding the obstructionist elites. The answer could be in looking for partners outside the governments and political elites in the broadest sense.

That does not necessarily mean through civil society, although the topic of the support to the civil society also needs to be opened. There are other partners, who suffer from the blockages in the process, and who might be willing to serve as the backbone for keeping the EU accession process alive and to create new opportunities for cooperation.

Examples of alternative actors could include local governments, sub-municipal communities (MZs), universities, high schools, the private sector, cultural institutions, youth networks, development agencies, projects, etc. The EU has already committed to provide more support through its programmes such as Erasmus and Horizon. BiH is finally participating in many of them, but that participation is still limited. The question is whether the EU can provide support to alternative actors without limiting them to the established channels through the state.

As of recently, the EU Delegation has been showing more support for the local level of government, mainly through visits to mayors by high-level delegations from bilateral embassies and the head of the EU Delegation. Whether this is likely to be EU's new policy after the election is yet unclear, but if so, it would be another window of opportunity where progress could be possible.

Meanwhile, the USAID and EU have commissioned a joint report called the Local Government Initiative which may outline proposals for that kind of reform after the elections. Whether the support to local governments could be another window of opportunity would much depend on recommendations put forward in that report and its overall quality.

Another window of opportunity are regional initiatives, such as the Berlin process, but again its reflections on the domestic context will depend on the involvement of alternative actors and the availability of funding for concrete projects.

It also needs to be taken into account that the situation in the media is critical in many ways. On one side, the political pressure is stronger than ever since the war. On the other side, most of the media are not as independent, professional or objective as it was once hoped they would become. The US has renewed some efforts to support independent media but the EU could play an even stronger role in that area.

Conclusions

The politics in BiH are no longer subject only to changes in its inherent triangle – it is more and more a conundrum of open interference by many external actors. If looking for solutions to stop the downward spiral, more attention needs to be paid to the role of Croatia and its support for the Croat parties in BiH, especially in conjunction with HDZ's newly developed affinity towards Russia. Furthermore, Serbia should not be allowed to hide behind its EU accession agenda, especially if it decides to play a double game – partnering with Russia at the expense of BiH, while pursuing the EU membership agenda. The EU needs to be able to recognise destructive behaviour and look at Serbia's relations with BiH beyond the narrow concept of unresolved bilateral issue in order to prevent interference in domestic affairs in BiH.

Moreover, the EU needs to put pressure on Croatia to act more as an EU member, not as a Balkan power. So far not enough pressure has been exerted on Croatia to align its position on BiH more with the EU, and to be a partner working to stabilise the country and the region.

With all that in mind, it can be said that the main internal and external challenges in the forthcoming period will include:

- HDZ BiH's attempt to block the formation of government after the elections, and Croatia's support to those efforts;
- RS armament through the purchase of Russian weapons;
- In addition to Serbia's existing close ties, Russia has found an additional channel to influence politics in the Balkans through Croatia ;
- Turkish meddling in intra-Bosniac political affairs – government and opposition;

- Turkey's declining support for NATO – and impact on BiH's aspirations to join;
- Russian and Turkish efforts to use BiH as a terrain for provoking the EU and NATO;
- The lack of interest of the US for the affairs in BiH (unless it causes broader instability).

Although the challenges are numerous and alarming, some opportunities have been presented, although there are many factors which would condition their success:

- The EU enlargement strategy and flagship initiatives – condition to the support of member states, many of which have remained reserved if not outright opposed to future enlargement;
- The Berlin process – conditional on the quality of initiatives and the support of regional governments;
- Local government initiative in BiH – conditional on the quality of the report and the support of the international community, as well as financial support for its potential implementation;
- Identification of alternative partners and funding through EU programs.

In sum, the internal and international politics in BiH have been a matter of some unlikely coalitions – especially that between Croatia and Russia – and many dishonest partners. This is particularly challenging for the EU and its foreign policy machinery, which traditionally suffers from poor flexibility in determining policy generally, and especially towards the Western Balkans. This is why the EU's renewed commitment to the region deserves more praise than it has been given. It comes only years after that same Commission announced there would be no enlargement during their term. Looking from that perspective, the strategy opens the door to the Balkan countries just enough to keep the prospect of membership alive domestically – provided that there will be enough political will in each candidate and potential candidate to support that process. However, the EU's strategy keeps many questions unanswered, and is itself kept under a big question mark by the member states. As such, it is becoming part of the Bosnian conundrum, rather than part of a solution.

The Western Balkans – Legacies of the Past and the Prospect of European Partnership

Djordje Popović¹

The situation in the Western Balkans today, some twenty-five years after the end of the conflicts is maybe more serious than ever. The relations among the former Yugoslav republics can be seen only as tightened with occasional relaxations usually caused by the official visits of the highest state officials.

If we look at the relations between Serbia, Croatia and Bosnia and Herzegovina we can clearly see that the strong war legacy is still present, that the war is sometimes continued by other means and that the progress achieved should not be taken for granted.

Why is the situation in the Western Balkans so tensed and why do we witness the deterioration of relations? There are many reasons. The most important one is the political elites, which are more or less the same or belong to the political corps of the ones engaged in the conflicts. But an also very important factor is the prolonged transition and prolonged EU enlargement process, which lasts now longer then the biggest pessimists expected.

State capture is the key word for all the countries in the region, even the European Commission acknowledged it in its Enlargement Strategy.² We have political leaders with authoritarian tendencies, weak institutions, endemic organized crime and corruption and strong nationalistic rhetoric. If we add to that massive brain drain and unemployment the seriousness of the situation becomes even more obvious. In the last ten years more than

¹ The author is Project Coordinator at Belgrade Fund for Political Excellence.

² European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for an enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM(2018) 65 final. <https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf>, accessed on 02.07.2018, p.3.

three hundred thousand people left Serbia in the search for better life. A similar critical situation prevails in Croatia and Bosnia and Herzegovina.

We are witnessing that the situation in the field is defined by the stagnating economies, high level of unemployment and illiberal regimes, which will give up European Union rather than power. The public opinion is an explosive combination of frustration, confusion and despair. Huge exodus of people from the region in the last twenty years brought us to situation that there is no critical mass that would lead the change. With recent refugee crises and demographic fears it caused, the feeling of hopelessness and pessimism prevails.

The political elites in all Western Balkan countries are very well prepared to play the nationalistic games when it is necessary to avert the public eye from the real problems that the countries are facing. In that moment it is quite easy to warm-up bilateral disputes which we have in plentiful quantity. Although one of the preconditions for joining EU is the settlement of all bilateral disputes the political elites are only vigorous in warming them up periodically without true intention to solve some of them. Crises are being created and situations radicalized often for more or less meaningless reasons in order to have the same leaders who started the crises acting as firemen and peacemakers.

The job of successful accession to the EU will not be done if these disputes are not put aside and the region turns to cooperation with the clear and unequivocal support from the European Union. After many years a new hope was given to the region with the new Enlargement Strategy of the European Commission. Fifteen years after the Thessaloniki Summit we got a clear and direct message that the region has a future within the EU. This is a very important document because for the first time or after many years it sends some important messages to the Western Balkan countries. However, the Enlargement Strategy will gain its full importance when it becomes the strategy of the European Union and not only the European Commission, or better said, when the member countries, especially those whose voice is heard the most as Germany and France, adopt it as their own strategy. When European Union starts speaking with one voice its message will be better heard and it will lead to more tangible results. Until then the Enlargement Strategy will remain a list of nice wishes – another

among many. It is quite unacceptable that a couple of months after adoption of the Enlargement Strategy some of the key EU leaders, French President Emmanuel Macron to be more precise, claim that the enlargement is not the priority and that it will have to wait until the EU is consolidated. This message is equal to the one Jean Claude Juncker gave at the beginning of his term that there will be no enlargement during the term of his Commission – quite obvious, but quite unnecessary.

The question arises – if the EU enlargement is postponed into uncertain future – what then? Is there a plan of postponement of enlargement and is there a constructive concept for the whole region, which will assume further development and prevent new conflicts? Countries, which are neighboring the EU member states, must be integrated because they cannot participate in economic and political life of Europe equally if they are not under the same roof.

On the other hand the deadline for concrete measures from the candidate countries will be short. Although the year 2025 was indicated as the year of possible accession for the countries that went the most in the accession process – Serbia and Montenegro – time will be measured even before, even after few months. First such occasion will be the EU. Already at the EU Western Balkans Summit in Sofia (17 May 2018), the countries of the region had to show the readiness for cooperation and resolving bilateral disputes.

Another step in the right direction has been the so-called Berlin Process initiated by Germany, but also soon accepted by the leading EU countries. During this process which now lasts for five years some very good steps have been taken and some very good initiatives started. The best example is the Regional Youth Cooperation Office (RYCO) which started its work within this process and it is now almost fully operational. Another significant result of the Berlin Process was the signing of the Transport Treaty which created the Transport Community in the Western Balkans. Again, political leaders managed to interfere the signing of the treaty and Bosnia and Herzegovina signed the last only after the internal political situation allowed it. Hopefully, these initiatives will not have the destiny of the CEFTA agreement which worked perfectly in the beginning but nowadays is struggling to survive as a result of again political elites who cannot agree

on the members of the secretariat and which use this instrument when necessary to boost bilateral disputes. Another threat that can cast shadow over the Berlin Process is the next host country – Great Britain. It is very difficult to receive positive messages on the EU membership from the country that is leaving the EU family at the same time. Not to mention that different EU countries had different priorities for the Berlin Process and, while Germany, Austria and to a certain extent Italy put significant priorities on the agenda, some other as France and Great Britain wanted to discuss only soft issues, such as digital agenda, cyber-crime and others – topics, although very important, far from the crucial topics for the establishment of cooperation between Western Balkan countries on their road towards the EU.

The argumentation of the accession of the Western Balkans to the EU is usually seen from the negative aspect: It serves as a method of avoiding new conflicts or a mean of control of migration routes. From the other side it becomes necessary to articulate the ways in which stable and timely process of EU integration would contribute to all member states.

However, from the cultural aspect, the Western Balkans are doubtless a part of European cultural identity. The historical experience of the Western Balkan countries, especially in the area of armed conflict, which was a consequence of dissolution of Yugoslavia, should be of great importance for the EU, too.

The Western Balkan countries present a pillar of stability of South-East Europe, if not the whole Europe itself. However, this region is very sensitive and fragile, and if it starts to shake, Europe will start shaking too. So if the EU doesn't help the Western Balkan countries, other countries like Russia, China or Turkey will. And they are already very active. The situation in the region is such that the plethora of foreign interests is very difficult to deal with.

Whenever the EU withdraws from the Western Balkans, usually as a consequence of its own problems, the region becomes a playground of different interests. Unfortunately, we must take notice that the geopolitics returned to the region – if it ever left it. The cynics would maybe say that we, countries from the region, should be thankful to foreign actors, mostly

Russia, for bringing us back in focus of the EU. The fear from Russian influence and new instability in the region triggered the EU leaders to put Western Balkans on the agenda after a long period of time. We can only hope that the Brussels realized that the situation is very serious.

Pushing aside this region as a result of internal and external difficulties in which EU found itself would bring to backsliding in political and economic reforms, as well as consolidation of democracy itself. In that way the enlargement process would become very weak and the attractiveness of the EU membership would lose very much on its strength. Slow pace of European integration of the region brings us to the past. Without progress in the accession process and strong support from Brussels the region will return to old narratives and instability.

Celebrating its tenth anniversary, the European Fund for the Balkans in its recently published Declaration of a European Balkans Partnership claimed that EU accession is not a goal in itself, but an opportunity to fully transform the Balkans. The incentives and rewards of EU integration need to be reviewed and renewed: conditionality based on European values needs to be revitalized. The EU's approach must be clear, immediate and attractive if conditions are to be sufficiently strict. If the region seizes the opportunity, it can become part of the EU and converge democratically, socially and economically. However, if this opportunity is missed, the Western Balkans risk remaining distant from the EU, leaving the region without a clear direction and exposed to further instability.³

I can only reaffirm this claim adding some of the clear recommendations that should be followed by all the actors in the region. The EU must continue its support to the region. The region should show commitment to European security in close cooperation with all EU states, as well as other Western Balkans states. The EU must insist on promotion of the rule of law, freedom of press and expression, tackling of organized crime, human trafficking, radicalization and corruption, managing migrations through and from the region, creating welcoming business environments and entrench-

³ Declaration of a European Balkans Partnership (16.04.2018), <<http://balkans-declaration.eu/wp-content/uploads/2016/02/Declaration-of-a-European-Balkans-Partnership.pdf>>, accessed on 30.05.2018.

ing strong democratic institutions. If this is fulfilled and only if this is fulfilled we will be able to say that the Western Balkans region is on the sure track towards the European Union. Only in that case we will be confident to say that all the conflicts are behind us and a new European Balkan partnership is created.

PART III:

THE TRIANGLE OF REGIONAL (IN)STABILITY: BELGRADE – PRISHTINA/PRIŠTINA – TIRANA

The Triangle of Regional (In)Stability: Belgrade – Prishtina – Tirana

Lulzim Peci

Introduction

The relations between Serbia, on the one hand, and Albania and Kosovo, on the other, which are often considered as Albanian-Serbian relations, are viewed through ethnic lenses by a number of international and national observers and opinion-makers. However, this point of view undermines the importance of the nation-state formation process of Kosovo in former Yugoslavia, and a much-decentralized nature, sometimes with contradictory aims, of the Albanian nationalism. In this regard, it is of fundamental importance to acknowledge the distinguished and independent political and state identity of Kosovo, as a same ranking epicenter in this triangle of complex relationships.

Against this backdrop, it is important to underline that during the Cold War, the relations between Tirana and Belgrade, were generally determined by ideological animosities and divisions within the Communist camp, rather than by nationalistic aims. Interestingly, during this period, the political aims of Kosovo Albanians for the creation of a republic within the former Socialist Federal Republic of Yugoslavia (SFRY) were opposed by both, Belgrade and Tirana.

On the one hand, Albanians were unrightfully considered as a national minority (nationality) by the authorities of Belgrade,¹ and consequently, they were not fitting for the status of a nation and republic. This official attitude

¹ According to the census of 1981, Albanians were the fourth numerous population in SFRY, after Serbs, Croats and Muslims. In the SFRY as nations were considered only the Slavic peoples (Serbs, Croats, Muslims, Slovenes, Macedonians and Montenegrins). For exact data see: Szayna, Thomas S.: Identifying Potential Ethnic Conflict. Application of a Process Model. Annex: Demographic Characteristics of South Africa in the Late 1980s (2005). <https://www.rand.org/content/dam/rand/pubs/monograph_reports/MR1188/MR1188.annex1.pdf>, accessed on 02.07.2018.

was justified by an argument of Serbian nationalist circles who were claiming that the creation of the Republic of Kosovo will lead to its joinder with Albania.²

On the other hand, the communist authorities of Tirana were also against it, but for different reasons. Firstly, they saw the solution of Kosovo issue in the light of Marxist-Leninist struggle for liberation against the “Tito’s clique”, and, most importantly, due to the fear that the “Republic of Kosovo” might be used as a tool for triggering the regime change in Tirana.³ Thus, it is not surprising that the ambitions of Kosovo Albanians for the creation of a republic within Socialist Yugoslavia were labeled by Enver Hoxha as the “Kosovar Chauvinism”.⁴

Nevertheless, the creation of the Democratic League of Kosovo, in December 1989, had an important impact in the regime change and peaceful transition into democracy in Albania that resulted with the creation of the Democratic Party of Albania in December 1990, and especially with the first multi-party elections in March 1991.⁵

The beginning of the transition in Albania coincided with the final abolishment of the federal autonomy of Kosovo (July 5th, 1990) and with the expulsion of Kosovo Albanians from the Kosovo’s public sector by Belgrade’s regime. Under the leadership of Democratic League, Kosovo Albanians created a “parallel state”, as a response to the Serbian oppression, and in September 1991 they held an internationally unrecognized referendum for independence of the “Republic of Kosovo”.⁶ The Assembly of Albania,

² For deeper exploration see: Misevic, Milo: *Ko je trazio Republiku Kosovo 1945-1985*, Narodna knjiga, Belgrade 1987.

³ For deeper exploration see for example: Çeku, Et’hem, *Kosovo during the tense relations between Albania and Yugoslavia in sixties and seventies of the twentieth century*, *International Relations Quarterly*, 5, 2/2014.

⁴ *Ibid.* p.16.

⁵ In February 1991, Dr. Ibrahim Rugova and LDK leadership have played a mediating role between the Communist President of Albania, Ramiz Alia and the President of the newly formed Democratic Party of Albania, Dr. Salih Berisha. Aliu, Ali, (member of LDK leadership): *Vizita e pare e Rugovës në Tiranë*, Shekulli, Tirana (20.12.2014). <<http://shekulli.com.al/63109/>>, accessed on 02.07.2018.

⁶ For deeper exploration see: Maliqi, Shkelzen: *Kosovo: Separate Worlds – Reflections and Analysis 1989-1998*, MM Society & Dukagjini, Pejë 1998.

on October 21st, 1991, adopted a declaration in support of the independence of Kosovo, but this was not followed by a formal recognition.

Several years later, in 1994, the Government of Albania led by Democratic Party declared that Kosovo is an internal issue of Yugoslavia, and this position was followed by the socialist Prime-Minister Fatos Nano, who, after the meeting of November 1997 with Milošević in Crete, declared that Kosovo is an internal human rights issue of Serbia.⁷ However, Albania provided a significant support to the Kosovo Liberation Army and served as an “offshore base” for its units and command structure.⁸ In addition, Tirana supported the internationally mediated Rambouillet talks between Kosovo Albanian leadership and authorities of the then-Yugoslavia, and hosted around 350,000 refugees from Kosovo during the war of 1999.

