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Serbia at a Crossroads?

Introduction

In 2017/2018, the Western Balkans (successor states to Yugoslavia minus Slovenia and, since 2013, Croatia, plus Albania) became the focus of attention of the European Union (EU) and other international actors once again. This is due to the crisis-ridden developments in some states (Bosnia and Herzegovina/BiH, Former Yugoslav Republic of Macedonia/FYROM); the renewed increase in tensions between neighbouring states (Serbia and Croatia, Serbia and BiH); delays in the development of the rule of law and in fighting corruption and organized crime, which are unacceptable for the rapprochement process with the EU (Albania, Kosovo, Serbia); autocratic tendencies and limits to the freedom of the press and democracy (Serbia); a lack of protection for ethnic minorities, especially the Roma (BiH, Kosovo, Serbia); and the stagnation of the so-called Belgrade-Pristina dialogue – talks mediated by Brussels towards normalizing the relationship between the two sides – which is also a cause for concern. Brussels and Washington are also alert to the efforts of Moscow, Ankara, Beijing, and Riad to gain or regain their influence in the region.

In February 2018, the EU adopted a “Strategy for a credible expansion prospects for and strengthened engagement with the EU in the Western Balkans”.¹ According to this strategy, two of the states, Montenegro and Serbia, would have the prospect of joining the EU as early as 2025, if they accelerated and successfully completed the necessary reforms in a timely manner. To emphasize the importance of the paper and gain the commitment of the politicians responsible, President of the European Commission Jean-Claude Juncker and Enlargement Commissioner Johannes Hahn travelled to Belgrade, Podgorica, Pristina, Sarajevo, Skopje, Sofia, and Tirana in the same month. On each of these visits, Juncker made it clear that the EU would not import any conflicts or border disputes between candidate countries. Looking to Kosovo, he stressed that the problems between Belgrade and Pristina must be resolved with a legally binding agreement. “Clearly, people in the EU are tired of enlargement. It’s important to explain that the western Balkans are on our doorstep. It’s not far away, but the historic distance is long. Not too long ago, the region saw a fierce war. If we take away the western Balkans’ accession

Note: This article concerns the developments up to the end of 2018.

¹ European Commission, A credible enlargement perspective for and enhanced EU engagement with the Western Balkans. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Strasbourg, 6 February 2018, COM(2018) 65 final, at: https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf.

perspective, that could soon repeat itself. We old Europeans must know that this can be the source of a message of peace, a contribution to calming Europe. If we are not prepared to enable our partners in the Balkans to join the EU, the situation could once again become worse”,² said Juncker.

Serbia is not only the most centrally located, but also the largest territory and, with only around seven million inhabitants, still the most populous state to emerge from the collapse of the Socialist Federal Republic of Yugoslavia (SFRY) following the bloody secessionist wars in the 1990s. Serbia was not only a significant factor and focal point of these conflicts, but, due to its size, geopolitical status and links to all of its neighbours, is also critical for the successful transformation of the region into a place of stability and prosperity.

A Brief Review

For a short historical phase at the start of the 1990s, it was important to Serbia’s leadership in Belgrade, which was in the process of losing its status as federal capital, to preserve the union of the Federation. However, as it soon became clear that the other constituent republics, above all Slovenia, Croatia, and later Bosnia and Herzegovina, were not prepared to do this, Serbian President Slobodan Milošević played the nationalist card. On the pretext of needing to protect Serbs outside Serbia, the creation of Serb republics in Croatia and BiH (*Republika Srpska Krajina*, *Republika Srpska*) received political, financial, and military support. This policy failed in summer 1995 with the recapture of “Krajina” by Croatian military and police forces and the exodus of more than 200,000 Serbian civilians. With the Dayton Agreement signed at the end of 1995, the *Republika Srpska* became one of the two entities of the federal state of Bosnia and Herzegovina.

The political and economic changes towards parliamentary democracy, rule of law, and a market economy that occurred in the Western Balkans after the end of the war came later in Serbia than in the other states of the former Yugoslavia. This was, above all, due to the power exercised by the Socialist Party of Serbia (*Socijalistička Partija Srbije*, SPS), which had succeeded Josip Broz Tito’s League of Communists of Yugoslavia (LCY), under President Milošević (until October 2000) and the political and military secessionist endeavours by the autonomous province of Kosovo, which Milošević tried to prevent with all his might and often brutal deployment of police and military forces. The units deployed did not hold back from serious human rights violations and terrible war crimes against the Kosovo-Albanian civilian population, especially following the NATO air strikes began in 1999.

2 Lars Scholtyssek, EU expansion: Juncker stresses real progress on western Balkans trip, *Deutsche Welle*, 28 February 2018, at: <https://www.dw.com/en/eu-expansion-juncker-stresses-real-progress-on-western-balkans-trip/a-42776178>.

It should be borne in mind here that Serbia was the only Yugoslavian constituent republic on whose territory autonomous regions were established: the economically developed multi-ethnic *Vojvodina* in the north, and the underdeveloped, majority Albanian province of *Kosovo and Metohija* (known in the West as *Kosovo* and *Kosova* in Albanian) in the south. After the Serbian parliament significantly reduced the comprehensive rights to autonomy of Kosovo and Vojvodina in 1988, Albanian nationalists strengthened their secessionist efforts, with increasing support from large sections of the ethnic Albanian population. According to the Yugoslavian constitution, the constituent republics had a right to split off from the federal state, even if the practical implementation had never really been imaginable. However, no such right for provinces *within* a partial republic had been envisaged, even in cases where their position similar in some respects to the republics in the constitution of 1974.