With the end of the NATO’s War against Former Yugoslavia, and the establishment of the UN Administration in Kosovo, Albania practically ceased to share its interstate border with Serbia for the first time since independence, and this brought a major geopolitical change of relations in the triangle Belgrade – Prishtina – Tirana, which was later sealed by the independence of Kosovo, in February 2008.

Prishtina – Belgrade Negotiations

Kosovo and Serbia have a more than 20-years long history of negotiating with one another, and these negotiations took place in different formats of mediation and representation. The first talks between the two parties were those on the normalization of the educational system of Kosovo, which took place in 1996, with the mediation of Sant Egidio Community of Vatican. As a result of these talks, an agreement was achieved between the leadership of two parties on September 1st, 1996, which is known as the Agreement Rugova–Milošević. This agreement was supported by the

⁷ Kalemaj, Ilir: *Marrëdhëniet Kosovë – Shqipëri: Quo Vadis?*, Friedrich Ebert Stiftung, Tirana 2014.

⁸ Majko, Pandeli, (Frm. Minister of Defense of Albania), *Opinion: Lufta në Kosovë [Opinion: War in Kosovo]*, TV KLAN, Tirana, (27.03.2013). <<https://www.youtube.com/watch?v=eyU3FQSDyzU>>, accessed on 02.07.2018.

General Assembly of the United Nations, through the Resolution 51/111 (December 12th, 1996), which welcomed the agreement and called for its proper implementation. However, the agreement was not implemented by the Serbian side, and, as a consequence, within a year, the situation escalated into an armed conflict.

Furthermore, despite the following talks that lasted for almost a decade, which were mediated by the great powers and the UN, Kosovo and Serbia never reached an agreement. In February 1999, the two parties negotiated in Rambouillet, with the mediation of the Contact Group (USA, Russia, Great Britain, France, Germany, and Italy), and, on this occasion, on March 15th, 1999, Prishtina signed the “Agreement on Peace and Self-Governance of Kosovo”, while Belgrade refused it. Consequently, NATO military waged its first “out of area” war against Belgrade, which resulted with the retreat of Serbia from Kosovo and the deployment of the NATO-led peace enforcement mission KFOR, and the establishment of the United Nations Administration (UNMIK) in Kosovo.

Kosovo and Serbia negotiated again for more than a year (from February 2006 until March 2007) in Vienna, with the mediation of the Special Envoy of the UN Secretary-General, former President Martti Ahtisaari, who also drafted the Comprehensive Proposal on Kosovo Status Settlement. Again, as in Rambouillet, the Kosovar side accepted these accords and the Serbian side decided to refuse it. On this occasion, it should be emphasized that the talks in Vienna were the first that took place in the condition of peace, that is, in the condition without repression, because of the strong presence of NATO in Kosovo through its KFOR mission.

Kosovo declared the independence on February 17th, 2008, by adopting as a foundation for its state regulation the Comprehensive Proposal on Kosovo Status Settlement of President Ahtisaari. However, Serbia continued to oppose Kosovo’s independence with all, but military means. The relations between Kosovo and Serbia remained de facto in a condition of a “precluded war,” only due to the NATO enforced peace.

After the validation of the Declaration of Independence of Kosovo by the International Court of Justice, through its Advisory Opinion published in July 2010, and the Resolution of September 9th, 2010 of the General

Assembly of the UN, the mediation of the dispute resolution between Kosovo and Serbia was transferred from the UN and Contact Group umbrella to the European Union. This new format of negotiations did take Russia out from the negotiation's table, while keeping the US engaged in the background.

Then, the EU facilitated dialogue, which began on March 8th, 2011, resulted with the First Agreement for Normalization of Relations between Prishtina and Belgrade of April 2013, and more than 30 other technical agreements, most of which are not fully implemented and are facing considerable obstacles stumbles. Among the non-implemented agreements, the most important are the ones on energy (independent operation of KOSTT), revitalization of the Mitrovica Bridge, and the Association of the Serbian majority municipalities in Kosovo.⁹ Furthermore, this dialogue is conjoined with the process of integration of both countries in the EU, that is, with the conditions that were put to Serbia by the Chapter 35 of the Acquis Communautaire, and to Kosovo by the Stabilisation Association Agreement.

However, this dialogue has brought to surface Serbia's hypocritic policy towards normalization of relations with Kosovo, which on one side conducts a dialogue with Prishtina, and on the other conducts a diplomatic offensive against Kosovo, starting from sport to recognition and integration in international organizations. This Belgrade's policy of portraying Kosovo as a "rogue state entity" or "fake state"¹⁰ continues to fuel tensions between them. The EU facilitated dialogue has transformed the hostile relations between Belgrade and Prishtina into a "fragile detente", but it has not created a ground for sustainable peace and friendly

⁹ Research Institute for Development and European Affairs (RIDEA) and Balkans Policy Research Group (BPRG): Scenarios for the Grand Finale between Kosovo and Serbia. (April 2018), <<http://www.ridea-ks.org/uploads/SCENARIOS%20FOR%20THE%20GRAND%20FINALE%20BETWEEN%20KOSOVO%20AND%20SERBIA.pdf>>, accessed 03.07.2018, p. 4.

¹⁰ Dačić apelovao na Nesvrstane: Ne dozvolite da lažna država Kosovo postane deo međunarodnih organizacija [Dacic appealed to Non-Aligned: Don't allow the fake state Kosovo to become part of international organizations], In: Srbija Danas, 05.04.2018. <<https://www.srbijadanas.com/vesti/info/dacic-apelovao-na-nesvrstane-ne-dozvolite-da-lazna-drzava-kosovo-postane-deo-medunarodnih-2018-04-05>>, accessed on 03.07.2018.

relations between them. Obviously, the current format of this dialogue has reached its limits of success.

The Relaxation of Belgrade – Tirana Relations and the Complexities of Relations with Prishtina

The détente in the relations between Kosovo and Serbia, as well as the prospects for EU integration for the countries of the region, have created conditions for relaxation and improvement of relations between Albania and Serbia. Albanian Prime-Minister Edi Rama paid an official visit in Belgrade on November 10th, 2014, and six months later, on May 27th, 2015, Serbia's Prime-Minister Aleksandar Vučić visited Tirana, thus marking the first-ever visit of a Serbian Prime-Minister in Albania.

However, the clashes between Rama and Vučić over Kosovo's independence were present in both visits. In Belgrade Rama declared that "Kosovo is an independent state and that this is a reality that cannot be changed, and should be accepted", whereas Vučić called this statement as a provocation and a diplomatic incident.¹¹ In Tirana Vučić declared that "Kosovo is Serbia" by adding that "We see Kosovo as a territory of Serbia, while Albania believes that Kosovo is independent", whereas Rama stated that he doesn't feel provoked in relation to the stance of Serbia on Kosovo, by adding that "the stance of the Serb side is irreconcilable".¹²

However, complexities of relations between Kosovo and Albania related to Prishtina – Belgrade dialogue became evident during the second visit of Prime-Minister Rama to Serbia in October 2016. The then Kosovo Foreign Minister, Enver Hoxhaj issued a very harsh statement against any role of Albania in this dialogue, which in the nutshell reflected the fears of Prishtina from a possible patronizing role by Tirana. Hoxhaj underlined that Kosovo has no need for a support of Albania in the dialogue with Belgrade, by reminding that Kosovo has the support of the United States

¹¹ Poznatov, Maja: 'Historic' Albanian visit to Serbia leaves bitter aftertaste (13.11.2014). <<https://www.euractiv.com/section/enlargement/news/historic-albanian-visit-to-serbia-leaves-bitter-aftertaste/>>, accessed on 03.07.2018.

¹² Kurani, Edison: Vucic in Tirana: Kosovo is Serbia. Rama: I do not feel provoked. In: Ibna, 27.05.2015, <<http://www.balkan.eu.com/vucic-tirana-kosovo-serbia-rama-feel-provoked/>>, accessed on 03.07.2018.

of America and of the European Union, whereas he considered the cooperation between Tirana and Belgrade as strictly bilateral.¹³

Moreover, the idea of Rama for a “joint president” of Albania and Kosovo, stated in the Kosovo Assembly on the occasion of the 10th Anniversary of the Declaration of Independence, triggered negative reactions in Kosovo.¹⁴ Among others, the biggest opposition party, the Democratic League of Kosovo, expressed concerns on the possible undermining of Kosovo’s statehood by Albania, and considered Rama’s statement as “a lack of respect for aspirations of Kosovars for an independent state, integrated into EU and NATO”.¹⁵

On the other hand, trade relations are far ahead from the development of political relations among three countries. In the last year, the total trade between Albania and Serbia achieved the amount of 240 million Euros, Albania and Kosovo 213 million Euros, and Kosovo and Serbia 416 million Euros. However, Serbia has a high trade surplus with both Albania and Kosovo, while Kosovo has a high trade deficit with Albania, whereas, for all the three countries, the EU is by far the biggest trade partner.¹⁶

¹³ Enver Hoxhaj Ramës: Mos u përzje në punët tona, [Enver Hoxhaj to Rama: Don’t interfere in our affairs]. In: ienews, 14.10.2016, <<http://www.infoelbasani.al/enver-hoxhaj-rames-mos-u-perzje-ne-pune-tona/>>, accessed on 03.07.2018.

¹⁴ Rama në Kuvendin e Kosovës: Një President i përbashkët, si simbol i unitetit kombëtar [Rama in the Assembly of Kosovo: A joint president as a symbol of national unity]. In: lapsi.al, 18.02.2018, <<http://lapsi.al/2018/02/18/rama-ne-kuvendin-e-kosoves-nje-president-i-perbashket-si-simbol-te-unitetit-kombetar/>>, accessed on 03.07.2018.

¹⁵ Edi Rama përçan Kosovën në Ditën e Pavarësisë së saj, [Edi Rama divides Kosovo on its Independence Day]. In: Gazeta Express, 18.02.2018, <<http://www.gazetaexpress.com/lajme/edi-rama-percane-kosoven-ne-diten-e-saj-te-pavaresise-501361/>>, accessed on 03.07.2018.

¹⁶ Data Source: EU Commission DG for Trade: European Union, Trade in goods with Albania (16.04.2018), <http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113342.pdf>, accessed on 03.07.2018. European Union, Trade in goods with Kosovo (16.04.2018), <http://trade.ec.europa.eu/doclib/docs/2011/january/tradoc_147309.pdf>, accessed on 03.07.2018. European Union, Trade in goods with Serbia (16.04.2018), <http://trade.ec.europa.eu/doclib/docs/2008/august/tradoc_140028.pdf>, accessed on 03.07.2018.

Export and Import Values	Albania – Serbia Trade	Kosovo – Albania Trade	Kosovo – Serbia Trade
Export Values 2017	€ 38,000,000.00	€ 61,000,000.00	€ 40,000,000.00
Import Values 2017	€ 202,000,000.00	€ 152,000,000.00	€ 376,000,000.00

Table 1:¹⁷ Bilateral Export-Import Data: Albania – Kosovo – Serbia

An important aspect in analyzing relations among these countries are military and defense data, which provide a closer view on their military capabilities and defense spending. In this regard, the data presented in Table 2 show that Serbia is by far the strongest in military capabilities and has the highest defense spending compared to both, Albania and Kosovo.

Parameter / Year 2015			
Military/Demographic parameters	Albania	Kosovo ¹⁸	Serbia
Armed forces personnel (AF) (in thousands)	6	2	25
- Armed forces personnel as % of population	0.21%	0.13%	0.32%
- Armed forces personnel as % of labor force	0.53%	0.31%	0.76%
Population (midyear, in millions)	3.0	1.9	7.2
Labor force (LF) (midyear, in millions)	1.2	0.8	3.1
- Labor force as % of population	39.10%	41.60%	42.6%
Military expenditure (ME)			
- Current dollars (millions)	130	50	720
- Constant 2015 dollars (millions)	130	50	720
ME per capita (constant 2015 dollars)	45	25	100
ME per GDP	1.14%	0.78%	1.93%
Military Alliances/Partnerships	NATO (2008)		PfP and Collective Security Treaty Organization

Table 2:¹⁹ Military and Demographic Parameters

¹⁷ Ibid.

¹⁸ The Kosovo Security Force is the security force of Kosovo that by Kosovo Albanians is seen as a preliminary step towards a Kosovo army.

¹⁹ State Department, World Military Expenditures and Arms Transfers 2017 (December 2017). <<https://www.state.gov/t/avc/rls/rpt/wmeat/2017/index.htm>>, accessed on 03.07.2018.

On the other hand, Albania is a member of NATO since 2008, and Kosovo's external security since June 1999 is safeguarded by NATO-led peace-enforcement mission – KFOR. Serbia is a member of the Partnership for Peace Programme since 2006, but it is at the same time an observer of the Russian led Collective Security Treaty Organization, due to its double headed and controversial foreign and defense policy with Brussels and Kremlin.

The Impact of Euro-Atlantic Integrations

Coinciding invitations for membership to Albania and Croatia in NATO, and the Declaration of Independence of Kosovo in 2008, had a fundamental effect on closing the interstate borders of the Western Balkan countries that have a direct impact on the triangle Tirana – Prishtina – Belgrade. NATO membership has obliterated the ambitions of a part of ethnic Albanian elites in Kosovo for joinder with Albania,²⁰ whereas declarations of Albania's political leaders on unification with Kosovo at the end of the day are no more and no less than a mere populism for internal consumption, but with damaging effects for regional relations and Prishtina's stature in regional and international relations.

On the other side, regardless of its membership in Partnership for Peace and accession talks with EU, Serbia will continue, until full normalization of relations with Prishtina is achieved, to be a free security rider whose compass will oscillate between Moscow and Brussels, by playing a soft balancing game with the West, in order to get privileged concessions in its quest for EU membership and Kosovo. This, in turn, means that the security of the region, and especially that of Kosovo and Bosnia and Herzegovina, will continuously be challenged, as long as all the countries of the Western Balkans do not become EU and/or NATO members, including Albania, Kosovo, and Serbia.

²⁰ For deeper exploration see: Peci, Lulzim: Kosovo in the Security and Defense Context of the Western Balkans. In: KIPRED 3/14 (September 2014), <http://www.kipred.org/repository/docs/Kosovo_in_the_Security_and_Defence_Context_of_the_Western_Balkans_310301.pdf>, accessed on 03.07.2018.

The Enlargement Strategy issued by the European Commission, February 6th, 2018, has given a new impetus to the countries of the region to move forward with reforms, but also for settling bilateral relations. In addition, it has set the tentative timing for Serbia's and Montenegro's membership aiming at the year 2025.²¹ However, this strategy looks more like an encouraging rather than a feasible one, firstly due to unsettled relations between Prishtina and Belgrade, and secondly due to the very limited progress of Serbia and Montenegro in the implementation of the Chapters 23 and 24 of the *Acquis Communautaire*.²² In addition, on April 17th, 2018, the EU Commission has recommended the opening of accession negotiations with Albania,²³ thus opening an important window of opportunity to Tirana in the direction of EU membership. On the other hand, Kosovo's prospects in the foreseeable future for the EU membership are stalled (due to five EU non-recognizers), and its relations with EU are

²¹ European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for an enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM(2018) 65 final. <https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf>, accessed on 03.07.2018.

²² Commission Staff Working Document, Serbia 2018 Report, Accompanying the document: Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018 Communication on EU Enlargement Policy, {COM(2018) 450 final}, Strasbourg, 17.4.2018, SWD(2018) 152 final. <<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf>>, accessed on 03.07.2018; Commission Staff Working Document, Montenegro 2018 Report, Accompanying the document: Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018 Communication on EU Enlargement Policy, {COM(2018) 450 final}, Strasbourg, 17.4.2018, SWD(2018) 150 final. <<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-montenegro-report.pdf>>, accessed on 03.07.2018.

²³ Commission Staff Working Document, Albania 2018 Report, Accompanying the document: Communication from the Commission to European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018 Communication on EU Enlargement Policy, {COM(2018) 450 final} - {SWD(2018) 150 final} - {SWD(2018) 152 final} - {SWD(2018) 153 final} - {SWD(2018) 154 final} - {SWD(2018) 155 final} - {SWD(2018) 156 final}, Strasbourg, 17.4.2018, SWD(2018) 151 final. < <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>>, accessed on 03.07.2018.

limited to the implementation of the Stabilization and Association Agreement.

Under such circumstances of the EU enlargement dynamics of enlargement and conditionality, the full normalization of relations between Prishtina and Belgrade becomes an imminent issue for the un-impeded path of Serbia towards membership in EU and for improving the prospects for Kosovo's EU integration. However, there is no clear idea what the full normalization of relations means for both countries, apart from that it should be a legally binding agreement between them.

Nevertheless, there are two possible outcomes that this agreement might entail: a) Kosovo's UN membership without recognition by Serbia, and b) Formal recognition of Kosovo by Serbia. But it is very hard to assume that Serbia's membership will be accepted by all EU members without recognition of Kosovo, due to the fact that for a number of EU countries it will be unacceptable to have within their ranks two countries that do not recognize each other,²⁴ and to let Serbia to put veto on possible accession talks and possible membership of Kosovo in EU.²⁵

If Prishtina and Belgrade fail to achieve the agreement on full normalization of relations, it will definitely halt the EU membership process of Serbia, and will block indefinitely the possible recognition of Kosovo by all the EU members and its UN membership, regardless of the number of international recognitions. This will undoubtedly have a negative impact in the region, including relations between Belgrade and Tirana that may vary from détente to high tensions, without dismissing possibilities of open hostilities. However, these consequences will not have blocking consequences for a possible EU membership of Albania.