While the Republic of Montenegro's proclamation of sovereignty following a referendum in May 2006 practically sealed the collapse of the federal state of Yugoslavia, the Kosovo-Albanians' Unilateral Declaration of Independence (UDI) in February 2008 and the resulting de-facto secession of Kosovo was, in the eyes of Serbia, illegitimate and was not covered either by the former federal constitution, nor the constitution of Serbia.

This short excursion into the history of the last thirty years may help to explain the current situation in Serbia. For centuries, the Balkans was a powder keg on the edge of Europe, at the border to the Orient, between Christianity, Orthodoxy, and Islam, and between East and West in the Cold War. By the 1990s, the US and the EU had already recognized the how critical this area was for peace and security in Europe and beyond, which had implications for their own strategy. As a whole, this was certainly going in the right direction. Although this approach was not by any means disinterested, not always strictly applied and not a complete success, it did cover the following principles: helping states to help themselves and supporting them in overcoming war damage; returning refugees and internally displaced persons; developing rule-of-law structures, parliamentary democracy, and good governance; strengthening civil society and, not least, opening up the prospect of accession to the European Union. It is no coincidence that Serbia took a central role in this strategy.

Serbia and Its Neighbours

Of the seven neighbouring states of Serbia (not including Kosovo), four are EU member states (Bulgaria, Croatia, Hungary, and Romania – these four and, since 2017, Montenegro, are also NATO members). Two have EU candidate status (FYROM and Montenegro), while Bosnia and Herzegovina has signed a Stabilisation and Association Agreement (SAA) with the EU and is aiming

to become a candidate for accession. NATO member Albania, with which there are de facto no common borders any longer, is also a candidate for EU membership.

One would think that the bilateral problems with neighbouring EU member states would be of least concern. This is certainly true to a large extent of the relationships with Bulgaria, Hungary, and Romania. The trade and economic relationships with these countries are developing positively without fully exploiting the available potential; there are regional rail and road connection infrastructure projects, and increasing collaboration in the Danube region with significant EU support. Concerns that arise occasionally regarding alleged discrimination towards the respective national minorities in Serbia are, as a rule, overcome with political discussions – an important point in ensuring the support of the EU neighbours for Serbia's accession process.

Indeed, the refugee crisis of 2015/2016 led to certain tensions with Hungary as well as with Bulgaria. As refugees and migrants from the EU member state of Greece could enter Macedonia more or less unhindered, and from there travel on further to Serbia, thousands also came via the EU member state of Bulgaria, often without being registered by the authorities there or being prevented from travelling further. As a result, not only did up to a million people coming from two EU countries flood into Serbia, but two other EU states prevented them from travelling back into the EU: firstly, Hungary, with their famous border fence from September 2015, and then a little later Croatia. This led to significant problems in Serbia that the economically weak country could barely cope with. The EU were much too slow to provide Serbia with support, and when it came, it was insufficient. In addition, there were also "profiteers" in Serbia taking advantage of the situation, above all bus and taxi companies, who demanded excessive tariffs from refugees. However, the country and its population behaved much more honourably in the humanitarian emergency than some of their EU neighbours.

Serbia's relationship with Croatia, an EU member state since 2013, proved to be problematic and highly strained for historical reasons. While Croatia accused Serbia of "Greater Serbia aggression" under Milošević and demanded clarity regarding the hundreds of people still missing since the war, Serbian officials continue to denounce the forced exodus of the majority of Croatian Serbs from Croatia. They also criticize alleged and actual discrimination of the Serbian minority, which has been reduced from 13 per cent to around three per cent in Croatia, and refer to the failure of the Croatian government to act against nationalist and right-wing extremist political forces seeking to downplay the crimes of the "Independent State of Croatia" (*Nezavisna Država Hrvatska*, NDH, 1941-1944), who continue to propagate the forbidden symbolism of the Croatian Ustasha fascists largely without challenge. The obvious shift to the right in Croatia, which has barely been discussed in Brussels officially since the country joined the EU, is also expressed in the ongoing debate about the former Jasenovac concentration camp, in

which tens of thousands of Serbs, Roma, Jews, and Communists were killed. In addition to arguments about the numbers of victims, in 2016, a memorial for the Croatian soldiers who died in the recent war was erected close to the former concentration camp, bearing the fascist Ustaša salute, “*Za dom – spremni!*” (For homeland – ready!), similar to the Nazi salute, and for a long time the authorities ignored it. The Council of Europe (CoE) warned of an increase in hate speech and verbal discrimination against ethnic and other minorities, especially Serbs, in Croatia.³ Voices on both sides rightly express the concern that abusive behaviour on the part of nationalists and a lack of willingness for reconciliation have increasingly poisoned the atmosphere in recent years: since 2010, the level of tension has almost returned to that at the end of the war in 1995. Diametrically opposed interpretations of judgements by the International Criminal Tribunal for the former Yugoslavia (ICTY) have also contributed to this. While, in 2012, large parts of the Serbian public were shocked about the acquittal of Croatian Generals Ante Gotovina and Mladen Markač, who commanded Operation “*Oluja*” (“Storm), leading to the exodus of hundreds of thousands of Serbs in 1995, the acquittal of Serbian radical leader Vojislav Šešelj on 31 March 2016 after twelve years in prison led to intense protests in BiH and Croatia.⁴

It is worth noting that the President of Croatia, Kolinda Grabar-Kitarović, invited the Serbian President Aleksandar Vučić to Zagreb in February 2018 at a point when the tensions were especially high. Observers speculated that the Croatian President’s initiative, which brought her into conflict with the Prime Minister, was a reaction to warnings from Brussels, and probably also from Washington, not to let relations escalate further. Nationalist statements on the part of the Serbian defence minister Aleksandar Vulin and provocations from Šešelj led to renewed conflicts in spring 2018.