On the other side, full normalization of relations between Prishtina and Belgrade will create necessary circumstances for rapid improvement of relations between Tirana and Belgrade, because there is nothing else that hinders them but disagreements over Kosovo. Moreover, full normaliza-

²⁴ Conversation with a high-ranking diplomat from an influential EU country, Prishtina, January 2018.

²⁵ Conversation with an Ambassador of a major EU country in Prishtina, April, 2018.

tion of relations will create conditions for changing of the current positions of the EU non-recognizers towards the independence of Kosovo, due to the fact that principal opposing arguments, including those related to their internal politics, will lose their internal and international relevance.

Conclusion and Recommendations

The political discussions among Kosovo Albanian politicians and intellectuals for obtaining the status of a republic within Socialist Federal Yugoslavia, which started about half a century ago, have created a strong independent political and state identity of Kosovo. Understanding the features of Kosovar political independence and state building, which were strengthened with the peaceful resistance and the war during the dissolution of Yugoslavia and galvanized with the declaration of independence in 2008, in addition to the decentralized nature of Albanian nationalism, is of fundamental importance in understanding the relations among Tirana, Prishtina, and Belgrade.

The prospects for Euro-Atlantic integrations have created conditions for Albania, Kosovo, and Serbia to transform their bilateral relations, from ideological and nationalistic animosities and hostilities to a fragile *détente* and general improvement of political and economic cooperation. Nevertheless, it is difficult to believe that these improvements of relations will become irreversible, without full normalization of relations between Prishtina and Belgrade, implementation of justice for war crimes victims, and integration of Albania, Serbia, and Kosovo into the European Union and/or NATO.

There is no doubt that integration into Euro-Atlantic institutions and organizations, will transform the regional instability triangle Albania – Kosovo – Serbia into a backbone of regional stability, due to the fact that for the first time in the last century, instead of viewing each other as enemies and uncertain supporters, they will become allies in a Europe without dividing lines.

Recommendations:

- The framework for the full normalization of relations between Prishtina and Belgrade should provide a clear outcome that will remove key impediments to unsettled neighborly relations, which may hinder EU membership of Kosovo and Serbia.
- European Union and NATO should rethink the “status neutral” policies towards Kosovo, which will not be applicable after the agreement on full normalization between Kosovo and Serbia has been reached. This should entail a clear roadmap for Kosovo’s PfP membership and candidacy status for EU membership, including the recognition by all the EU/NATO member countries.
- The Accession Treaty for EU membership of Serbia should provide a clause that forbids Belgrade to put a veto on the accession process and EU membership of Kosovo and other countries of the region.
- Serbia and Kosovo should fully implement the justice for war crimes victims, which is a fundamental precondition for interstate and inter-ethnic reconciliation.
- Albania and Serbia should explore opportunities for strengthening their bilateral political, economic and cultural cooperation.
- Leaders of Belgrade, Prishtina, and Tirana should refrain from inflammatory and populist language, which is usually used for internal consumption, but it damages their bilateral relations and the general climate of increasing stability in the region.

Kosovo-Serbia Relations: Drafting a Common Future

Miodrag Milićević

Introduction

Despite the enormous efforts of international community invested in normalization of ethnic relations, Kosovo still remains a hotspot of ethnic tensions in the Western Balkans (WB) and critical point for European Union (EU) stability in its immediate borders. Repudiation of Kosovo's independency by Serbia and uphold of its institutional presence at the ground stemmed troubled relations between the two entities reflecting on the stability and ethnic tensions on the ground. The tensions also threaten the fragile regional stability with given interrelating influences on Serbian and Albanian communities in Bosnia and Herzegovina, Macedonia and the south of Serbia. In the regional perspective, stable, institutionally strong and democratic Kosovo presents an imperative for the EU and US policy on the Western Balkans. Respectful and collaborative relations of Serb and Albanian communities in Kosovo are a precondition of this achievement. The political context in which this progress supposed to happen is very complex. The Serb community to some degree resisted the integration into Kosovo's political/legal system for a long period, confiding its livelihood within Serbia-run administrative/legal system opposed to the one based of Kosovo Constitution. Such administrative/legal parallelisms prevailed over the last 15 years and increased animosities between Kosovo communities causing a de-facto partition of two major ethnic groups.

Not before the drastic turn in Belgrade policy toward Kosovo, after the elections 2013, the circumstances have changed. Only once, both Belgrade's and Pristina's, EU integration path became unambiguously linked with progress in mutual dialogue and normalization of relations, the long-lasting "frozen conflict" in Kosovo started to unfold in constructive direction. The EU facilitated dialogue process has produced a series of agreements arranging the vital aspects of Kosovo Serb life. These agreements in essence tackled the issue of accommodation of Serb community into constitutional framework of Kosovo and resulted with adoption of some prin-

ciples vital for the future of ethnic relations in Kosovo. Most apparent breakthrough was achieved with adoption of the First Agreement on Principles governing the Normalization of Relations(2013),¹ which in Point 10 stipulates that judiciary authorities in northern Kosovo (and all other Serbian communities) will “be integrated and operate within Kosovo’s legal framework”. This agreement introduced absolute certainty over legal jurisdiction for Kosovo Serbs and paved the way for annulment of Serbian run institutions unambiguously directing the political actions of Kosovo Serbs towards Pristina and its legal framework. The agreement, reached between Belgrade and Pristina on basic principles² of participation of Serbs in the central and local governments in Kosovo, removed the crucial obstacle for the integration of the north into the Kosovan political and legal system. The agreement paves the way for a ground-breaking political event, which was participation of northern Kosovo Serbs at the local elections 2013 organised under Kosovo’s institutional and legal framework.

The positive developments in normalization of relations between Kosovo and Serbia at the level of governments, however, have not abundantly and fruitfully reflected to the grass-root level. This is attributed to far too deep partition of Kosovo’s society and, to a certain extent, to the adherence of inflammable and confrontational rhetoric by Belgrade and Pristina governments, maintained to indulge ever strong pro-national constituencies. Today, in spite of gradual political progress leading to the end of the long-lasting deadlock in ethnic relations, communities in northern Kosovo still live under noticeable tensions with a considerable part of Serb community passively resisting the integration process. This resistance is not purely based on emotional, nationalistic sentiments as often attributed. The most ostensible reasons for protracted integration of Serbian community are non-realization of the minority community’s rights in Kosovo and unpreparedness of Kosovo’s government for offering appropriate institutional support and protection to the Kosovo Serb community. Vast institutional mechanisms, set in place to protect marginalization and discrimination of

¹ Office for Kosovo and Metohija Government of the Republic of Serbia: First Agreement of Principles Governing the Normalization of Relations. <<http://www.kim.gov.rs/eng/p03.php>>, accessed on 03.07.2018.

² <http://www.kryeministri-ks.net/repository/docs/FIRST_AGREEMENT_OF_PRINCIPLES_GOVERNING_THE_NORMALIZATION_OF_RELATIONS,_APRIL_19,_2013_BRUSSELS_en.pdf>, accessed on 03.07.2018.

Kosovo Serb community, are neglected by Kosovo's government or poorly utilized by cautious political representatives of Kosovo Serbs who tend to minimize its institutional operations indulging the overwhelming confrontational sentiment that still dominates the public discourse. Examples of legal and practical mistreatment of the Kosovo Serb community are vast: inert engagement of Kosovo's government in the return of displaced persons, inadequate institutional response to security and safety of minority communities, jeopardized cultural heritage, institutional marginalization, language rights for the non-majority communities in Kosovo.

Overview of the Technical and Political Dialogue 2011-2018

The main characteristics of the EU facilitated dialogue process between Serbia and Kosovo were constructive ambiguity, lack of transparency and accountability on both sides within this process.

Freedom of movement, university diplomas, regional representation and trade, integrated border management, including international customs were subject of technical negotiations in 2011, whereas in December 2012 Belgrade and Pristina have exchanged the liaison officers aiming to advance its very turbulent relations. The breakthrough was achieved in April 2013 when the two sides signed an agreement that addresses some of the most disputable issues in their bilateral relations. Thus, most of these issues were related to the status of the four municipalities in the north Kosovo, including six points on the Association/Community of Serb-majority municipalities (ASM). The Brussels Agreement foresees the establishment of the ASM, including full integration of security structures into legal and political framework of Kosovo. Additionally, an important provision of the agreement has been participation of the four northern municipalities in the local and mayoral elections in November 2013 facilitated by the OSCE Mission in Kosovo. The elections have been marked as success and initial step in the integration of northern municipalities into the legal and constitutional framework of Kosovo. Notwithstanding of initial success, both sides have faced internal institutional pressure mainly from the opposition parties accusing the ruling parties and negotiation teams of lacking reporting on the dialogue process and in particular on concessions within this process. Beside a lack of transparency, the dialogue process was also marked with dif-

ferent understandings and interpretations of the Agreement and was followed with announcements of the victory by both sides.

The international stakeholders in country endorsed, whereas the opposition parties in both Serbia and Kosovo challenged the agreement, accusing the governments on both sides of betraying national interests. The main opposition political party in Kosovo, Vetëvendosje, strongly disagrees with the dialogue process and heavily criticized the agreement for failing in establishing full sovereignty in the whole territory of Kosovo, including the four northern municipalities. In spite of these criticisms and of the absence of support of some media outlets, the Kosovo Assembly ratified the Brussels Agreement³ with a majority of 84 of the 120 members voting in favour. The Assembly of Republic of Serbia accepted the government report on the agreement and also voted in favour. However, Constitutional Court in Serbia has rejected a petition by opposition parties to assess the constitutionality of the Brussels Agreement with a court decision that this was a political document, which does not determine the final status of Kosovo. As already noted, the constructive ambiguities have been facing even the bigger challenge how to translate all the agreements into practical implementation. In fact, a considerable number of meetings held in Brussels confirmed that the agreements had been reached but their implementation had been delayed or in many cases remained unimplemented. In particular, this has been the case with the Association/Community of Serb majority municipalities and it reaffirms the Agreement on Freedom of Movement reached during the technical dialogue in 2011 and 2016.⁴

³ Republika e Kosovës – Republika Kosovo – Republic of Kosovo. Kuvendi – Skupština – Assembly: Law No. 04/L-199 on Ratification of the First International Agreement of Principles Governing the Normalization of Relations between the Republic of Kosovo and the Republic of Serbia (27.06.2013). <www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20ratification%20of%20agreement%20-normalization%20of%20relations%20between%20Kosovo%20and%20Serbia.pdf>, accessed on 03.07.2018.

⁴ EU-facilitated Dialogue: Implementation of the freedom of movement agreement (14.09.2016). <https://eeas.europa.eu/headquarters/headquarters-homepage/9823/eu-facilitated-dialogue-implementation-of-the-freedom-of-movement-agreement_en>, accessed on 03.07.2018.

The EU facilitated dialogue between Belgrade and Pristina, without any doubts, has been a significant success. In summary, almost four hundred meetings have been held and 28 agreements reached. A new chapter in bilateral relations between Belgrade and Pristina has been opened which creates a solid ground base for continuous efforts by the international community to remain persistent in full normalization of relations Belgrade and Pristina. Thus, the remaining challenge for both governments is to ensure a consensus at national level, including their commitment to deliver ratified agreements.

Bilateral Disputes on Kosovo – Challenges and Opportunities

Despite the positive results on the progress in implementation of the Brussels Agreement and gradual integration of the four northern municipalities into Kosovo's legal framework, the dialogue was overshadowed with sporadic conflicting interpretations of key agreements. Several critical issues still need to be resolved in order to remove partial institutional limbo in the north which will create a precondition for possible resolution of long-lasting disputes between Belgrade and Pristina. Energy Agreement, Freedom of Movement and most importantly the Agreement on the Association/Community of Serb Majority Municipalities have been constantly contested by either side and will serve to uphold their leverage for future negotiations. Seven years after the first agreement in principles and five from the final Agreement on Association/Community of Serb Majority Municipalities, failure of both parties to accept mutual compromise led to a deterioration of their relations, threatening fragile stability of the negotiation process. Yet, negative reactions of Kosovo opposition parties were an obstacle to democratic consolidation in Kosovo and serve the opposition as an instrument against the government. Absence of institutional support combined with violent reactions in the parliament denied the Association/Community of Serb Majority Municipalities as additional safeguards for Serbian community in Kosovo. Hence, the major opposition political party Vetëvendosje called for a petition⁵ and collected 200,000 signatures against the endorsement of this agreement. Further to this, the establish-

⁵ Kosovo Opposition Flock to Sign Petition Against Serbian Deals. In: BalkanInsight (24.09.2015). <<http://www.balkaninsight.com/en/article/kosovo-opposition-protests-deals-with-montenegro-serbia-09-23-2015>>, accessed on 03.07.2018.

ment of the Association/Community of Serb Majority Municipalities was perceived as a creation of a new Republic of Srpska or allegedly as an attempt to create a division across ethnic lines which triggered massive and violent protests in Pristina that spilled over to parliament where cans of tear gas were fired during an assembly session which subsequently had to be interrupted.

The spread of mistrust between citizens and official representatives on one side and two ethnic groups on the other side was yet an additional burden to Kosovo's institutions which had to promote positive discrimination and inclusiveness on non-majority communities into Kosovo's legal framework. A significant source of interethnic tensions in Kosovo stem from the non-realization of the minority communities rights in Kosovo, at a time when the Kosovo Serb community is in the process of integration into Kosovo's institutional structures. While the Serbian community is on paper protected by generous institutional and legal mechanisms, the young country is yet to realize many of these obligations. Attainment of citizenship, the use of Serbian language, right on private property and sustainable return were marked as the most critical in terms of exercising the law and basic human right principles of the non-majority communities. Undoubtedly, poor quality of translated laws into Serbian language,⁶ the lack of institutional response to the violation of constitutional guaranteed rights of non-majorities, denial of citizenship and occasional interethnic incidents prevented from creating an environment for better integration of these groups.

In such a complex environment the government of Kosovo is obliged to take a full ownership in dealing with all these issues, to initiate a positive climate for resolution of long lasting institutional errors and engage with communities in finding the long term sustainable solution. Additionally, the promotion of the success stories must be an imperative for building the trust amongst deeply divided communities. The Memorandum of Under-

⁶ Platform for Analysis and Research: Policy Brief. The Quality of Translation of Kosovo Laws into Serbian Language (January 2016). <<http://www.ngoaktiv.org/uploads/files/Policy%20Brief%20-%20Quality%20of%20Translation%20of%20Kosovo%20Laws%20into%20Serbian%20Language.pdf>>, accessed on 03.07.2018.

standing⁷ between the Kosovo Chamber of Commerce and the Chamber of Commerce and Industry of Serbia, signed in 2013, undoubtedly advanced the economic and bilateral relations, thus, has promoted interethnic dialogue as powerful tool in removing these barriers and accommodates Kosovo Serb community into Kosovo's legal framework.

Belgrade-Pristina: Future Relations and International Commitments

The resolution of open issues between Serbia and Kosovo remains a main precondition for Serbia's path to the European Union membership. The European Union officials and some of the key members have underlined that on the roadmap for Serbia's EU membership the accession is tightly linked to full normalization of relations with Kosovo. In this regard, chapter 35⁸ is crafted within the EU accession policy for Serbia, whereas the EU and other international stakeholders call upon full commitment and delivery of results in the process of the normalization of relations with Kosovo, underlining that the membership process and the normalization should be developed simultaneously. In that sense, Kosovo-Serbia Dialogue is one of the key processes for advancing bilateral relations on their path towards EU membership and will be used for periodic assessment of its progress in implementation.

One of the most important documents that potentially should be able to shape future relations between Belgrade and Pristina, the EU Western Balkan Strategy,⁹ must have the ability to create a prospect to all six Western

⁷ Memorandum of Understanding between the Chamber of Commerce and Industry of Serbia and the Kosovo Chamber of Commerce (24.07.2013). < www.kim.gov.rs/doc/pregovaracki-proces/1%20Memorandum%20PKS-PKK.pdf>, accessed on 03.07.2018.

⁸ Conference on Accession to the European Union – Serbia: European Union Common Position. Chapter 35: Other Issues. Item 1: Normalisation of Relations between Serbia and Kosovo (30.11.2015). <http://mei.gov.rs/upload/documents/pristupni_pregovori/pregovaracke_pozicije/ch35_common_position_eu.pdf>, accessed on 03.07.2018.

⁹ European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A credible enlargement perspective for an enhanced EU engagement with the Western Balkans, Strasbourg, 6.2.2018, COM(2018) 65 final. <https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf>, accessed on 03.07.2018.

Balkan countries and in particular influence the authorities to initiate comprehensive reform process in their countries. This was reiterated several times by the key EU officials, emphasizing that the Western Balkan countries now have a historic window of opportunity to firmly and unequivocally bind their future to the European Union. The Berlin Process, a German led initiative, has been set to advance connectivity and communications within Western Balkan countries, creating the preconditions for removal of obstacles within their bilateral relations and scepticism toward the EU integration process. With the newly released WB Enlargement Strategy, growing scepticism will be partially allayed which will widen the opportunities to all six countries to act responsibly towards the enlargement process. Notwithstanding, the accession process will depend over the progress in reform process, the rule of law, justice and fundamental rights which is of utmost priority in the negotiations. The new strategy envisions competitiveness, regional cooperation and reconciliation and most importantly, that Serbia has to close chapter 35 related to the normalization of relations with Kosovo, which is marked of utmost importance for this process. In this regard, substantial progress has to be achieved latest by end of 2019, which will remove the barriers towards the EU integration process. This has to reaffirm the position of both countries in their commitment and use the opportunity to reach legally binding agreement which should resolve all bilateral disputes between Belgrade and Pristina.

Way Forward – Conclusions / Recommendations

In overall conclusion, Kosovo Serbs' perception of Pristina and its actors remains intimidating and unapproachable. Thus, efforts to gradually shift the center of civil undertakings from local communities to genuine decision makers at central level will not only contribute to better results and deliveries of Kosovo Serbs but also have an overall positive impact to the creation of an inclusive, democratic, stable and pluralistic society and democratic practices in Kosovo.

The EU agenda for Kosovo foresees significant reform processes in different areas, in working towards a democratic Kosovo, where minority rights are upheld and a safe and stable environment is provided for all residents. It also contributes towards the EU-facilitated Brussels Dialogue, in achievement the normalization of relations of Belgrade and Pristina and the

settlement of the status of the Serbian community in Kosovo, including agreements on energy and justice in northern Kosovo and the establishment of the Association/Community of Serb Majority Municipalities. For the successful implementation of the various elements of the ongoing Brussels Dialogue, an increased access of the Serbian community to Kosovo Government services and legal documents is one of the main conditions for advancement of non-majority position, and thus, will be the precondition achievement of legally binding agreement between Belgrade and Pristina.

1. Continuation of the EU facilitated dialog between Belgrade and Pristina shall be a priority for local and regional stability, and thus, acquiring national consensus and positive development for legally binding agreement on full normalization of relations between Belgrade and Pristina;
2. Without further delay, the government of Kosovo shall commit to implement the Agreement on Association/Community of Serb Majority Municipalities, intensifying efforts in advancing the rights and respect of non-majority communities in Kosovo;
3. Establish a formal multi-layer internal interethnic dialogue in Kosovo as a trust building mechanism for reconciliation, aiming to advance interethnic relations between Serbs and Albanians ending a long-lasting deadlock in ethnic relations;
4. Ensure direct communication between civic leaders of Serbian community and Kosovo government representatives, a process that will enable government to learn and acknowledge genuine interests of communities i.e. interests deprived of partisan biased interpretations;
5. Both governments should commit to fully transparent and inclusive dialogue process by establishing consultative mechanisms with general public, aiming to avoid ambiguities in interpretations of the agreements;

6. The EU has to oblige both parties engaged in the dialogue to resume implementation of remaining agreements by setting the timeline and implementation remedies that will conclude the implementation process. The EU has to review the possibility to impose sanctions for failure to commit to the implementation process;
7. Initiate trust-building mechanism between majority and non-majority communities in returning areas across Kosovo in order to minimize the risk of future interethnic incidents by creating synergies between central and local self-governments and local community leaders.

A New Rapprochement between Albania and Serbia: The Implications for Kosovo

Albert Rakipi

Abstract

The enhancement of the political dialogue between Albania and Serbia, including initiatives to foster economic collaboration, has spelled out a new era in bilateral relations. However, it has also prompted debate about three interrelated issues: The first issue relates to the past, current and the future of interstate relations between Albania and Serbia. Second, there are the implications for the relations between Albanians and Serbs as two peoples in the region, including reconciliation. Last but not least, the new rapprochement between Albania and Serbia has generated a controversial debate on the future of interstate relations between Albania and Kosovo.

The efforts to normalize relations between the states of Albania and Serbia began soon after the fall of the Milošević regime, and took on new impetus after the last change in the political map of the Balkans with Kosovo's declaration of independence in 2008. The recognition of Kosovo as an independent state marks the solution of what for Albanians, in the past 100 years, has constituted the essence of the national question.

In the past two years, Albania and Serbia have increased their political communication substantially and have undertaken some concrete steps to enhance economic collaboration. Despite modest progress thus far, all the necessary premises are now in place to mark a new era of relations between the two states. To date, there has been low local support for the development of the relations between two states and their respective people. The causes of this are historic, and they include the myth of eternal enmity between Serbs and Albanians in the Balkans, the war in Kosovo and the ethnic cleansing campaigns undertaken by the Milošević regime there, as well as weak economic interdependence. In today's new context, local ownership would be necessary to deepen the bilateral relations in a sustainable way.

This paper analyzes the current state of relations between Albania and Serbia and the potential implications for the relations between Albania and Kosovo in the context of the recent rapprochement between Tirana and Belgrade.

Conflict as a Dominant Narrative

Despite the fact that Albania and Serbia as two independent states have never fought a war against each other, conflict and enmity have been the dominant mode of relations between Serbs and Albanians. In addition, there has been a constant effort on the Serbian side to dominate in this relationship, starting at least from the establishment of the modern states in the region, during a period when the examination and comparing of facts is easily feasible.

In the eyes of Albanians, neighboring states in the region have historically been racing and fighting among themselves to grab and divide as much Albanian territory as possible. Following the establishment of the modern Albanian state in 1912, on a fraction of what Albanians historically considered to be their territory, Serbia and Montenegro took the lion's share of Albanian-inhabited areas, with *"40 percent of the Albanian nation and over half of the territories inhabited by Albanians"* ending up in the northern neighboring states.¹ This was perceived as a great injustice for which Albanians blamed their neighbors but also the great European powers of the time. In a paradoxical and even tragic way, the establishment of the modern Albanian state created rather than solved the Albanian national question, the solution of which in 1912 included the return of the Albanian territories annexed by neighbors, mainly what later became Yugoslavia, with the support of the Great Powers.

Preparing the foundations for the creation of the modern Albanian state during the period of King Zog was initially accompanied by a controversial foreign policy, especially toward Belgrade. However, King Zog very skill-

¹ Biberaj, Elez: Marrëdhëniet shqiptaro-jugosllave dhe çështja e Kosovës (Albanian-Yugoslavian Relations and the Kosovo issue) In Rakipi, Albert (Ed.): Shqipëria në Marrëdhëniet Ndërkombëtare (Albania in International Relations). Tirana 2013, pp. 227-253.

fully achieved the right balances in the Balkans in an environment which was entirely hazardous towards the future of an Albanian state.

After the end of the Second World War, Albanian-Serbian relations were developed in the context of state relations between Albania and the Yugoslav Federation. In an extraordinary turn of events for a traditional understanding of Albanian-Serbian relations, Albania and Yugoslavia, at the time both communist countries, established a completely different relationship in the years immediately after the war. They quickly moved into a special alliance consolidated by a number of agreements which signaled that Albania was about to become part of the Yugoslav Federation.² The extraordinary influence that Yugoslavia had on the communist government of Enver Hoxha could be easily explained by the role that the Yugoslav Communist Party played in the establishment of the Albanian Communist Party. Hence Albania was swiftly and silently sliding into the Yugoslav orbit with plans to join the federation as a seventh republic. In 1946, with the signing of a Treaty of Friendship, Cooperation and Mutual Assistance Albania and Yugoslavia entered into a formal alliance of a dual political and military nature, which, as mentioned above, was an extraordinary departure in the foreign policy of the entire history of the Albanian modern state. This alliance was further strengthened by signing the Treaty for Coordination of Economic Policy, achieving a customs union and unified currency, while in 1947, Belgrade presented the plan to unify Albania and Yugoslavia on a federal basis. However, one year later, in 1948, the disagreements between the Soviet Union and the Yugoslav Federation ended the honeymoon between Albania and Yugoslavia.

Relations between Albanians and Serbs, as part of state relations between Albania and the Yugoslav Federation, froze for about two decades. However, at the end of the 1960s there was a set of new developments between the two states influenced by several factors. These concerned mostly Cold War dynamics such as the dramatic development of the occupation of Czechoslovakia by the Soviet Union, but also the new alliance between Albania and China. This was the second non-conflict relationship period since the end of the Second World War. Among other things, the new relationship also enabled dynamic cooperation in several areas between Alba-

² Biberaj, Elez: *Albania and China: A Study of an Unequal Alliance*. Tirana 2014, p. 74.

nia and Kosovo. At the beginning of the 1990s, Albania had just emerged out of communism, and a shrinking Yugoslavia fell under the leadership of Milošević. The countries came close to a military conflict at the time, a trend that continued for the entire decade.

Towards a New Chapter

Since the fall of the Milošević regime, Albania has been willing to establish dialogue and cooperation with Serbia. Even before the removal of Milošević, during some of the most difficult and tense times in the relations between Albanians and Serbs, then Albanian Prime Minister Fatos Nano did not hesitate to meet then Serbian President Milošević at the Crete Summit in November 1997. At the time the war in Kosovo, the last of the wars of Former Yugoslavia, was about to erupt, it is unlikely that the Crete Summit, and more specifically the meeting between the Prime Minister of Albania and the President of Serbia, could have served to stop the new conflict between Serbs and Albanians, or contributed to a new climate in the region. Following the Crete Summit, Milošević declared that Kosovo was an internal Serbian issue and that a solution was to be found in providing guarantees for the fundamental human rights of Albanians in Kosovo and not in granting autonomy.

After the fall of Milošević, the political dialogue and the official relations between Tirana and Belgrade began to enter onto a normal path, having an active and consistent approach of Albania's diplomacy behind them. Immediately after the re-establishment of the diplomatic relations in January 2001, both countries committed to increasing communication. In 2003 Deputy Prime Minister Ilir Meta visited Belgrade. In addition, several visits of the Ministers of Foreign Affairs took place on both sides.

Economic relations, despite being quite modest due to the long separation and lack of communication, have now raised the interest and captured the attention of both countries. At the same time, a number of relevant agreements have been signed. Trade exchanges have jumped from a mere \$233 000 in 2000 to \$139 million in 2010. During the past three years, trade and other exchanges have risen consistently and a number of competitive Serbian companies present in the region have openly expressed their

ambition to enter the Albanian market. The current annual economic exchanges have reached €173 million.³

In September 2014, Air Serbia started regular direct flights to Tirana, thereby facilitating communications between people, while statistics show that year after year an increasing number of Serbian tourists choose Albania as a tourist destination.

There are several factors and issues that make cooperation and integration difficult. These include the relatively long isolation of the two societies from each other, the lack of communication and, among other things, the lack of mutual cultural knowledge and interaction in addition to the strong myth of enmity between the two peoples. But the issue of Kosovo is more important than all the above: The Kosovo War, the independence of Kosovo and the subsequent recognition and support from Albania, most Western states and more than half of UN members, but not Serbia and its allies, remain a clear point of division.

Many Serbian citizens who visit Albania and especially Tirana today are very surprised to find an open-minded society and a friendly environment, far from the enemy that they feared. Their surprise stems from the perception that they have of Albania and for Albanians. The myth of ‘two people and two countries forever enemies’ seems to have a hold over a considerable part of Serbian society and, unfortunately, the Serbian elite. The same myth is rooted in the mentality of many Albanians as well, although this is more relevant for segments of the Albanian diaspora in the West as well as for Albanians in Kosovo and Macedonia.

According to the most recent relevant study of the Albanian Institute for International Studies, the majority of Albanians, contrary to expectations, believe that if there is a state that represents a major threat to Albania, it is Greece, not Serbia.⁴

³ Albania, Serbia take further steps to normalize relations (13.05.2016) <<http://www.tiranatimes.com/?p=127498>>, accessed on 18.05.2018>, pp. 3-4.

⁴ Cela, Alba: Albania-Serbia relations in the eyes of the Albanian public. Tirana 2015, p. 22.

Albania and Kosovo: Two Brothers, Each One in His Own Home⁵

Since 2008, Albania and Kosovo have made efforts to accommodate their relationship as two independent states. It is paradoxical and even ironic that what seemed to be an easy feat, a guaranteed smooth operation, is tuning out not to be such. One reason, for which neither Tirana nor Pristina can be blamed, is the past, the separation and the long-term lack of communication between the two societies and elites as well as the very weak, indeed almost non-existent relations between the two markets. Historically the economic and market relations between Albania and Kosovo were very natural, especially in the northern and eastern part of Albania until the first decade of the 20th century. However, the decision of the European powers to recognize the shrunken Albanian state in 1913 left outside its formal borders purely ethnic Albanian cities like Prizren and Gjakova, hence interrupting the natural and coherent markets as well as civic cultural exchanges.⁶ For more than 100 years of the history of the modern Albanian state, Albania and Kosovo have functioned as two separate markets. The short-term establishment of the Natural Albania, almost on its ethnic borders, during the Second World War by Nazi Germany, remained nevertheless very far from creating a functional state, market and joint administration.^{7 8} Ten years after Kosovo's declaration of independence, the state of economic relations is unveiling other forms of incoherence between the tendency to cooperate and the reality in the ground. The emergence of an ethnic market between Albania and Kosovo might seem as natural development given the fact that the two states belong to the same ethnic group, sharing the same language and culture. Now that Kosovo is an independent state and the context is much friendlier, the natural tendency is expected of being that of economic integration with Albania. In spite of this, the economy remains one of the weakest links in bilateral relations. In order to understand what seems like an anomaly in the relations between Albania and Kosovo, we must look backward in time.

⁵ Jan Braathu, Ambassador of Norway to Kosovo and Albania, quoting President Ibrahim Rugova: *"We are two brothers, but we live in separate houses."*

⁶ Armstrong, D. Heaton: *The six months Kingdom*. Tirana 2001.

⁷ Fischer, Bernd: *Albania 1943-45. A View through Western Documents*. Tirana 2012.

⁸ Milo, Paskal: *Udhëkryqje shqiptaro-gjermane*. Tirana 2016.

Throughout the past century, the markets and the economies of these two countries have existed in complete isolation from each other. The trade relations that existed at the beginning of the 20th century, influenced by the long period of Ottoman rule, were destroyed for many decades. Kosovo became part of the wide market of Yugoslavia, while Albania slowly turned into itself. The difficult years of the 90s when communist regimes collapsed and Yugoslavia dissolved were certainly not favorable years to conduct trade in a legal and legitimate form.

Second, for many decades, both these economies have been primarily agrarian and often very underdeveloped. Similar to most of the countries in the Balkans, the degree of industrialization in Albania and Kosovo is quite low even today and that is a serious obstacle to integration into the current profitable global economic sectors.

Third, the markets and economies of the Balkan states are being increasingly oriented toward member states of the European Union and especially neighboring ones, such as Italy and Greece. Trade exchanges between the Balkan countries which are not members of the EU, are very far from their real potential. The strengthening of the economic ties between Albania and Kosovo is of crucial importance for the economic development of both countries. Through Albania, Kosovo has an access point to the sea and also an opportunity to expand its very small existing market. The highway between Durrës and Kukës, popularly known as “The Nation’s Road,” has brought recognizable changes in the road infrastructure between both countries and will facilitate Kosovo’s use of the Durrës Port.

The social and cultural sphere presents a slightly more dynamic panorama. To a certain degree, Albania and Kosovo seem to represent two different societies and two different levels of modernization. Religion and family play a much different role in terms of quantitative and perhaps even qualitative importance in the social structure of each country. However, at the same time, both societies reflect common characteristics including the low level of law implementation, the weak organizational power of communities, etc.

Kosovo is starting to resemble Albania more and more when we consider developments pertaining to society, state, culture, education and media.

However it remains to be seen whether this means that Albania is exporting a model or whether it is a normal manifestation of the contradictory developments within Kosovo society itself.

Albania was among the very first countries⁹ that officially recognized the independence of Kosovo, which seems to be thus far the only true contribution to the recognition of the sovereignty of Kosovo as a state, despite many claims that Albania played a significant role in securing new recognitions for Kosovo in the global arena.¹⁰

This decade of bilateral relations has been characterized by more enthusiasm, fewer obstacles but still very little substance. It seems that the heritage of a shared market of the former Yugoslavia still has the upper hand: Business ties from the time when Kosovo was part of the Yugoslav Federation are still strong to this day. Hence Kosovo, a former unit of Yugoslav Federation, has developed a dependence on market exchanges with the other former members of Yugoslavia, but not with Albania. This is also the reason that the countries that once made up Yugoslavia, and now are all independent states, from an economic perspective, are all returning to their previous experience in a sort of 'back to the future' fashion.

This scenario is not valid for Albania. It cannot turn back to any previous experience in its relations with Kosovo except to the times before 1913, when, as mentioned earlier, the main Kosovo cities were an integral and functioning part of the economy of Northern Albania. In the meantime, the idea of establishing a common market between Albania and Kosovo based on ethnic commonalities, in spite of all the desires and patriotic slogans, seems not to be working. Both markets, in Kosovo and in Albania, reflect a very low scale of functionality and their ethnic commonality is certainly not helping. Despite the improvement in the infrastructure that connects the countries and the repeated efforts by both governments, a healthy and vibrant economic exchange relationship is yet to happen. In the last three years, Albania has taken the initiative of holding joint government

⁹ Certainly, after the United States and major European countries.

¹⁰ The latest initiative of the Albanian diplomacy to support the membership of Kosovo in UNESCO failed quite spectacularly, with the abstention of some European countries which have in fact recognized its independence since many years ago.

meetings in order to push forward bilateral collaboration, mainly in the economic field. However, we have not seen any results yet. In the last four or five years, both countries have signed several agreements in the areas of economy, education and even culture; however, most of these are not accompanied by the necessary concrete instruments, including the needed bylaws and regulations that would directly help the development of economic relations. These ‘brotherly’ agreements between two countries resemble more general protocols where the two sides commit to the deepening of the collaboration in principle, while at the same time, practically, there are many barriers between the countries that impede the communication and economic cooperation. The so-called “Greater Albania,” in modern terms, can only be seen as a “Greater Economic Albania,” but from both sides of the border we have not seen yet any serious initiative and instruments to enable it.¹¹

The poor state of relations in the economic field should also be analyzed and understood in the context of the current economies in Albania and Kosovo. This explanation should also take into account the low level of rule of law, widespread corruption and the influence of monopolies in both economies.