As a consequence of the war, relations between Serbia and Bosnia are also highly strained. During the war, Serbia supported Bosnian Serbs, whose army was responsible for the Srebrenica massacre, the biggest and most brutal war crime in Europe since the Second World War,⁵ and the siege of Sarajevo. Without fundamentally questioning the special relationship⁶ to the *Republika Srpska*, Aleksandar Vučić has made a real effort to reduce tension in recent years. Especially worthy of note was a meeting between President Vučić, the Bosniak member of the Presidency of BiH, Bakir Izetbegović, and the Turkish

3 Cf. ECRI – European Commission against Racism and Intolerance, *Croatia: Racist and hate speech against Serbs, LGBT persons and Roma escalating, says Council of Europe anti-racism Commission*, 15 May 2018 at: <http://hudoc.ecri.coe.int/fire?i=HRV-PR-V-2018-272-ENG>.

4 In April 2018, Šešelj was pronounced guilty in the appeal proceedings and sentenced to ten years imprisonment, which was, however, satisfied by the eleven and a half years he had been on remand.

5 This war crime is defined as genocide in judgements by two international courts – a definition not accepted by Serbia, Russia, and a number of other states.

6 Observers do not rule out an expansion of this special relationship if a solution to the Kosovo issue could be found.

President, Recep Tayyip Erdoğan, in Istanbul in January 2018. While Vučić made a point of stressing Serbia's respect for the territorial integrity of Bosnia and Herzegovina, Erdoğan underlined the fact that the relationship with Serbia was Turkey's number one priority and emphasized the importance of Serbia for regional security and stability.

The relationship between Serbia and Montenegro, especially tense following the referendum in 2006 on Montenegro's separation from the common state, has improved tangibly in recent years. Montenegro's accession to NATO in 2017 was received dismissively and distantly by the Serbian political establishment with only a reserved commentary.

An important aspect of Serbia's relationships with all its aforementioned neighbour states is the revision of history of the wars in the 1990s and punishments for war criminals via national jurisdiction. Both are still in their infancy, in Serbia and in the region as a whole. In October, the UN Chief Prosecutor Serge Brammertz issued stark criticism regarding the declining number of trials of war criminals and the unsatisfactory collaboration in the region. However, the governments of both Serbia and Montenegro have committed to working with the non-governmental Regional Commission for Establishing the Facts on War Crimes (RECOM) initiative, which is currently being set up. Up to now, the governments of BiH, Croatia, and Slovenia have not done so.

Relations with Skopje are relatively relaxed, but the Serbian Orthodox Church's refusal to acknowledge the separation of the Macedonian Orthodox Church (since 1967) and the Skopje government's support for Kosovo's UNESCO membership application repeatedly lead to difficulties. Serbia was the only neighbouring country not to congratulate FYROM on reaching a compromise in the name dispute with Greece, probably in large part because this would bring NATO membership for Macedonia within reach.

Improving the relationship between Serbia and Albania carries the greatest political significance, even if Serbia is de facto no longer a direct neighbour of Albania since the secession of Kosovo. The first visit by an Albanian prime minister after nearly 70 years was also noteworthy. Although there was a severe incident during Edi Rama's visit to Belgrade in 2016 – a drone with a "Greater Albania" map was flown into the football stadium where both prime ministers were at the time – Vučić and Rama brought about a new phase in the relationship between the two most densely populated nations in the Western Balkans. The announcements from Tirana and Pristina, according to which the common border should effectively be abolished from March 2019, have again led to an increase in tensions. Serbian politicians, not only from the government, see these proclamations as a step in the direction of "Greater Albania", linked to the annexation of a part of the Serbian state territory, and criticize the silence from Brussels.

Serbia's EU Candidacy

Since the end of the Milošević era in October 2000, Serbia has been aiming for EU membership. Serbia signed the *Stabilisation and Association Agreement* in April 2008 after long negotiations, but it only came into force formally after it was ratified in 2012 by the Netherlands and in 2013 by Lithuania. On 1 March 2012, the European Council granted Serbia the candidate status it had applied for in 2009.⁷ Serbia had previously fulfilled a further condition by arresting the last two convicted war criminals, Ratko Mladić and Goran Hadžić, in 2011, and delivering them to the ICTY. The start of accession negotiations was linked to strict conditionality on the side of the EU, including Belgrade's willingness to enter into dialogue with Pristina. After the First Agreement of Principles Governing the Normalization of Relations (Brussels Agreement) was initialled by the two prime ministers on 19 April 2013 as a result of dialogue supported by the EU, a further condition was fulfilled.⁸ Membership negotiations were subsequently opened in January 2014. It then took almost two more years before the second intergovernmental conference between Serbia and the EU in December 2015 decided to start negotiations on the first two of 35 chapters. These were chapter 32 (financial controlling) and 35 (other issues). With all the other current EU accession candidates, only 34 chapters are under negotiation. The special addition of chapter 35 in the case of Serbia concerns the Kosovo question, without making this obvious in the title (cf. also under subheading *Belgrade-Pristina Relations*). At the third intergovernmental conference six months later, the commencement of negotiations on the extraordinarily significant chapters 23 (judiciary and fundamental rights) and 24 (justice, freedom, and security) was announced. Because of the significance of these chapters, in contrast to other chapters (excluding 35), they will only be concluded at the end of the marathon round of negotiations, which can only be expected in 5-6 years at the earliest. This gives Brussels the possibility to build pressure and delay opening other chapters if Belgrade is found not to be making enough progress in relation to the reforms laid out in chapters 23 and 24. This situation arose, for example, in 2017 when member states expressed their dissatisfaction with the slow implementation of the action plan for chapter 23, which set goals for judicial reform, fighting corruption and the fundamental rights of EU citizens. Subsequently, it was determined at the December 2017 intergovernmental conference in Brussels that in the negotiations with Serbia at the start of 2018, only two new chapters were to be opened rather than three, as had been the original aim. Against this background, EU Enlargement Commissioner Hahn made it clear that progress in relation to the independence

7 Cf. European Council, *Serbia is granted EU candidate status*, Brussels, 1 March 2012, EUCO 35/12, PRESSE 84, at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/128445.pdf.