From the strategic point of view, both Albania and Kosovo see their joint future as members of the European Union¹² and not in establishing a joint state, as is often speculated with the idea and term of “Greater Albania.” At the society level, the majority of citizens in Albania believe that relations with the state of Kosovo are of primary importance, and they want their government to pay proper attention to these relations.¹³ However, Albanians in Albania do not support the unification of Kosovo with Albania. Only nine percent of Albanians believe that unification would be a positive thing, whereas a full 35 percent believe that it would be a negative development. Another 37 percent are neutral on the issue.¹⁴ The situation is very

¹¹ In order to assess how ridiculous the thesis of Greater Albania, often claimed by third parties, truly is one needs only to observe the economic relations.

¹² Rakipi, Albert: *Il Piemonte Albanese è Bruxelles*. In: *Limes - Rivista Italiana di Geopolitica*, 28.03.2008.

¹³ Rakipi, Albert: *Albania Twenty Years After: People on State and Democracy*, 1/2011. Tirana, p. 17.

¹⁴ *Ibid.*

different in Kosovo, where 81 percent of the surveyed public is in favor of the unification with Albania into one single state.¹⁵ However, Albanian leaders prefer a sort of ambiguity, with vague notions,¹⁶ when they speak about the future of both states, in an attempt not to lose the votes of the remaining nationalists who keep talking about the unsolved national issue and see its solution in the unification of the two states. Currently in Albania there are no large political parties or any other serious organizations that support or call for the unification of Kosovo with Albania. On the other hand, Kosovo's Vetëvendosja (Self-Determination) Party has a political platform to unify the two states, but it has failed to increase its clout and numbers in the parliament to turn its platform into action.

The relations between Kosovo and Albania as two independent states are determined by a variety of complex factors. These include the long separation in the past, beginning with the establishment of the independent Albanian state, very weak economic ties, the missing links between cultures and peoples as well as the current poor state of both economies, the low grade of functionality of the state and democracy, and finally the populist actions on both sides.

However there seems to be another new factor that will influence the future of the relations between Albania and Kosovo, again as two independent states, in a stronger and perhaps more decisive way, and that is the new rapprochement between Albania and Serbia.

Albania-Serbia, Kosovo as a Proxy Battle

When Albanian Prime Minister Edi Rama visited Belgrade in November 2014, the first Albanian government head to visit since Enver Hoxha in

¹⁵ The support for the Natural Albania seems spectacular in Kosovo with about 81 percent of those asked in favor; however this number seems questionable if we consider the fact that the political party Vetëvendosja, the only serious political organization that supports the unification of the two states, received only twelve percent of the ballots in general elections in Kosovo.

¹⁶ The series of joint government meetings between Albania and Kosovo started with the first meeting held in Prizren. The choice of the place, Prizren, coupled with the careful scenography of the event full of flags, and two leaders of course was a reflection of the symbolic history of unity, enshrined in the League of Prizren.

1946, it was not expected that the agenda of discussions would include Kosovo in any way. It was well understood that more than the agenda of the event, what mattered was the very fact that this visit was happening.

The attention of European diplomats, as well as that of the local and international media, focused simply on the fact that after many decades of conflict, an Albanian Prime Minister was going to Serbia and not on the content of the conversations that were to happen. The symbolism behind the change was clear: “The two greatest enemies in the Balkans are departing from the past and setting out towards peace.”

In the same vein, the poor state of relations between Albania and Serbia was another factor that was impeding any immediate concrete agenda of bilateral relations, even less so of a high level meeting of the two governments. The only feasible thing was an agreement in principle to cooperate.

In the meantime there were at least three factors which suggested the exclusion of Kosovo from the agenda of the meeting of the two Prime Ministers:

First of all, Kosovo has been an independent state since 2008 recognized by more than one hundred states, including Albania. Despite the fact that currently Serbia does not recognize Kosovo as an independent state, both countries have entered into a process of dialogue and have signed several agreements mediated by a third party, the European Union. The inclusion of Kosovo in the agenda of the bilateral talks between Albania and Serbia, which was in fact the inclusion of a third country, was entirely out of place and suggestive of incorrect assumptions. Kosovo’s inclusion would have suggested that Kosovo could be perceived and interpreted as an issue that needed to be resolved between Albania and Serbia. This did not happen even prior to 2008 when the status of Kosovo was really unsettled after the fall of the Milošević regime. Albania has never conditioned its relations with Serbia after the democratic changes that happened there and until 2008 when Kosovo’s independence was declared. During this period Albania, in cases when the issue of Kosovo emerged, applied the formula ‘agree to disagree’ in order to foster dialogue and cooperation with Serbia.

Second, even though there exists a possibility that Albania can influence and can encourage the recognition of Kosovo as an independent state by countries that haven't done this yet, this opportunity has rarely materialized and is unlikely to do so in the future.¹⁷ This is also due to the fact that Albania itself is a small country, a weak state in which the international community frequently interferes in both internal and foreign policies. And of course Albania had little power to influence Serbia's decision with regard to the recognition of Kosovo.

Third, there was a potential hazard of including an issue such as Kosovo's independence for which Albania and Serbia maintain diametrically opposite positions in a special meeting that happened after so many decades of a divergence of opinions. This would neither help the meeting nor contribute to the fulfillment of expectations for a new climate between these two countries which have been hostages of the myth of "historical enmity" for a long time.

Another accidental factor that excluded Kosovo from this high level agenda was the incident in the Belgrade stadium with the flight of the "famous drone," carrying a flag that was later interpreted as a flag of Greater Albania. Just one week prior to the visit of the Prime Minister of Albania to Serbia, both countries nearly returned to a clash that was reminiscent of the past. Within 24 hours, both governments exchanged Protest Notes.¹⁸ The ambassadors of both countries were urgently called to the relevant diplomatic premises. The highest level statesmen from both countries were involved in declarations, polemics and even accusations made from a distance.

These, among other details, bore a stunning resemblance to the Cold War times of 70 years ago, when Albania and Tito's Yugoslavia ended their 'honeymoon' in 1948. The myth of the historical enmity between Albanians

¹⁷ In 2015, Albania undertook a leading role in assisting Kosovo's efforts to become a member of UNESCO but this attempt failed as many states which have in fact recognized Kosovo's independence abstained in the voting.

¹⁸ Agolli, Ilirjan: Shqipëria i paraqet notë proteste Serbisë (Albania delivers a protest note to Serbia), Voice of America, 16.10.2014.

and Serbs in the Balkans reappeared suddenly and in an absurd way in the interstate relations between Albania and Serbia.

However, despite the fact that including Kosovo in this first meeting of heads of governments after 70 years would be neither rational nor beneficial, it happened nevertheless. Kosovo was included in front of the press, and the public reaction to the two different stances on the state of Kosovo of the two Prime Ministers almost eclipsed everything else, including the importance and the symbolic nature of the entire visit. The lengthy speech of the Prime Minister of Albania focused excessively on “the issue of Kosovo” in Belgrade, and the speech was saluted by Albanian political leaders¹⁹ from Albanian populist circles, especially those outside Albania, including some of the political leaders in Kosovo.

A similar process happened in Serbia. Kosovo served as a “proxy battle” for nationalists and populists, including Serbian Prime Minister Aleksandar Vučić who expressed pity for what he called “the provocation of the Prime Minister of Albania,” while all Serbian local media unified in their position and glorified “his determination to confront the provocations and protect Kosovo, whose independence we shall never recognize.”

On the other side, the government of Kosovo and high level state officials showed restraint with regard to this “patriotic act of the Albanian Prime Minister in the heart of Belgrade” and through almost neutral comments stressed the fact that Kosovo and Serbia were currently engaged in a dialogue with each other.

Hashim Thaçi, at that time Prime Minister of Kosovo, while “congratulating Rama on his stance about the necessity of coming to terms with the reality of the independent Kosovo,” also highlighted the ongoing dialogue process between Serbia and Kosovo.

Meanwhile, in Tirana and Prishtina, independent analysts highlighted that the important aspect of the meeting between Rama and Vučić was the ef-

¹⁹ Adem Demaci dhe Menduh Thaci vleresojne deklaratat e Rames ne Beograd (12.11.2014). <<http://infoalbania.al/adem-demaci-dhe-menduh-thaci-vleresojne-deklaratat-e-rames-ne-beograd/>>, accessed on 18.05.2018.

fort from both leaders to project an image of collaboration to Brussels and other Western decision-making circles.

Since that first meeting in the autumn of 2014, the Prime Ministers of Albania and Serbia have continued to meet more frequently,²⁰ in order to push forward a new climate in the interstate relations and simultaneously build their own image as modern leaders, who “look toward the future.”

Despite the fact that economic ties between Albania and Serbia are still weak, trade flows during the past two years have witnessed a modest increase,²¹ while both administrations are looking for new instruments in order to further develop economic cooperation.²²

However, efforts to establish a new close relationship between Albania and Serbia have not been welcomed in Kosovo. Starting with a lack of enthusiasm and neutral positions noticed in the beginning, political leaders in Kosovo look progressively more critical on what was happening between Tirana and Belgrade. They think that Tirana is “rushing” its efforts to deepen relations with Belgrade.

Why does Prishtina harbor so much skepticism regarding the rapprochement between Tirana and Belgrade? At the political level, Kosovo and Serbia, while being engaged in a process of dialogue facilitated by the EU, have reached some solutions or have begun to approach the solving of some practical issues between their countries. These issues have a direct impact on the lives of their citizens despite the fact that Serbia does not recognize the independence of Kosovo. From the economic point of view, there is more substance between Kosovo and Serbia than there is in economic relations between Kosovo and Albania.

²⁰ In addition to meeting in third countries, the Serbian Prime Minister Vučić visited Tirana in March of 2015, while the Albanian Prime Minister visited Belgrade again in October 2016.

²¹ Albania-Kosovo trade exchanges continue to remain lower than with Serbia (02.12.2016). <<http://www.tiranatimes.com/?p=130233>>, accessed on 18.05.2018.

²² In October 2016 Albania and Serbia established the Joint Chamber of Commerce with the aim of encouraging trade exchanges and potential investments.

It is clear that the nervous stance and opposition that Kosovo shows is not related to the deepening and developing of economic relations between Albania and Serbia in particular, nor is it even related to the development of the state relations and their rapprochement per se.

The reserved position of the government of Kosovo with regard to the rapprochement has to do with the fact that Albania and Serbia continue “to keep” Kosovo on their bilateral agenda in a situation in which in Kosovo, de facto, Serbia does not have any kind of sovereignty whereas Albania de facto and de jure has recognized Kosovo’s independence. The same has been done by more than one hundred states, most of the Security Council members, most of the EU members and most of the globe’s democratic states.

Is Albania Trying to Play the Role of ‘Mother Country’ toward Kosovo and if so, why?

When, 103 years ago, the European powers recognized the Albanian state, they split Albanian territories. Therefore Albania, the established state, at that time became the ‘mother country’ in relation to Kosovo and the other Albanian populations that made up compact communities in the then Kingdom of Yugoslavia and later, after World War II, the Yugoslav Federation. But for the first hundred years Albania could not play the role of the mother country toward Albanians that were left out of the official state borders and acquired the status of minorities.

Even after the collapse of the communist regime and the end of the Cold War, Albania, a very weak state occasionally endangered itself, could not play the role of mother country to Kosovo and other Albanian minorities in the Yugoslav Federation, which had started to violently disintegrate.

Albania in a consistent way has supported Western policies in the Balkans and its political position in relation to the future of Kosovo has not differed from that of the western powers, such as the United States and major European countries. Despite the fact that political leaders in Albania have often declared that they supported the independence of Kosovo, the official political class in Tirana was unable to form and advocate for a unique point of view and position, independent from others, in relation to the

future of Kosovo as an independent state. Such a thing did not happen at least not before the start of the war in Kosovo.

It would not only be paradoxical and ironic but even unhistorical if Albania tries to do now what it could not do before: To play the role of mother country now after more than 100 years and with Kosovo already independent, a role never played for known historical reasons. There is no doubt that after 2008, Albania could no longer be the mother country of an independent Kosovo. It is even questionable whether Albania should play the same role for Albanians in the Presevo Valley, which constitute a minority in Serbia. It is quite natural that for the Albanian minority in Presevo, Kosovo and not Albania is considered their mother country. To arrive at that conclusion, one must keep in mind that the Presevo Valley is an integral part of the same economic and cultural unity that connects it to Kosovo first and foremost, before ever connecting it to Albania. In a context when Albania cannot even theoretically play the mother country role for Kosovo in its relations with Serbia, is it then reasonable for Albania “to keep the elephant in the living room”, a proxy battle, just as it is for Serbia? Albania has continuously asked to be rewarded for its moderate policy in the Balkans, where bloody conflicts and disagreements have been raging and where tensions persist to the present day. The international community has often spoken about Albania’s constructive role in the Balkans and as a result Albania has been waiting to be rewarded for its constructiveness. The reward is often conceptualized mainly as support from the West for individuals and leaders, rather than for the countries and states that they lead.

Currently this role for Albania in the Balkans is decreasing for at least three reasons. First, the recognition of Kosovo as an independent state with its own institutions and its own government naturally reduces the role that Tirana could potentially play in the region. Second, the efforts of Albania to influence developments in Kosovo (and also in Macedonia) have been perceived mostly as paternalism, which also explains the gradual rebuttal from the political elites in Kosovo. Third, the efforts of Tirana to influence the politics in Kosovo have ended up being clientelistic actions to back certain political parties or even worse single individuals. And last but not least, the recurrent crises in Albania that sometimes have bordered on state collapse have eroded the legitimacy, the reputation and therefore the possi-

bility of Albania exerting a leadership role as a model for Albanians in the Balkans.²³

The efforts to build up a new climate in the relations between Albania and Serbia are in fact efforts to normalize these bilateral relations. On the surface it looks paradoxical that two states without any substantial contested issues would have difficulties to normalize relations. This of course would not be the case if the two countries chose to leave their Kosovo stances out of their bilateral agenda. In fact, including a third country like Kosovo, is a paradox in itself.²⁴

The European Union is already playing the role of mediator, as a third party, in the normalization of the relations between Serbia and Kosovo. Therefore, it does not make any sense for Albania, a small and weak state, to try to play the very same role. Additionally, let's not forget the implications that came with the fact that Albania as a state was considered, at least formally, the mother country for Kosovo until 2008, the year of Prishtina's declaration of independence. Currently, Albania does not have a mandate to negotiate with Serbia on behalf of Kosovo and expectations that Albania could have any influence on the relations between Serbia and Kosovo do not exist, either in Belgrade or in Tirana.²⁵ Kosovo itself is opposed to any intermediating role of Albania, among other reasons because "Albania is not a global actor like the United States or the European Union. Therefore, in the relations between Kosovo and Serbia, the former requires the support of the United States or the European Union," which are in possession of the instruments that can make a difference.²⁶

²³ Rakipi, Albert: Albania and Albanians in the Balkans. Great Expectations and Disappointments. In: Turkish Weekly, 13.05.2016.

²⁴ The Italian proposal in the summer of 2014 to mediate between Albania and Serbia has been equally paradoxical in a context when these two countries have never experienced disagreements that require the facilitation of a third country, barring of course the case when in the relations between Albania and Serbia one includes Kosovo.

²⁵ Zaba, Natalia: Serbia-Albania Relations. A Fragile Work in Progress. In: Balkan Insight, 13.10.2016.

²⁶ Enver Hoxhaj: Dialogue with Belgrade Is Useless if it Does Not Lead to Mutual Recognition (05.05.2017). <<http://www.euinside.eu/en/news/without-recognition-the-serbia-kosovo-dialogue-is-useless>>, accessed on 18.08.2018.

Hence, if Albania is a state too small and weak and dependent on a high degree of interference on the part of the international community in its internal and foreign affairs; if Kosovo itself does not desire a mediating role for Albania in its relations with Serbia and considering that this role has been already taken up by an international power like the EU, what then would explain the persistence of official Tirana to keep the “issue of Kosovo” on the bilateral agenda with Serbia? The term itself, “issue of Kosovo” symbolizes fully the mythic notion of post-communist political Albania concerning Kosovo.²⁷

Throughout the last 25 years, since the beginning of the dissolution of Yugoslavia, in the “battle of Albania for the issue of Kosovo” the elements of a proxy battle have been abundant. The issue of Kosovo before and after independence has been used first and foremost by political leaders of Albania in order to advance their own short term political interests and second, most importantly, the issue has been used to secure legitimacy from the international community for their “moderate and constructive policies in the Balkans.” On the other side, the political leadership in Kosovo has accepted these proxy elements by welcoming the package of support and contributions from Albania. In the meantime, political figures in Kosovo have also used their connections and influence in Albania for their internal political conflict. In this complex relationship between Tirana and Prishtina there have often been disagreements, polemics, but for the first time we are witnessing real tension in the political relations between these “two brothers.” The battle that Tirana is currently waging with Belgrade for Kosovo implies the perception that in fact Kosovo, factually a third state, is simply a matter that should be solved between Albania and Serbia.²⁸ The tensions between Kosovo and Albania were at an apex particularly after the visit of the Albanian Prime Minister to Serbia in October 2016. First, some independent voices in Prishtina compared the behavior of Albania regarding

²⁷ Since the start of the dissolution of former Yugoslavia and throughout the recent 25 years it has been in the agenda of every meeting with third parties including that of the President, Head of Government, Foreign Affairs Ministers and even down to Commune mayors.