8 Cf. European Commission, Press Release, *Serbia and Kosovo: historic agreement paves the way for decisive progress in their EU perspectives*, Brussels, 22 April 2013, at: http://europa.eu/rapid/press-release_IP-13-347_en.htm.

of the judiciary, freedom of expression, the media, the rights of national/ethnic minorities, and the fight against corruption and organized crime, including money laundering, are conditions for progressing the negotiation discussions.⁹ In autumn 2018, too, Brussels criticized the lack of progress with reforms related to chapters 23 and 24. The negotiations for 16 chapters out of 35 had been opened by the end of 2018.

The majority of Serbia's foreign trade – around 65 per cent (amounting to more than 22 billion euros in 2017) – is with the EU member states, bringing the Serbian foreign trade deficit down by around 500 million euros in 2017 from 2.65 billion in 2013.¹⁰ The EU is also the largest investment partner (1.5 billion euros were invested in 2017 alone, creating around 200,000 jobs).¹¹ Critics point out, however, that the investors from the EU space not only benefit from low wages and tax breaks, but often restrict employees' trade union rights. The European Union is now also Serbia's largest donor. In the 15 years from 2001 to 2016 alone, non-repayable aid amounting to more than three billion euros was paid to Serbia for more than 300 projects, including housing for internally displaced people from Kosovo and refugees from Croatia, as well as aid for overcoming the flood disaster of 2014 and the migration crisis in 2015/16.¹²

Since the parliamentary elections in May 2012, Serbia has been governed by a coalition under the leadership of an alliance of parties around the Serbian Progressive Party (*Srpska napredna stranka*, SNS). The coalition replaced the centre-left coalitions of parties emerging from the Democratic Opposition of Serbia (*Demokratska opozicija Srbije*, DOS), which had ruled since the fall of Milošević in 2000. The SNS was founded in 2008 by Tomislav Nikolić (President of Serbia 2012-2017) and Aleksandar Vučić as a splinter party of the Serbian Radical Party (*Srpska radikalna stranka*, SRS) led by Vojislav Šešelj, then imprisoned in The Hague for war crimes. To consolidate the position of the alliance around the SNS, Vučić proposed to hold another election after only two years in 2014. By adopting this strategy, the alliance more than doubled its parliamentary seats under his leadership from 73 to 158 of the seats in the *Narodna Skupština* (National Assembly). To secure power for another four years, further early parliamentary elections were held in 2016, in which the alliance led by Vučić won 131 seats.¹³ As it became clear that

9 Cf. Serbia opens chapters 6 and 30 in EU accession talks, B92, 12 December 2017, at: https://www.b92.net/eng/news/politics.php?yyyy=2017&mm=12&dd=12&nav_id=103005.

10 Cf. The Delegation of the European Union to the Republic of Serbia, *Serbia – EU trade*, at: <http://europa.rs/serbia-and-the-eu/trade/serbia-eu-total-trade/?lang=en>.

11 Cf. The Delegation of the European Union to the Republic of Serbia, *Remarks by High Representative/Vice-President Federica Mogherini at the press conference with Aleksandar Vučić, President of Serbia*, 19 April 2018, at: <https://europa.rs/remarks-by-high-representative-vice-president-federica-mogherini-at-the-press-conference-with-aleksandar-vucic-president-of-serbia/?lang=en>.

12 Cf. The Delegation of the European Union to the Republic of Serbia, *15 years of EU – Serbia partnership*, 2 February 2016 at: <http://europa.rs/15-years-of-eu-serbia-partnership/?lang=en>.

13 Meanwhile, President Vučić has not ruled out a further early presidential election in 2019.

President Nikolić would not win an absolute majority in the 2017 presidential elections, Vučić secured this post for the SNS by standing for election himself, placing independent Ana Brnabić, the first openly gay woman to hold the position of prime minister of Serbia, the office he had previously held.

The moves towards an increasingly pronounced autocratic power centring on Vučić, which he exercises without restrictions regardless of his current position (head of government, president), are a cause for concern. These include limitations on the freedom of the media, massive support for smear campaigns against opposition politicians and journalists critical of the regime by media close to the government, and intimidation of non-governmental organizations, and even the sustained obstruction of a public institution. This is how the first Serbian ombudsman, Saša Janković, appointed by parliament (in Serbian: *Zaštitnik građana* – “Citizens’ advocate”), and responsible for building up and successfully leading this institution through two mandates from 2007 up until 2017, became the target of a smear campaign by government officials and media close to the government. Janković, who was extremely popular and had international support thanks to his courageous advocacy for the rights of citizens, won more than 16 per cent of the votes cast in the first round of the 2017 presidential elections—a considerable achievement.

In the second half of 2018, the relatively weak opposition stepped up its activities. On 2 September, most of the democratic opposition parties came together to form an “Alliance for Serbia” (*Savez za Srbiju*) against Aleksandar Vučić’s autocratic rule. The top politicians of the parties involved, including the former President of Serbia Boris Tadić (2004-2012), had had no opportunity since the spring to present their points of view or react to attacks via public television broadcasters, the main source of information for the majority of the population. Since the beginning of December, ten thousand opponents of the government have been going out into the streets of Belgrade every Saturday. The original reason for the demonstrations was the brutal attack on Borko Stefanović, head of the Serbian Left (*Levica Srbije*), at the end of November in the southern Serbian town of Kruševac. Vučić, who believes he can reaffirm a parliamentary majority for the SNS, then brought the possibility of snap elections in 2019 into play.¹⁴

Brussels reacted critically to the authoritarian tendencies on numerous occasions and made statements on the subject in the annual country reports. However, the overall positive influence of Aleksandar Vučić on stability in the region, also with respect to the issues around Kosovo, is obviously considered of greater importance than the problematic developments within Serbia, which were largely caused by him. Leading pro-Western opposition politicians such as ex-president Tadić and the former foreign minister Vuk Jeremić (2007-

14 If there is a parliamentary election in 2019, it is relatively safe to say that this will happen before Serbia can suggest a solution for the Kosovo question, as this would have a drastic impact on the results for Vučić’s SNS.

2012)¹⁵, who strictly oppose the independence of Kosovo, have also repeatedly expressed their incomprehension of the fact that some of the EU member states see the recognition of Pristina under Vučić as more important than democracy in Serbia. In their opinion, this begs the question as to where the “red line” in domestic policy might lie beyond which the the EU states would not tolerate a transgression.

A brief note about the role of the Organization for Security and Co-operation in Europe (OSCE) in the region: In all Western Balkan states (and Croatia, which was included until 2013), the OSCE set up field missions in the 1990s in the aftermath of the wars. After the suspension of Serbia’s participation in the OSCE was lifted, an OSCE Mission to Serbia and Montenegro (after Montenegro gained sovereignty in 2006, Mission to Serbia) was established in March 2001, significantly later than elsewhere. This Mission had a broad mandate (rule of law, human rights, democratization, parliamentarism, local self governance, minority rights, civil society, freedom of the media, democratic police structures), and continues to perform a comprehensive role, which is largely highly appreciated. The OSCE thus makes an outstanding contribution to Serbia’s efforts to fulfil the so-called Copenhagen Criteria (1993): “Membership [of the EU] requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities [...]”¹⁶ In the 40th anniversary year of the OSCE (2015), the Serbian Foreign Minister Ivica Dačić held the position of OSCE Chairman-in-Office.

Kosovo: Belgrade-Pristina Relations

The solution to the Kosovo question is and remains for Belgrade, Brussels, and Washington a key problem of the Western Balkans and is effectively, for the EU, the crux of the issue regarding Serbia’s eventual accession. This solution will, however, only be possible if all members of the UN Security Council (UNSC) – including those which do not accept Kosovo’s unilateral secession (China, Russia) – agree to a minimal compromise.

Serbia has always rejected attempts to allow its southern province Kosovo and Metohija to separate, condemning both the NATO air strikes against the rest of Yugoslavia (Serbia and Montenegro) without a mandate from the UNSC in 1999, and the Kosovo-Albanians’ UDI in February 2008. Serbia insists on the continuing legitimacy of UN Security Council Resolution (UNSCR) 1244 (1999). Belgrade criticizes the decision of the British

15 Jeremić, 2012 President of the UN General Assembly, was one of the leading candidates for the post of UN Secretary-General in 2016. He came in second place after António Guterres.

16 European Council in Copenhagen, 21-22 June 1993, Conclusions of the Presidency, p. 13, at: <http://www.consilium.europa.eu/media/21225/72921.pdf>.

Presidency of the UNSC from August 2018 to waive the UN Secretary-General's quarterly report on Kosovo in future.¹⁷

Following pressure from the EU and the US, Serbia had already declared its willingness to enter into a dialogue to resolve technical, legal, and other practical questions. A technical dialogue, mediated and supported by the EU High Representative Catherine Ashton, began in spring 2011 and addressed questions that affected the daily lives of people on both sides of the administrative border (Serbian diction) or the state border (Kosovan diction), expressly without addressing questions of status. The technical dialogue includes topic areas such as recognition of customs stamps, vehicle licence plates, transfer of the civil register and land registry documentation by Serbia, mutual recognition of university qualifications, freedom of movement, electric energy systems, telecommunications, integrated management of (border)crossings, mutual representation by liaison officers with seats based in EU delegations in both capitals, and more. In addition, a political dialogue began in Brussels between the two prime ministers. The complicated dialogue process reached a temporary peak with the conclusion of the aforementioned First Agreement of Principles Governing the Normalization of Relations on 19 April 2013.

By the end of the same year, within the EU, the demand had prevailed for both sides to come to a legally binding agreement. This wording can be traced back to a proposal by the Christian Democratic Union/Christian Social Union (CDU/CSU) and the Free Democratic Party (FDP) in the German Bundestag, which stated: "The Bundestag welcomes the obligation laid down in the agreement of 19 April 2013 that neither party is to obstruct the other party's path towards the EU or incite others to do so. The Bundestag, however, is of the opinion that the normalization process should go much further than this with the aim of a *legally binding agreement* to the effect that Serbia and Kosovo, when they become full Member States, will be able to exercise their rights and responsibilities independently and jointly, and such a contractual agreement must be concluded before the completion of the accession negotiations."¹⁸

In the last two years, a new dynamic has developed, as evidenced by President Vučić's announcement of an "internal dialogue" in Serbia in summer 2017. The population of Serbia should obviously be carefully prepared for the fact that it may be necessary to abandon certain positions which were hitherto considered immovable and to accept a certain level of compromise. Most observers agree that only a conservative politician like Vučić, who originally

17 After the USA, who held the Presidency in September, also failed to include the UN Secretary-General's quarterly report on Kosovo in the agenda, the Chinese Presidency included two quarterly reports in November's agenda.