²⁸ During the last meeting in October of 2016 between the Prime Ministers of Albania and Serbia in Belgrade, Kosovo dominated the public discussion between them in front of an audience of experts and journalists. For more see: Belgrade Security Forum, October 2016.

Kosovo to the behavior of Serbia regarding Republika Srpska and considered this approach as entirely “unacceptable.”²⁹ The government of Kosovo joined these critical voices through the comments of Foreign Affairs Minister Enver Hoxhaj, who warned Tirana that as far as “the normalization of the Kosovo-Serbia relations, Kosovo is itself a political actor and Albania is clear about the process and ... will be clear about it even in the future.”³⁰

Kosovo and its relationship with Serbia is becoming increasingly included as an issue on the agenda of the bilateral relations between Albania and Serbia, whereas Kosovo is a third state.³¹

Albania and Serbia have prepared project proposals about infrastructure whose implementation, such as in the case of the Durrës-Nish highway, implies the agreement and the engagement of a third state that geographically stands between them, that of Kosovo. The signing of bilateral protocols between Albania and Serbia for these infrastructure protocols has generated concern and even alarm in Prishtina which fears that the signed agreements recognize the sovereignty of Serbia over Kosovo.

Keeping this “elephant in the room”, while the elephant was set free in 2008, is not the only thing that makes the “proxy battle” of Albania, as well as that of Serbia, for Kosovo not only useless but dangerous. With this new rapprochement with Serbia, Albania has not hidden its ambitions to lead together with Serbia the process of reconciliation between Albanians and Serbs in the Balkans.

²⁹ Pallaska: Shqipëria nuk mund të sillet me Kosovën si Serbia me Republikën Srpska [Pallaska: Albania cannot behave with Kosovo as Serbia does with Republika Srpska] (11.10.2016). <<https://telegrafi.com/pallaska-shqiperia-nuk-mund-te-sillet-kosoven-si-serbia-republiken-srpska-video/>>, accessed on 18.05.2018.

³⁰ Dialogu me Serbinë, ministri i jashtëm i Kosovës: Nuk kemi nevojë për Shqipërinë (The dialogue with Serbia, Kosovo’s Foreign Minister: We don’t need Albania’s help (14.10.2016). <<http://www.javanews.al/dialogu-me-serbine-ministri-i-jashtem-i-kosoves-nuk-kemi-nevoje-per-shqiperine/>>, accessed on 18.05.2018.

³¹ During the public semi-formal meeting between the Prime Ministers of Albania and Serbia in Belgrade, in October of 2016, the issues that were prominent in the discussion were: the decision of the government of Kosovo to nationalize the mines of Trepça, the arresting of the Albanian police director of Mitrovica Police and similar issues.

According to the Prime Minister of Albania, “Serbia and Albania must look forward, accomplishing for the Balkans what Germany and France accomplished for the entire Europe after World War II.” Is the Franco-German model of reconciliation sustainable for the case of Albania and Serbia? Enmity between Albanians and Serbs is a myth, unlike the case of the enmity and rivalry between France and Germany. Most importantly, in the modern conflict between Albanians and Serbs the issue of Kosovo has been central. Despite the conflict dominated relationship, Albania and Serbia as two independent states have never fought against each other, as France and Germany have often done until the end of the Second World War, of course if we do not consider the efforts of Serbia, Montenegro, Greece and the European powers to split Albanian territories on the eve of the establishment and recognition of the Albanian state. The war, the genocide, the mass killings, the mass dislocations have happened in Kosovo and not in Albania. Under these circumstances, is it possible for Albania to lead the reconciliation between Albanians and Serbs in the Balkans?³² Hashim Thaçi, President of Kosovo, has a clear and unequivocal answer to this question: “The full normalization of Albanian-Serbian relations does not go from Belgrade through Tirana, but through Prishtina”.³³

Conclusions

Albania and Serbia are two key states with regard to the security, stability and development of the Balkans. Their relations are strategic relations and as such they require local ownership and local support, aside from the encouragement and support of the European Union.

The new rapprochement between Albania and Serbia obviously has the backing of special key European powers which have high expectations for results. The support of the European Union, in general, and that of Germany, in particular, for a new era in the state relations between Albania and

³² Robelli, Enver: Pajtimi shqiptaro-serb: këpucët e mëdha për Ramën dhe Vucicin (Albanian-Serbian reconciliation: Rama and Vucic's hornet's nest) (24.10.2016). <<http://dialogplus.ch/pajtimi-shqiptaro-serb-kepucet-e-medha-per-ramen-dhe-vuciqin-121729>>, accessed on 18.05.2018.

³³ Comments of the Kosovo President, Hashim Thaçi, for Klan Kosova TV.

Serbia is related to the expectations for the idea of reconciliation of Albanians and Serbs as the two “biggest enemy states” in the Balkans.

Deepening and developing state relations between Albania and Serbia can help to create a new climate between Albanians and Serbs in the Balkans, however, the reconciliation between Albanians and Serbs as two peoples must happen between Serbia and Kosovo.

In the meantime there are two decisive factors that shape the current relations between Albania and Kosovo: The recognition of Kosovo as an independent state and the new relations between Albania and Serbia.

Since the declaration of independence of Kosovo in 2008, Albania and Kosovo have been trying to develop entirely new relations, now as two independent states. It might seem like a paradox, but the accommodation and the functioning of Albania and Kosovo as two independent states and furthermore the development of the relations between them seems a difficult feat even after almost a decade. From time to time, on the state border that now separates two ethnically Albanian states we see the explosion of “little wars” about the trade of potatoes, milk, flour, etc. In the relations between the two states, there is less substance and disproportionately more facade about the brotherly cooperation. In addition, there is a constant paternalistic attitude from Tirana that from time to time results in nervous reactions from Prishtina.

For well-known historical reasons, Albania could never play the role of ‘mother country’ toward Kosovo or the other Albanian minorities in the Balkans and it is understood that every effort to try to play this role after the independence of Kosovo would be absurd and damaging. Kosovo and Albania, as two independent states, could harmonize their regional policies, especially those that concern Albanian minorities in other countries in the Balkans, rather than having clashing positions.

Since 2008, as far as relations between Albania and Serbia are concerned, Kosovo is not and can no longer be “the elephant in the room.” Not adapting to this reality and still keeping the same position means ignoring the fact that Kosovo is independent, which could lead to serious implications in its relations with Serbia. In the meantime, it also relativizes, if not

undermining altogether, the role of the international factors, as third parties between Serbia and Kosovo, such as in the case of the European Union. And last but not least a “proxy battle” from Tirana has brought on the clouds of a tension and antagonism between Albania and Kosovo.

Populist and paternalistic stances from both Belgrade and Tirana will keep the stagnant status quo in state relations between Albania and Serbia and become an obstacle toward real progress, while simultaneously substantially damaging state relations between Albania and Kosovo.

PART IV:

CHALLENGES FOR MACEDONIA

Opportunities and Constraints for the Resolution of FYROM's Name Dispute

Elena Mandalenakis

The aim of this analysis is to identify the reasons behind the resumption of Former Yugoslav Republic of Macedonia's (FYROM) name negotiations with Greece as well as the facilitating and constraining factors that will determine the outcome of these negotiations.¹ The examination of the international, bilateral and domestic dynamics will reveal the potential of the current political efforts to resolve the name dispute between Greece, a EU member state, and FYROM, as a future EU member.

An Urgent Matter?

The Balkan region has always been a politically complex region due to its diverse ethnic composition and its geopolitical significance. The dissolution of Yugoslavia has ended an era of stability in the region and led to the multiplication of states. These states have been transforming at a different pace thus some are still weak due to a slow democratization process, incomplete economic and legal reforms, ethnic tensions, organized crime and corruption. These issues make them more vulnerable to security challenges and to other states' influence. Accordingly, there are regional powers attempting to exploit these weaknesses in order to consolidate their influence within these states.

The name dispute is a bilateral issue between Greece and FYROM with international implications for FYROM, for the region and the EU as a

¹ After the presentation of this work, the foreign ministers of both states signed a Final Agreement for the Settlement of the Differences (17.06.2018), according to which the constitutional name of FYROM will be replaced by the name "Republic of Northern Macedonia." The agreement does not yet constitute a solution to the name dispute in its entirety as it still lacks political and societal support in both countries. The hindering factors identified during the negotiation process seem to outweigh the facilitating factors for the ratification of the agreement; hence, despite the outcome of the negotiations this analysis still applies to the name dispute. Consequently, the use of the provisional name of FYROM remains valid until the ratification of the final agreement.

whole. It is connected to identity and territory, issues that have spurred many wars in the history of the wider region mostly with the involvement of foreign powers. In addition to the individual countries involved in the name dispute, the main players in region are the European Union, Russia, Turkey and the United States.

Despite the arguments regarding Russia's political and economic power, it remains a sizable and influential power with interests in the region. The democratization processes, although incomplete, have turned the interest of many former Soviet states away from their former security patron towards the West. The introvert behavior of the United States towards international affairs has left ample space for Russia to fill in the region. Russia however still insists on maintaining its influence and explores potential areas of profit either politically or economically. Similarly, Russia is alarmed by NATO's enlargement and is willing to defend its security interests.

Turkey's aspirations to increase its power over the neighboring countries and further, in combination with domestic reforms with detrimental effects on the political, social, and military spheres, creates an unpredictable regional power. Recep Tayyip Erdoğan's strategy to wither away from democratic values and practices towards the establishment of an undemocratic regime has been intensified after the attempted coup of 2016. Changes in the political, military and academic institutions of the country along with Turkey's increased military engagement in the southern border and Syria are indicative of its ambitions. As the Balkan region is part of this strategy Turkey takes advantage of its existing religious affinity with certain ethnic groups or countries in order to incorporate them in its sphere of influence.

On the other side, the European Union is concerned with the power game in the Balkans. To appease its geopolitical concerns and secure its external borders, the EU intensifies its enlargement process to integrate the Western Balkan states. Its conditionality policy that supports its enlargement strategy, aims at consolidating economic and democratic transformation to strengthen the political, economic and social institutions of its future member-states by exporting the EU's value system. Good neighbourly relations among the existing and potential members reduce the possibilities of potential rivalries within the EU. Consequently, these relations have become a

prerequisite for accession to guarantee stability and security within and outside EU borders.

On the 6th of February 2018, the EU Commission adopted its Strategy for Western Balkans.² The Strategy confirms that the Western Balkan countries belong to Europe and by 2025 to the EU. It defines the priorities, the areas of cooperation and the challenges faced by the six Western Balkan states and the EU aspirations for their transformation. To facilitate the countries' transition, the EU adopted six initiatives to support them in the fields of rule of law, security and migration challenges, their socio-economic development, transport and energy connectivity, digital agenda, and reconciliation and good neighborly relations. Within this framework, the EU is very interested in the resolution of the name dispute between Greece and FYROM.

As the EU is the most important investor and the largest trading partner of the Western Balkan countries along with the fact that they are geographically surrounded by EU member states, this ambitious enlargement is “a geostrategic investment in a stable, strong and united Europe based on common values.”³

Issue of Contention

The name dispute refers to Greece's refusal to recognize FYROM with a name that included the term “Macedonia” after it declared its independence from former Yugoslavia in 1991. The issue of contention is not the name per se but what the name symbolizes and its potential security implications. This is closely linked to Greece's identity as a nation-state. Despite the increasing societal heterogeneity of the past few decades due to immigration, Greek ethnic identity is represented and expressed through Greece's state identity, which is linked to the Greek territory. Greece feels

² Koleka, Benet: EU tells Balkan states 2025 entry possible for all (25.02.2018). <<https://uk.reuters.com/article/uk-eu-balkans-albania/eu-tells-balkan-states-2025-entry-possible-for-all-idUKKCN1G90XU>>, accessed on 22.05.2018.

³ Western Balkans Strategy: EU sets out clear path for accession (06.02.2018). <https://eeas.europa.eu/topics/european-neighbourhood-policy-enp/39450/western-balkans-strategy-eu-sets-out-clear-path-accession_en>, accessed on 22.05.2018.

obliged to defend its own history and identity and never objected to the Slav-Macedonian people's right to self-determination.

Historical contention involved the position and identity of the Slav population (residing today in FYROM) with respect to Serbia, Greece and Bulgaria since the 19th century. Three states could claim a historical right to a wide geographical area called "Macedonia" as this is shared by all of them. After the disintegration of Yugoslavia and the creation of new states the problem was not one of geography but one of identity connected to a certain territory. Bulgaria's policy regarding the recognition of FYROM portrays similar concerns. Although Bulgaria recognized the new state with its constitutional name, it never accepted the existence of a distinct Macedonian nation or language due to their common Slavic roots, and the fact that "Macedonia of the Pirin" belongs to the Bulgarian state.

The fact that FYROM's citizens have been tracing back their roots to the ancient kingdom of Philippe of Macedonia and his son Alexander the Great is not a real threat against Greece but rather a provocation. The intense nation-building, which aimed at supporting the formation of a strong state, provokes the nationalist feelings of the Greek population across the border who is frustrated with the usurpation of their ethnic heritage and culture. They are not willing to accept the propaganda related to inaccurate definitions of FYROM's Macedonian identity for fears that this will invite territorial claims as a result of irredentist policies implemented by nationalist leaders in the future. The geopolitical changes stemmed from the disintegration of Yugoslavia are recent so any border instability is to be avoided.

During the first years of independence, this perception of threat was amplified when the Macedonian nationalist Vnatrešna Makedonska Revolucionerna Organizacija – Demokratska Partija za Makedonsko Edinstvo (VMRO-DPMNE), declared its purpose to unite all free Macedonians in a Macedonian state.⁴ These declarations became more credible after the circulation of maps of the new Macedonian state including the Greek prov-

⁴ Macedonia's Name: Why the Dispute Matters and how to Resolve it. In: ICG Balkans Report, 122/2001, p. 13.

ince of Macedonia.⁵ In addition, the star of Vergina – the symbol of the ancient kingdom of Macedonia during the Hellenistic times, found within Greek territory – was imprinted on the flag of the new state. This reinforced fears that the government in FYROM may proceed with territorial claims, thereby raising another point of contention between the disputing parties. The tense relations between Greece and the independent state led to its international recognition under the provisional name of Former Yugoslav Republic of Macedonia (FYROM) until both states agree on a permanent name.⁶

In the framework of good neighborly relations, 27 years later, the negotiations between Greece and FYROM on the name dispute have been resumed. Matthew Nimetz, the Special Representative of the UN, mediates the negotiation process and proposes possible names for FYROM. The names put on the negotiating table are: Gorna Makedonija, Republika Nova Makedonija, Republika Severna Makedonija, Republika Vardarska Makedonija, Republika Makedonija (Skopje), with the first two seemingly prevailing until the EU-Western Balkans Summit of the 17th of May 2018 in Sofia. Greece and FYROM are currently still at the negotiating table, with no one being able to predict the final outcome as very limited information is provided about the talks. The positive conclusion of the negotiations is a matter of timing and depends on the existence of the right conditions that will allow for a compromise by both negotiating parties.

Facilitating Factors

The most significant facilitating factor for resuming the negotiations in 2018 is the election of center-left Social Democrat Zoran Zaev as Prime Minister of FYROM. He is young, moderate and he enjoys the trust and support of the EU and the USA to put the country back on track.

⁵ Κωφός, Ευάγγελος: Νέα Πρόκληση με τους Σχολικούς Χάρτες. In: Οικονομικός Ταχυδρόμος, 7.4.1994. / Kofos, Evangelos. Nea Proklisi me tous Scholikous Chartes [New Challenge with the School Maps]. In Oikonomikos Tachidromos, 7.4.1994.

⁶ For more details regarding the politics behind the recognition of FYROM and the other former Yugoslav republics, refer to Mandalenakis, Helene: Recognizing Identity: The Creation of New States in Former Yugoslavia. Dissertation, McGill University 2006.

FYROM has endured a corruption scandal, a deep political crisis – evident in the Parliament in April 2017 – and tense relations with the ethnic Albanians. These factors have been destabilizing the country and have been pulling it away from the western democratic values it aspires to adopt. The outgoing nationalist Nikola Gruevski, who governed for 11 years (2006-16), has been blamed for authoritarian rule and corruption, and although his party (VMRO-DPMNE) won most of the seats in the 2017 election, he was not able to form a government.

Zoran Zaev seems determined to do whatever it takes for FYROM's admission into NATO and the EU. A precondition for setting a date for accession talks with the EU is the resolution of the name dispute with Greece. According to Zoran Zaev, priority is given to the EU as the NATO accession invitation will automatically follow.⁷ Hence, FYROM's government has been eager to conclude the name negotiations to meet the deadline for the EU Council Summit on enlargement scheduled in June 28th, 2018 and before the NATO summit in July. The USA is interested in FYROM's accession into NATO to counterbalance the increased presence of Russia in the region.

Another facilitating factor for a positive negotiating outcome is the demonstrated zeal of the Greek Prime Minister Alexis Tsipras to bring home a “success story” in foreign policy to counterbalance the painful effects the eight-year financial and debt crisis has brought to the Greek society. The resolution of the name dispute provides an opportunity for the government to present to its constituency that it has the political competence and experience to accomplish what previous governments failed to do on the issue. This potential success will be quantified in the next parliamentary elections. At the same time, if Greece alleviates the “name obstacle” to FYROM's membership to the EU and NATO, it will satisfy its allies by delivering what it is expected from an EU and NATO member.