18 Cited in: German Bundestag, Decision, Establishing agreement between the Bundestag and the Federal Government on the application of the Republic of Serbia for access to the European Union and on the recommendation made by the European Commission and the High Representative on 22 April 2013 that accession negotiations be opened, p. 3 (emphasis added).

came from the nationalist camp, can achieve a significant modification to Serbia's position without immediately losing his position, or at least his reputation. At the same time, however, the Serbian president wanted to signal to the West how hard it will be to bring about such a paradigm shift and gain understanding for this. At his meeting with German Chancellor Angela Merkel in Berlin in February 2018, he stated, "Serbia is ready for a solution, but the solution is in both sides losing something." He added that "it may be better if nobody is satisfied" and that it would be hardest for Serbia if it was "the only loser".¹⁹

Among those with an obvious interest in reaching a compromise are, on the one hand, Aleksander Vučić, who is seeking to speed up EU accession negotiations, and on the other, the EU and, in particular, Federica Mogherini, whose mandate ends in spring 2019. The US, too, has an extraordinarily strong interest and is becoming increasingly active, which is particularly appreciated by the top politicians in Pristina, who have long been hoping for more active leadership from the USA. In a rather unusual step, President Donald Trump sent separate letters to Presidents Aleksandar Vučić and Hashim Thaçi in December, emphatically calling for an agreement that would balance the interests of both sides. Obviously alluding to the total dissension of the Kosovo Albanian parties, he called on the Kosovo leadership to speak with a "unified voice".²⁰ The US Ambassador to Germany, Richard Grenell, a close confidant of Trump's, received Thaçi in Berlin a few days later and expressly renewed Trump's message once again. He urged Thaçi to take back the 100 per cent import tariffs on Serbian goods, which had only recently been issued in November, in order to relieve the tension in the dialogue process. According to observers, however, the main interest of the US is to eliminate Russia's "last leverage" to exert influence in Serbia and the Balkans.²¹ However, the increased American involvement is no longer inconvenient for Belgrade either, as it is expected to exert increased pressure on the Albanian leadership of Kosovo, who are hardly willing to compromise. In Serbia's view, the European Union is neither willing nor able to apply this pressure. It is also seen as an advantage that the US is showing greater flexibility than the relevant EU states with regard to a solution to the Kosovo problem, including possible border corrections.

19 Vucic tells Merkel he wants "both sides to lose something", B92, 27 February 2018, at: https://www.b92.net/eng/news/politics.php?yyyy=2018&mm=02&dd=27&nav_id=103587.

20 Cited in: Snezana Bjelotomic, Trump's letter to Thaci: "I will be host to you and Vucic at the White House to celebrate historic accord", *Serbian monitor.com*, 19 December 2018, at: <https://www.serbianmonitor.com/en/trumps-letter-to-thacii-will-be-host-to-you-and-vucic-at-the-white-house-to-celebrate-historic-agreement/>.

21 Cf. Anne Gearan, Trump dangles Rose Garden treaty moment in quiet peace effort between Serbia and Kosovo, *The Washington Post*, 6 January 2019, at: https://www.washingtonpost.com/politics/trump-dangles-rose-garden-treaty-moment-in-quiet-peace-effort-between-serbia-and-kosovo/2019/01/06/b32f0d76-1067-11e9-84fc-d58c33d6c8c7_story.html?noredirect=on&utm_term=.0f377ca69663.

While it is undisputed in Serbia that Vučić should also lead the “final phase” of dialogue negotiations, in Kosovo there is no consensus on who should lead, even within the governing coalition. In autumn, a so-called “dialogue team” was created under pressure from Prime Minister Ramush Haradinaj, the political rival of President Thaçi, with the aim of limiting the president’s ability to negotiate. The office of Federica Mogherini announced at the end of 2018 that this team will travel to Brussels for the first time in January 2019 for “consultations”. With the prospect of early elections in 2019, the representatives of the Kosovo opposition hope to take power and to be in a position to radically change the course of the dialogue negotiations, from which, in their view, only Serbia is profiting. In addition, they suggest that Hashim Thaçi, who had already initialled the Brussels Agreement in 2013, is only interested in securing his inviolability and avoiding prosecution by the new special court in The Hague. In 2019, these special chambers of a court of justice legally based in Kosovo should, with some delay, start bringing their first charges against suspected Kosovan perpetrators, mostly for war crimes (the reference period is 1 January 1998 – 31 December 2000), especially against those suspected trafficking of organs removed from Serbian prisoners and political murders in the post-war period. For the first time at the end of 2018, more than a dozen Kosovo-Albanians, mostly from the upper echelons of the so-called Kosovo Liberation Army (UÇK/KLA), were summoned to The Hague for questioning in January 2019. In Serbia, on the one hand, there are still high hopes that victims and their relatives will still receive justice from this new judicial institution, but on the other, they are highly skeptical that it will be possible to present any evidence that will convince the court 18-20 years since the war crimes and murders in the post-war period were committed.

There are differing views on precisely what form a legally binding agreement and comprehensive normalization of relations might take, even within the EU. President of the European Commission Juncker stated that this was a matter for Belgrade and Pristina. Politicians from some EU states are of the opinion that complete recognition of Kosovo under international law, including UN membership, should be mandatory, a view shared by leading politicians in Kosovo. Representatives of other EU member states are of the opinion, however, that this may be desirable but is likely to prove almost impossible to put into practice, especially as five EU member states continue to refuse to recognize Kosovo (Cyprus, Greece, Romania, Slovakia, Spain) and informally bring a de facto recognition and observer status in the UNO into play. Mogherini’s spokesperson Maja Kocijančič found a more wise definition in December: Such an agreement would need to “lead towards a permanent solution for open issues, that must be based on international law, in line with the EU laws and acceptable to all member states”.²²

22 “Trump’s letter a sign of support and encouragement” – EU, *RTK Live*, 20 December 2018, at: <https://www.rtklive.com/en/news-single.php?ID=13074>.

The year 2018 did indeed see renewed tensions increasing between Belgrade and Pristina, not least by the stagnation of the EU-supported dialogue and the assassination of the moderate Kosovo Serb politician Oliver Ivanović in January, in relation to which the investigations seemed to be very drawn out on all sides. Tensions peaked for the first time in March with a militant dispute between senior politicians on both sides. The Serbian chief negotiator in the dialogue, Marko Đurić, was arrested and expelled by Kosovo's special police with disproportionate coercion, and subjected to degrading treatment and excessive media coverage, because he was in Kosovo without special permission. While the EU and the UN Secretary-General urged for moderation, both sides insinuated that the other had failed to fulfil the terms of agreements reached. In the summer, the arrest of Kosovo Serb politicians, who were accused of urging Serbian members of the Kosovo Security Force (FSK/KSF) to leave this quasi military formation, intensified tensions further. Belgrade still strictly opposes the transformation of the FSK/KSF, which grew out of the UÇK/KLA, into a Kosovo army.

On 14 December, the parliament in Pristina passed several laws to create a Kosovo army, bypassing an actually necessary constitutional amendment, which should have been approved by not only 2/3 of the Albanian members, but also 2/3 of the parliamentarians belonging to the Serb community. As expected, Serbia strongly protested, pointing to the violation of the UNSCR 1244 (1999), the Kumanovo Agreement which followed the end of the NATO airstrikes (June 1999) and Kosovo's own constitution. Belgrade demands Western guarantees that units of a Kosovo army will not be stationed in the majority Serbian populated area in the north. The majority of NATO states and EU members, who fundamentally support the creation of an army, expressed deep concern about the step Pristina has taken, which runs counter to previous arrangements. The United States and Britain, however, signalled support. NATO Secretary General Jens Stoltenberg reprimanded the "bad timing", with which he obviously had the imminent decisive phase of the dialogue negotiations in mind. The trade barriers to goods from Serbia and BiH (100 per cent tariff margins) adopted by Pristina in November in response to Serbia's policy of preventing Kosovo's admission to international organizations²³ (most recently Kosovo's application to INTERPOL had failed) also do nothing to improve the atmosphere. Repeated calls from Brussels and European capitals and Washington to remove them, especially as they also contravene CEFTA standards, have been stubbornly ignored by Prime Minister Haradinaj.

As a result of the dialogue negotiations undertaken so far, the Serbian so-called parallel police and justice structures in the north of Kosovo have been abolished, and the respective Kosovo Serb officials incorporated into Kosovo authorities. However, the virtual lawlessness in this part of Kosovo with strong

23 Serbia regards any acceptance of Kosovo into an international organization as an anticipation of its future status, which, in Belgrade's view, remains unclear as long as UNSCR 1244 (1999) remains in force.

ethnic Serbian mafia structures has yet to be overcome. The existing Serbian structures in education, health care, and local administration also remain. Belgrade insists, and not without reason, that these should be merged, at least in part, into a single institution, as was key in the Brussels Agreement of April 2013. This refers to the creation of an association or community of municipalities with a majority Serb population (Association/Community of Serb Majority Municipalities; in Serbian, the word *zajednica* – community – is used). In addition to the northern municipalities, this would also include the municipalities with a Serb majority in the rest of Kosovo, such as Gračanica and Štrpce. As agreed, this institution should have competencies in the areas of economic development, education and healthcare, as well as spatial planning. Belgrade criticizes the fact that more than five years after the Brussels Agreement was initialled, this institution still does not have a statute, while in Pristina, there are fears that the Association/Community could become something like a Serbian Trojan horse and could lead to a kind of *Republika Srpska* and “Bosnian conditions”, which Serbia strongly denies. Senior politicians in Serbia reject the judgement of the constitutional court of Kosovo, according to which the Brussels Agreement contains elements related to the Association/Community that are unconstitutional, and insist on its implementation.

The importance that Belgrade attributes to the creation of the Association/Community is clear from the text of the Brussels Agreement, in which the first six of the fifteen points concern this question alone. Pristina states categorically that the Association/Community should not have any executive powers, and should be a quasi non-governmental organization established on the basis of the current constitution and laws which do not stand in the way of a community of municipalities in principle. Indeed, Brussels would not have on not have spent months negotiating hard over a situation that did not in fact require negotiation. Kosovo-Albanian politicians and some EU representatives not only seem to have disregarded, but also forgotten that it was always clear to both parties that some laws would inevitably require adjustments. Only a month after the Brussels agreement, the Prime Ministers of Kosovo and Serbia had come to a common understanding regarding an Implementation Plan that made provisions for the “adjustment of legal frameworks” on both sides. This includes without a doubt the creation of a legal framework for the Association/Community. The Chairman of the Serbian Parliament’s Committee on Kosovo, Milovan Drecun, had already explained to me years ago that an analysis of Kosovo legislation by legal experts in parliament had shown that Kosovo’s constitution and up to 40 legal acts would need to be adjusted in order to grant the Association/Community the agreed competences. This now seems, at least in part, to be recognized by Brussels too. In April, Brussels set a four-month deadline (August) for the drafting of the statute. A so-called management team made from ethnic Serbs had, according to their own statements, drafted a text by the deadline set, but had not presented it to the authorities in Pristina, nor to

Mogherini's team. The reason for this could be Belgrade's readiness to relativize this point of the Brussels Agreement in the case that border corrections would fall in Serbia's favour in the course of the negotiations.