⁷ Ζάεφ: Υπερβολικές οι Εκτιμήσεις Χαν για Λύση σε Δύο Εβδομάδες / Zaev: Ipervolikes I Ektimisis Hahn gia Lisi se dio Evdomades [Zaev: Hahn's excessive estimates for a two-weeks solution] (24.04.2018). <<http://www.kathimerini.gr/960774/article/epikairothta/politikh/zaef-ypervolikes-oi-ektimhseis-xan-gia-lysh-se-dyo-evdomades>>, accessed on 22.05.2018.

The EU and NATO's eagerness, each for their own interests, to include FYROM in their community of states provides the incentive to FYROM to proceed with domestic reforms required under the EU conditionality policy for accession among which is good neighbourly relations.

The above-mentioned factors have already created better conditions for fruitful negotiations between the two parties. Both states have already agreed on ten issues on the negotiating table. These are characterized as "low politics" issues and include joint actions in higher education, technology, cross-border cooperation and culture. Despite this, there is no agreement yet on the four most significant issues of "high politics" pertinent to the name dispute. Greece insists upon the adoption of a universally used name, both internationally and internally – *erga omnes*. FYROM prefers the use of its constitutional name in its internal affairs and institutions such as in Universities, banks, etc.

It can be argued that although the current timing provides an opportunity for the successful resolution of the name dispute, the existing conditions cannot guarantee it. Hindering factors with respect to the name resolution often extend beyond the negotiating governments' power.

Hindering Factors within FYROM

The constitutional amendment is another issue of contention between the two states and a hindering factor for the successful resolution of the dispute. Greece demands the elimination of all direct or indirect irredentist claims in the constitution in order to eliminate any potential justifications of irredentism. An example of this lies in the preamble of the constitution which refers to the resolutions of the "Antifascist Congress of the People's Liberation of Macedonia" which aim at the future unification of geographical Macedonia. The Macedonian territories belonging to neighbouring countries are considered "occupied territories." Articles 4 and 7 on Macedonian identity and language are sensitive for the states' bilateral relations. Article 49 on the protection of the rights of all persons belonging to the Macedonian people and reside in foreign or neighbouring countries is a serious point of contention with Greece.

According to Article 30 there are three ways to amend FYROM's constitution. The first requires the proposal of the country's President Gjorge Ivanov, who until now insists on the name "Macedonia." For the second option, a government motion signed by 30 lawmakers is necessary and for the third option, 150 000 signatures are essential for the support of any constitutional review. Given the current domestic political situation and the nationalistic mood in FYROM, all options appear quite challenging. This partly explains FYROM's hesitance to proceed with a constitutional amendment or at least in the near future.

Assuming that there is agreement on parliamentary review, Article 131 requires a two-thirds majority in favour, meaning 80 out of a total 120 members of FYROM's Parliament. Considering the current domestic political divisions this appears to be unattainable. Among the considered alternative scenarios is holding a referendum that would include both the name issue and the country's accession to the EU. The chosen option would have to attain the support of all stakeholders, domestically and internationally.

The nationalist opposition party of VMRO-DPMNE has already proposed a motion of censure regarding the government's policies towards Greece and Bulgaria.⁸ The nationalist party's reaction to the FYROM-Bulgaria Friendship Treaty was in the same line.

Hindering Factors within Greece

The initiation of the negotiations was a government initiative, prior to any consultations with political parties. Since the beginning of the negotiation process, the political parties in Greece insisted on the adoption of a national strategy that would result in a comprehensive policy vis-à-vis Greece's neighbour on the name issue. A comprehensive strategy would render Greece a stronger position during the name negotiations, one that would be backed by the majority of the political forces within the country. Instead, the government not only did proceed without any prior consultations but also refrained from informing the party leaders on the developments of the negotiations. This issue is important as the parties have different views

⁸ Μία Πρώτη Δοκιμασία του Ζάεφ. In: Η Καθημερινή / Μία Proti Dokimasia tou Zaev [A first test for Zaev]. In: Kathimerini, 12.4.2018, p.10.

regarding the resolution of the name dispute, ranging from disagreements regarding the name format to the inclusion or not of the term “Macedonia” as an expression of FYROM’s national identity. As a matter of fact, the minister of Foreign Affairs Nikos Kotzias briefed the party leaders on the negotiations half-way into the process but still did not consult with them. As expected, the main opposition as well as the rest of the political parties reacted by accusing the Greek government of unilateralism and of engagement in “secret diplomacy.”⁹

The lack of a national strategy becomes less important when one observes the conflicting policy positions within the coalition government on the name dispute. Foreign Minister Kotzias, member of the SYRIZA party, supports the policy Greece adopted in the 2008 NATO Summit in Bucharest and clarifies that his aim remains the adoption of a composite name that would be used everywhere.¹⁰ SYRIZA’s governmental partner, the party of “Independent Greeks – ANEL” disagrees with this policy and refuses the inclusion of “Macedonia” or any name derived from this, in the composite name.¹¹ It further insists on the constitutional changes required to eliminate irredentism in order to consider ratifying any agreement. The observed conflicting views present within the government reflect the views across the political spectrum. Nevertheless, all parties agree that FYROM’s constitutional amendments cannot be avoided in order to settle the name dispute.

The main opposition party, New Democracy (ND), continues to support the position its former Prime Minister Kostas Karamanlis held at the

⁹ Αντωνίου, Δώρα: Η «Ωρα της Αλήθειας» για το Σκοπιανό. In: Η Καθημερινή / Antoniou, Dora: ‘I Ora tis Alithias’ gia to Skopiano [The time of truth for Skopje’s issue]. In: Kathimerini, 24.1.2018, p.3.

¹⁰ Τι έγινε το 2008 στο Βουκουρέστι για τα Σκόπια-Η Εθνική γραμμή Καραμανλή / Τι έγινε το 2008 sto Voukouresti gia ta Skopia-I Ethniki grammi Karamanli [What happened in 2008 in Bucharest on the Skopje issue - Karamanli’s National position] (29.4.2018). <<http://www.iefimerida.gr/news/387231/ti-egine-2008-sto-voykoyrestigia-ta-skopia-i-ethniki-grammi-karamanli>>, accessed on 22.05.2018.

¹¹ ANEL: Έχουμε την πιο ξεκάθαρη θέση, «όχι» στο όνομα «Μακεδονία» / ANEL: Ehoume tin pio Ksekathari Thesi “Ochi” sto Onoma “Makedonia” [ANEL: We have the most clear position “No” on the name “Macedonia”] (24.01.2018). <<https://www.naftemporiki.gr/story/1314797/anel-exoume-tin-pio-ksekathari-thesi-oxi-sto-onoma-makedonia>>, accessed on 22.05.2018.

NATO Summit in Bucharest in 2008 that blocked FYROM's membership into NATO and the initiation of EU accession talks. It will support a package deal that includes a composite name that could include the term Macedonia as a geographical identification, its erga omnes use along with the elimination of any form of irredentism from its constitution. It is unwilling to support a deal that shows intent for changes that will take place in stages. The expression of Macedonian identity in the constitution and the historical symbolism that the name Macedonia carries are the points of contention. The party will not accept an agreement that will materialize in stages. In contrast, the new party Kinima Allagis (KINAL)¹² supports the adoption of a composite name including the term "Macedonia" but does not insist on its identification as a geographical term and it does not seem to object to an agreed roadmap regarding the constitutional changes with international guarantees for the implementation. The universal use of the name and the constitutional amendments are also required in KINAL's view.

Beyond the ideological party differences, the division of the political establishment in Greece on the name issue may also reflect a wider opposition to governmental initiatives. The same seems to apply regarding the citizens' wide participation in mass rallies, against the approval of a composite name that includes the name "Macedonia". Despite any political interests that may be intertwined in the demonstrations, the views of the society should not be undervalued.

Greek-Macedonian civil society associations organized mass rallies to persuade the government against the inclusion of the name "Macedonia" in the final agreement. Both demonstrations, in Thessaloniki (21.01.2018) and Athens (04.02.2018) have had an unprecedented participation from across the country, one that has not been seen during the years of economic hardship in Greece. In this case, issues of ethnic identity have been more powerful in mobilizing the citizens than economic issues. Similar rallies were organized by the Greek diaspora in big cities as they did in 1992.

¹² KINAL is a party comprised of nine parties among which are PASOK and POTAMI. POTAMI insists on the opportunity presented for the resolution of the dispute and it would accept even a roadmap, and not a full agreement, for the changes that FYROM would proceed with as long as its implementation is guaranteed by the EU.

Societal reactions to the negotiations on name dispute differ according to the understanding of the name issue and the individual belief systems. Everyone agrees that the dispute should be resolved as long as it is not at the expense of the Greek identity and history. Once the name issue is analyzed through the lens of a civic state power people do not seem to object to a final name that includes the term Macedonia as ethnicity is not an issue. It follows that a feeling of self-confidence due to Greece's greater power compared to FYROM's as well as good bilateral economic and business relations that continue to exist despite the negative impact of the Greek crisis on foreign investment also helps. In these terms, FYROM is not a threat to Greece therefore there is no reason to feel threaten by the coincidence of the country's name with the Greek province's name.

The majority of the society however, connects the issue to the nation-state, ethnic identity and historical heritage. As a consequence, it has been offended by the concurrence of the territorial space of Macedonia with its ethnicity and historical culture. The fact that FYROM attached its identity to the geographical area of Macedonia and has claimed to be the direct and sole descendants of Alexander the Great with all the implications that follow these claims, have triggered ethnic to nationalist feelings. FYROM's past nationalist governments provoked this reaction in their attempt to reinforce feelings of belonging and historical right to live in the specific territory in order to strengthen the nation-state building.

A 2018 public opinion poll indicates that 65.9% of the Greek population is against the adoption of a composite name that includes the term "Macedonia" while only 27.7% is in favour. When the statement "after 25 years of an unchanging Greek position on the name issue, everyone calls our north neighbour as Republic of Macedonia" preceded the question, the negative answer increased to 71.7%.¹³ Another poll carried out in December 2017 supports the previous finding with 68%. In this poll, which was carried out before the issue of the resumption of the negotiations became public, 82% of the Greeks were against the adoption of a composite name. In October

¹³ Μάβρος, Δημήτρης: Τι πιστεύουν οι Έλληνες το 2018 / Mavros, Dimitris: Ti Pisteoun I Ellines in 2018 [What do the Greeks believe in 2018] (March 2018). <<https://www.dianeosis.org/2018/03/greeks-believe-2018/>>, p. 227.

2008, after the Bucharest Summit, polls showed that 53% could not accept the name “Republic of Northern Macedonia” while 43% could which was a balanced division of the public’s opinion. During that time, the Greek government could easily turn the public in its favour which is not easily feasible now due to the polarization of the public. Interestingly enough, the 1992-3 polls carried out during the period of mass mobilizations, present similar findings to the December 2017 polls.¹⁴

The Church, as an institution, did not support the rallies but priests participated in them. The Greek Church officially announced its objection to the name “Macedonia” or its derivative.¹⁵ The Church’s position is based on historical facts related to its contribution in the preservation of the Greek-Macedonian identity and thus, it requested the government’s respect. She was wary of the future regarding the Greek Church’s relations to the schismatic “Church of Macedonia.”¹⁶ Hence, the Church’s position had both political and ecclesiastical elements. It should be noted that the signature of the FYROM-Bulgarian Friendship Treaty (01.08.2017) normalized and strengthened the bilateral relations of the two states and opened the way for the Church of Macedonia to become closely linked to the Church of Bulgaria.

Following the Athens demonstrations, the Church declared its trust in the members of the Greek Parliament and reiterated the need for national unity

¹⁴ Σκυλακιάκη, Μαριάννα: Τα Μηνύματα των Δημοσκοπήσεων σε Ελλάδα και Σκόπια / Skylakaki, Marianna: Ta Minimata Dimoskopiseon se Ellada kai Skopia [The polls in Greece and Skopje] (29.01.2018). <<https://www.liberal.gr/arthro/187897/apopsi/arthra/ta-minumata-ton-dimoskopiseon-se-ellada-kai-skopia.html>>, accessed on 22.05.2018.

¹⁵ Ιερά Διαρκής Σύνοδος. In: Η Καθημερινή / Iera Diarkis Synodos [The Standing Holy Synod]. In: Kathimerini, 15.12.2017, p. 5.

¹⁶ Διαρκής Ιερά Σύνοδος: Ούτε «Μακεδονία», ούτε Παράγωγά της στο Όνομα των Σκοπίων/ Diarkis Iera Synodos: Oute “Makedonia” oute Paragogo tis sto Onoma ton Skopion [The Standing Holy Synod: Neither Macedonia nor a name derived from it for Skopje] (10.01.2018). <<http://www.iefimerida.gr/news/388230/diarkis-iera-synodos-oyte-makedonia-oyte-paragogo-tis-sto-onoma-ton-skopion>>, accessed on 22.05.2018.

and consensus.¹⁷ The Church further declared that it will follow all the political developments related to the name negotiations.

Hindering International Factors

The long-standing intra-EU debate on its policy of enlargement continues to divide the member states. These EU internal divisions have been strongly expressed by the President of France Manuel Macron who hesitates to proceed with the Western Balkans' enlargement project of 2025.¹⁸ Macron defends the need for EU deepening before any further enlargement takes place. His view is supported by the Netherlands as it has become evident that there are wide disparities between the Western and the Eastern European states. Ideological differences between the new Visegrad members and the older Western member states have cancelled many EU policies and turned the EU backwards. Characteristic are the political decisions of Hungary and Poland on the issue of migration. Also, the fact that states geographically located in the migration routes raised fences to keep the illegal migrants and refugees out thus, abolishing EU accomplishments that took years to attain. EU deepening will strengthen the EU and will make it more resilient to internal and external challenges. Deepening is preferred over enlargement despite the recognition of the geopolitical importance of the country regarding the security of Europe as a whole vis-à-vis Russia and Turkey. This debate may reduce the impact of EU conditionality as an incentive to solve long standing neighbourly issues.

This is tightly connected to the lack of a comprehensive EU policy towards Russia. Individually, EU member states view Russia's interests in a different way depending on the history and geographical location. These views range from hostility, by some former Soviet states, to views of appeasement. Russia has been opposing NATO's enlargement in the Balkans and actively tries to dissuade the states from becoming members. The Ukraine crisis is an outcome of EU-Russia geopolitical competition.

¹⁷ Δ.Ι.Σ.: Αυθόρμητο με Πατριωτικό Χαρακτήρα. In: Η Καθημερινή / Diarkis Iera Synodos.: Afthormito me Patriotiko Charaktira [The Standing Holy Synod: Spontaneous with a patriotic character]. In: Kathimerini, 06.02.2018, p. 5.

¹⁸ Αντίθετος με τη Διεύρυνση προς τα Βαλκάνια. In: Η Καθημερινή / Antithetos me ti Dievrinsi sta Valkania [Opposing the enlargement towards the Balkans], 18.04.2018, p. 3.

Pressure from external or international actors may provide the incentive for the resolution of the dispute but they can also enforce, directly or indirectly, a non-viable solution with detrimental effects for the countries' relations in the long-term.

Accordingly, the EU's eagerness to predetermine the time frame for the successful conclusion of the negotiations is putting excess pressure on both parties by creating expectations that may not be materialized thus, labeling all efforts as a failure despite the rapprochement of the parties. On April 24, Commissioner Johannes Hahn, responsible for EU's Enlargement, declared his optimism for the resolution by urging for a fast approaching solution. In the European Parliament's Foreign Affairs Committee he stated: "I am optimistic that in the next two weeks we will have a solution. At least a solution that will open the way for the beginning of accession talks with FYROM," thus, supporting the April 17th Commission proposal to initiate accession talks with FYROM and Albania.¹⁹ This statement supports the EU's strategy regarding the integration of the Western Balkans but not necessarily the long-lasting friendship of the two countries. The expression of "impatience" on the part of the EU was not well received by both Athens and Skopje. The Greek ministry of foreign affairs claimed that such statements undermine the negotiations because they are unrealistic and interfere in the negotiations taking place under the auspices of the UN. On the same line but milder, was the reaction of FYROM's Prime Minister who called the two weeks window, unrealistic despite the parties' willingness to positively conclude the negotiations in time for the NATO meeting in July. Hence, there is a fine line between political encouragement and political pressure and unless the balance is kept, it could backfire.

Conclusion

Despite domestic reactions in both countries, the governments proceeded with the negotiations for the resolution of the name dispute. Taking into account the above-mentioned facilitating and hindering factors, it becomes

¹⁹ Michalopoulos, Sarantis: Athens Calls on Hahn to Stop 'Undermining' Macedonian Name Dispute Talks (25.04.2018). <<https://www.euractiv.com/section/enlargement/news/athens-calls-on-hahn-to-stop-undermining-macedonian-name-dispute-talks>>, accessed on 22.05.2018.

clear that although the conditions are not perfect, they are the best that have existed in many years. If they are properly utilized we can talk of an opportunity for resolution of the name issue, especially because it is not only in the hands of the leaders but of the society.

The political establishment of all stakeholders should not ignite nationalist rhetoric in order to create favourable conditions for rationality nor undermine legitimate concerns. The Greek government, in its efforts to strike an agreement with FYROM, abstained from any nationalist rhetoric that would intensify the society's patriotic feelings. This could partly explain the initial secrecy surrounding the negotiations.

The polyphony of the political establishment within and outside Greece may not positively contribute to the resolution of an ethnic dispute. Nevertheless, it could be argued that the debates it provokes may constructively contribute to the clarification of the issues attached to the dispute so that the final outcome will lead to long-term friendship and stability.

All sides should be willing to keep the communication channels open until a solution is found. They should continue identifying common strategic, political and economic interests that can intensify the implementation of confidence building measures. The body language and the positive verbal expression of the two Ministers of Foreign Affairs, Dimitrov and Kotzias in front of the media indicate good relations, confidence and good will. This is verified as both sides keep stressing that they will continue their efforts until the dispute is resolved.

PART V:

POLICY RECOMMENDATIONS

Policy Recommendations¹

“Regional Stability in South East Europe” Study Group

Summary of Recommendations

- *Western Balkan (WB) Six*: Try to integrate stronger the win-win approach in negotiations.
- *Council of Ministers of Bosnia and Herzegovina (BaH), EUFOR and OSCE*: Increase the attention to purchases of small arms.
- *Belgrade and Prishtina/Priština*: Strengthen the lacking confidence by implementing signed agreements.
- *Government of Montenegro*: Enable unimpeded investigative journalism.
- *WB Six and EU*: Develop high-tech cross-border projects along the lines of Silicon Valley.
- *EU and WB Six*: Include the regional reconciliation initiative RECOM as an important element in the EU integration process.
- *EU*: Clearly request the respect for existing territorial arrangements in the WB.
- *EU*: Strive for an unambiguous outcome of the Kosovo dialogue.
- *EU and US*: Give more support to the High Representative (HR) as the “last political resort” in BaH.
- *EU and NATO*: Open EU membership negotiations with the FYR Macedonia and invite it to become NATO member.

¹ These Policy Recommendations reflect the findings of the 36th RSSEE Workshop on “Overcoming Blockades and Improving Intra-State/Neighbourhood Relations in South East Europe”, convened by the PfP Consortium Study Group “Regional Stability in South East Europe” in Reichenau/Rax, Austria, 3-6 May 2018. They were prepared by Predrag Jureković; valuable support came from Veronika Fuchshuber, Benedikt Hensellek and Raffaella Woller (all from the Austrian National Defence Academy).

Situation Analysis

General Trend

In general, intra-regional relations in South East Europe, in particular in the Western Balkans (WB), have partially remained fragile and tense. Several bilateral relations are still burdened by serious political issues and mutual distrust. Ongoing nationalistic clashes regarding, for instance, questions of border demarcation, traffic routes on land and sea, cross-border ethnic separatism and the recent past risk of compounding existing fissures that, in the end, could affect Europe as a whole.

At this way the fragile WB risks to increasingly become a political playground for the partly dodgy ambitions of external forces as Russia and eventually even Turkey. This ongoing ambiguity in intra-regional relations complicates intra-state reforms which are demanded by the EU for fulfilling the Copenhagen criteria for membership and hampers processes of intra-state consolidation (Bosnia and Herzegovina, Kosovo). Despite these critical developments the regional security situation remains stable. However, increasing (“economic”) migration outflows from all the WB countries have recently shown that the citizens are less willing to accept the nationalistic climate and state capture caused by irresponsible political leaderships.

Both the EU Commission and the EU-28 have made it very clear that no divided countries or countries with open border questions (demarcation questions) will be accepted (any more) as members. Aspirants that have fundamental cooperation problems with deep, insurmountable animosities among themselves (bilateral; trilateral) will have very low chances to be accepted in the future. All these structural problems must be solved before the WB countries will have become full members – that shows the experience within the EU.

One important precondition for improving the political climate in the WB will be to shift from a tactical bargaining position to joint problem solving in negotiation processes. However, the latter is still underrepresented in South East Europe’s intra-regional relations.

Post-Dayton Triangle

Bosnia and Herzegovina's (BaH) long-standing political crisis has been even heightened in recent times and have become multilayer (Entity Republika Srpska versus the central government, political tensions between Croat and Bosniak parties in the Entity Federation of BaH, power struggles among the Bosniak parties). The judicial system is misused by political actors from all three constituent peoples for political struggle and obstructive activities. Unnecessary arms purchases and the presence of paramilitary organizations (Republika Srpska) as well as political statements about new war scenarios (single Bosniak politicians) have led to new security concerns.

On the other hand, expectations that the politicians in BaH could take a more constructive political path after the forthcoming general elections in October are not very high. In case that BaH politicians fail to agree on a new electoral law (as demanded by the leading Croat Party in BaH, the national conservative HDZ), the legality and legitimacy of the election results could be called into question after the elections have been conducted.

From the perspective of the Bosniak majority in BaH, Croatia's and Serbia's influence on their co-nationals in BaH remains politically controversial. Both neighbours are perceived as misusing "special relations" with their national communities in BaH. In particular, Croatia has been blamed by Bosniak politicians for acting as a disruptive factor regarding internal developments in BaH and for ignoring BaH's interests regarding crucial infrastructural projects (Pelješac bridge). This contradicts Croatia's self-perception as being BaH's strongest supporter on the path to EU and NATO membership. Notwithstanding the Serb President Aleksandar Vučić's visit to Croatia in February, bilateral relations between Croatia and Serbia have remained strained and the political communication partly rude. The tense political relations in the post-Dayton Triangle impede the process of achieving progress in regard to open bilateral and trilateral issues, such as border demarcation, the fate of missing persons, property restitution and projects for the return of (ex-Yugoslav) refugees.

The Triangle of Regional (In)Stability: Belgrade – Prishtina/Priština – Tirana

Internal processes in Kosovo are strongly influenced by the technical and political dialogue between Prishtina/Priština and Belgrade. There is a direct influence on the security situation in the Serb dominated Northern Kosovo and on the stability of the Kosovo government that depends on the political support of the Belgrade controlled party “Srpska lista”. In addition, the EU regarding its conditionality for Serbia’s and Kosovo’s progress in the European integration process expects advances in the dialogue.

The dialogue plunged into a veritable crisis in spring due to a harsh detention of the Serb government official Marko Djurić by the Kosovo special unit ROSU in North Mitrovica. Although Djurić was released very soon, “Srpska lista” withdrew from the Kosovo government and the dialogue talks have been interrupted. This has been followed by EU mediation that aimed at continuing the dialogue, putting more political pressure on the Kosovo Albanian side to enable and implement the formation of the “Association of Serb Municipalities”. The latter was agreed in principle by Belgrade and Prishtina/Priština officials in April 2013 in Brussels, but has been blocked by the Kosovo government due to their concerns that the Serb Association could undermine Kosovo’s sovereignty.

In addition to the Serb Association, only a small number of technical agreements has been fully implemented up to now. This can be explained especially by the lack of confidence that the two “dialogue partners” have in each other. Despite these difficulties, interethnic relations have slightly improved in Kosovo, in particular regarding contacts between Kosovo-Serb and Kosovo-Albanian NGOs. Nevertheless, the assassination of the Kosovo-Serb politician Oliver Ivanović in January this year showed how precarious the security situation still is, in particular in the north of Kosovo.

Albania and Serbia do not have any serious open bilateral issues to resolve and in principle there are good opportunities to develop cooperative neighbourly relations. However, from Belgrade’s position Albania’s active political support for Kosovo’s independence represents an obstacle. On the other hand, Kosovo’s government which appreciates Tirana’s lobbying activities rejects paternalistic attitudes shown temporarily by the current Albanian Prime Minister Edi Rama.

Challenges for Macedonia and Montenegro

In Macedonia, the political climate has significantly improved since a clearly pro-European government led by the social democrat Zoran Zaev came to power in April 2017. According to Macedonian opinion polls, the citizens' optimism has increased that their state institutions will return to democratic reforms, respect the rule of law and stabilize interethnic relations. In addition, there are growing expectations that Macedonia will be invited this year to become a NATO member and to finally receive – after 13 years – a date for starting membership negotiations. This optimism is based on the chance to solve the name dispute with Greece in 2018.

Shortly after the formation of the new Macedonian government an “Agreement on Friendship, Good Neighbourliness and Cooperation” was signed with Bulgaria which has improved additionally the bilateral relations. Negotiations with Greece have been conducted seriously in the first half of 2018. However, constitutional changes that may be necessary in Macedonia could remain a difficult obstacle. In case that a sustainable agreement concerning the name dispute cannot be achieved in 2018, political setbacks could follow, in particular regarding Macedonia's democratic transition and fragile interethnic relations.

The NATO member country Montenegro is advancing well within its negotiations on membership with the EU. Most of the negotiation chapters have been already opened and some have been successfully closed. Furthermore, Montenegro's bilateral relations with its neighbours are currently without significant problems. At the domestic level the Adriatic Republic is, however, still facing crucial challenges which deteriorate the successful performance. According to national civil society representatives, the respect for rule of law and the fight against corruption is still insufficient in Montenegro. The situation remains particularly precarious for investigative journalists that report about corruption cases.

Policy Recommendations

Generally for the Western Balkan Countries

- A specific Balkan problem of „saving face” when negotiating with opponents and partners can be adequately addressed by appropriate negotiation techniques developed by the International Negotiation Theory. Political advisors should transmit these techniques to the negotiating actors.
- A dynamic interaction between „traditional bargaining” and „joint problem-solving” should be applied with the tendency of the latter one, the ‚win-win’ model prevails.
- Use the momentum of EU’s reinforced integration strategy. Above all, this should include the readiness of the candidate countries and potential candidates to improve their neighbourly relations and to find satisfying solutions for open political issues.
- Consider conceivable cross-border high-tech and future oriented economic projects that could benefit from comparative advantages in the region when it comes to young, well educated, but jobless people. Such WB “Silicon Valley” projects, for instance between Croatia, Serbia and BaH, or Albania, Kosovo and Macedonia, could focus on modern services, soft-ware for the digital world, etc. In this regard, regional government involvement should not be a precondition – the EU, however, should provide the infrastructural framework and start-up funding.
- The governments of WB countries should give more political support to regional initiatives like RECOM which provide important contributions to reconciliation by identifying the victims of war and supporting transitional justice. Moreover, state officials should not encourage the glorification of convicted war criminals.

Generally for the EU

- Further, clarify the political preconditions for and steps towards full membership, as promised in Thessaloniki 2003. In particular, emphasize that existing states and their borders have to be respected

by all candidate countries and that territorial divisions and “swaps” as well as border-crossing territorial alignments remain excluded.

- Use the Berlin Process additionally to focus on favourable conditions for the creation of small and medium-sized enterprises as bearers of economic development, in order to prevent the further outflow of young people in the Western Balkans.
- Include RECOM in EU’s policies towards the WB.

Concerning the “Dayton-Triangle” (BaH, Croatia and Serbia)

Inside BaH

- Given the stagnation or even deterioration in intra-BaH ethnical relations the High Representative (HR) in BaH must reconsider his pivotal role as last political resort, but at the same time the International Community must more distinctly demonstrate its support for the HR.
- There should be more precise regulations regarding the type and number of weapons available to police structures in BaH. All weapons should be purchased in accordance with real security needs and not misused for political purposes.
- In order to prevent blockades of decisions in the BaH institutions the Venice Commission might assess what should constitute “vital interests” of a people, beyond the merely formal criteria for such a veto.
- The EU should support promising non-party actors from the civil society, including financial means.

BaH and Its Neighbours

- The Venice Commission might assess what should be the limits of parallel relationships of the two BaH Entities with Croatia and Serbia to conform to the requirement “consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina”.
- Both neighbouring countries, and in particular Croatia as a recent EU member, should stick to policies that support cooperative relations in BaH and prevent new political tensions.

Croatia and Serbia

- Despite the mainly negative political climate, the political dialogue should be continued on all official state levels as well as civil society organisations, thereby considering the frequently precarious position of the Croat and Serb minority.
- Commemorations connected to the last war should be conducted with respect for the victims of the former enemy side.

Concerning the Triangle Belgrade – Prishtina/Priština – Tirana

- Both negotiating parties, Belgrade and Prishtina/Priština, must put more emphasis and willingness to the implementation of signed agreements as a basis for strengthening mutual confidence.
- The Serbian government should treat the other side in the political dialogue as equal partners and not as potential enemies.
- The EU facilitated dialogue for the full normalization of relations between Prishtina/Priština and Belgrade should provide a non-ambiguous outcome that will remove key impediments to unsettled neighbourly relations, which may hinder EU membership of Kosovo and Serbia.
- The European Union and NATO should rethink their “status neutral” policies towards Kosovo, which will not be applicable anymore after the agreement on full normalization between Belgrade and Prishtina/Priština has been reached. This should entail a clear roadmap for Kosovo’s Partnership for Peace (PfP) membership and candidacy status for EU membership.
- Belgrade and Prishtina/Priština should fully implement justice for war crimes victims, which is a fundamental precondition for inter-state and inter-ethnic reconciliation.
- By being a constructive partner of both, Belgrade and Prishtina/Priština, and by abstaining from paternalistic attitudes towards Kosovo-Albanians, Tirana officials could contribute substantially to confidence-building in this part of South East Europe.

Concerning FYR Macedonia and Montenegro

- The EU should start membership negotiations as soon as possible with the FYR Macedonia and Albania. This step would support necessary reforms in these countries. Moreover, Skopje's confidence-building measures toward Athens would be confirmed by this.
- NATO should consider offering the FYR Macedonia membership at its next summit in July. This can be done in form of some kind of provisional invitation, if there is still no formalized solution of the name dispute with Greece in the meantime.
- In Montenegro, government structures should enable investigative journalists to do their work without impediments and threats.
- The EU Commission should consider introducing the final benchmarks for Montenegro in the negotiating Chapters 23 and 24, which would induce further progress in the rule of law area.

List of Abbreviations

ANEL	Independent Greeks / Ανεξάρτητοι Έλληνες / Anexartitoi Ellines
ASM	Association/Community of Serb majority municipalities
BATNA	Best Alternative to a Negotiated Agreement
BiH	Bosnia and Herzegovina / Bosna i Hercegovina
CEFTA	Central European Free Trade Agreement
CFSP	Common Foreign and Security Policy
CPC	Criminal Procedure Code
CSDP	Common Security and Defence Policy
EC	European Commission
ESDP	European Security and Defence Policy
EU	European Union
FBiH	Federation of Bosnia and Herzegovina / Federacija Bosne i Hercegovine
FYROM	Former Yugoslav Republic of Macedonia
HDZ	Croatian Democratic Union / Hrvatska demokratska zajednica
HDZ BiH	Croatian Democratic Union Bosnia and Herzegovina/ Hrvatska demokratska zajednica Bosne i Hercegovine
HJPC	High Judicial Prosecutorial Council
HoP	House of Peoples
HQ	Head Quarters
ICTY	International Criminal Tribunal for the former Yugoslavia
IPA	Instrument for Pre-Accession
IPAP	Individual Partnership Action Plan
KFOR	Kosovo Force
KINAL	Movement for Change / Κίνημα Αλλαγής / Kinima Allagis
MZ	Local Community / Mjesne zajednice
NATO	North Atlantic Treaty Organization
ND	New Democracy
OHR	Office of the High Representative
OSCE	Organization for Security and Co-operation in Europe
PfP	Partnership for Peace
RS	Republika Srpska
RSSEE SG	“Regional Stability in South East Europe” Study Group

RYCO	Regional Youth Cooperation Office
SDA	Party for Democratic Action / Stranka demokratske akcije
SDSM	Social Democratic Union of Macedonia / Socijaldemokratski Sojuz na Makedonija / Социјалдемократски сојуз на Македонија
SNSD	Alliance of Independent Social Democrats / Savez nezavisnih socijaldemokrata
SOFA	Status of Forces Agreement
SYRIZA	Coalition of the Radical Left / Συνασπισμός Ριζοσπαστικής Αριστεράς / Synaspismós Rizospastikís Aristerás
UK	United Kingdom
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Interim Administration Mission in Kosovo
UNO	United Nations Organization
US	United States
USA	United States of America
USAID	United States Agency for International Development
VMRO	
– DPMNE	Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity / Vnatrešna Makedonska Revolucionerna Organizacija – Demokratska Partija za Makedonsko Nacionalno Edinstvo/ Внатрешна македонска револуционерна организација – Демократска партија за македонско национално единство
WB	Western Balkan(s)

List of Authors and Editor

Thomas AHAMMER, Austrian Ministry of Defence, Belgrade

Predrag JUREKOVIĆ, Austrian National Defence Academy, Vienna

Elena MANDALENAKIS, Independent Analyst, Iraklio

Miodrag MILIĆEVIĆ, NGO Aktiv, Kosovska Mitrovica

Plamen PANTEV, Institute for Security and International Studies, Sofia

Lulzim PEÇI, Kosovar Institute for Policy Research and Development,
Prishtina/Priština

Djordje POPOVIĆ, Belgrade Fund for Political Excellence, Belgrade

Albert RAKIPI, Albanian Institute for International Studies, Tirana

Denisa SARAJLIĆ, Foreign Policy Initiative BH, Sarajevo

The EU's Western Balkan strategy is gaining a new and positive momentum. However, this development leads to the question how to deal with the challenges lying ahead for overcoming blockades and improving intra-state/neighbourhood relations in South East Europe. This general issue was comprehensively analysed by the Study Group "Regional Stability in South East Europe" at its 36th Workshop.

Thus it appears that South East Europe, and especially the peace consolidating Western Balkans, seems to be at a decisive crossroads once again. This will either lead to the substantial improvement of intra-state and regional relations among future EU members or will prolong nationalistic, anti-democratic and exclusive policies, thereby harming also EU integration as the core consolidation tool in the Western Balkans.

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