For a long time, the status of the north of Kosovo, which is mainly populated by Serbs, has looked likely to become the decisive element in any solution. The possible re-incorporation of the north into central Serbia is, however, ruled out by most EU states, as they fear that more border changes would open Pandora's box even further – already fairly wide open due to the recognition of Kosovo's secession. This option is, however, still under discussion in some circles in Belgrade and Pristina.

In September, Vučić publicly admitted that his ideas for a Kosovo solution had failed. If there had been whispers of disbelief from observers behind closed doors that Vučić's much-invoked compromise meant the reintegration of the Serb-dominated Kosovo north into central Serbia,²⁴ by late summer this was being discussed in detail everywhere. While on an international level, the German Chancellor, the British Prime Minister, and numerous Western and Balkan politicians, scientists, and journalists strictly opposed new border changes and warned of a domino effect, the US administration under Trump took a more relaxed view. If both sides agreed to a solution that increased stability in the region rather than endangering it, the US would be able to accept it, so they said. The crucial factor, however, was that Vučić countered harsh criticism in central Serbia and from the majority of those Kosovo Serbs whose settlement areas would remain in Kosovo after a possible separation of the north. Both the extremely influential Serbian Orthodox Church and the rather weak opposition, apostrophized in the West since the 1990s as pro-European, as well as the extremely nationalist opposition, vehemently opposed a "solution" that would mean abandoning the Serbian claim to sovereignty over Kosmet (Kosovo and Metohia) under breach of the constitution. In addition, Russia was apparently more than critical of such a variant. According to his own statements, Vučić had devoted almost an hour of his conversation with President Putin to this topic alone during his visit to Moscow on 2 October, but had probably been unable to convince him. According to observers, this was probably partly because Vučić's assurance that Serbia would stay away from NATO would no longer be fully trusted. But it was not only the Serbian president who had serious problems in his own country: His opponent, Kosovo's president Thaçi, who also spoke practically in unison with Vučić of "border corrections", was not only thwarted by the opposition, but also by the

24 In July, Vučić gave the Zagreb Globus a clear indication that Kosovo was lost, but that Serbia wanted to "retrieve" as much as possible, by which he was quite obviously referring to the north of Kosovo. This was been reported as a sensation. Cf. Darko Hudelist, *Nacionalna izdaja ili ...? Aleksandar Vučić iznenada nazvao reportera Globusa "Svi Srbi znaju da su izgubili Kosovo ..."* [National Race or ...? Aleksandar Vučić surprisingly called the reporter of Globus "All Serbs know they have lost Kosovo ..."], *Globus*, Zagreb, 25 July 2018, at: <https://www.jutarnji.hr/globus/Globus-politika/aleksandar-vucic-iznenada-nazvao-reportera-globusa-svi-srbi-znaju-da-su-izgubili-kosovo/7652250/>.

head of government Ramush Haradinaj and influential politicians from his own party, including Chairman of the Assembly Kadri Veseli. And this despite the fact that he had promised to address the integration of the southern Serbian communities of Preševo, Medveđa, and Bujanovac with a high proportion of Albanians into Kosovo in Brussels – without, however, promising Serbia anything in return.

In the first half of 2018, Aleksandar Vučić met with high-ranking representatives in Washington, Brussels, and Paris, including two meetings with German Chancellor Merkel in Berlin and Russian President Vladimir Putin in Moscow, from whom a return visit is expected at the start of 2019. After his return, he appeared, however, more pessimistic and disappointed about the conversations with most of the Western politicians, who – in his view – considered the Kosovo question resolved and were not interested in a compromise that he could present to the Serbian public. Vučić made it clear several times that a “frozen conflict” was, in his opinion, one of the worst options. In May he stated, “The solution must be accepted by a majority, otherwise there will be a new wave of Serbian nationalism. [...] Today, three quarters of Serbs would probably rather freeze the conflict than accept a compromise.”²⁵ The harsh reactions of conservative and nationalist forces, and the Serbian Orthodox Church in particular, seem to show that he is very likely to be right about this. Polls have shown that, indeed, 63 per cent of respondents believe a “frozen conflict” is currently the best solution and 52 per cent can even imagine that the Serbian army might be deployed in the case of an “occupation” of the north of Kosovo.²⁶

One obstacle to a clear paradigm shift that should not be underestimated is Serbia’s constitution, validated by a referendum in 2006. The preamble to the constitution defines Kosovo as a part of Serbia. While all EU accession candidates so far have had to implement constitutional changes, Serbia would obviously also have to remove this definition and all references to Kosovo as a part of Serbia. A change to the constitution only becomes valid, however, when at least 50 per cent of all registered voters take part in a constitutional referendum, of which in turn 50 per cent must vote in favour. To achieve this would require a unified position and an enormous effort on the part of the political class in Serbia, which currently seems highly unlikely. Even if there is acceptance within Serbia for a compromise solution to the Kosovo question, the problem will not be resolved until it is accepted in Kosovo too. At the end of 2018 it seems unrealistic, when taking into account all the internal obstacles

25 Matthias Beermann, Serbiens Staatspräsident im Interview: “Liebt das Land eurer Kinder!” [Interview with Serbia’s President: “Love the country of your children!”], in: Rheinische Post, 17 May 2018, at: https://rp-online.de/politik/ausland/serbiens-praesident-aleksandar-vucic-will-loesung-fuer-den-kosovo-mitbestimmen_aid-22687251 (author’s translation). For an English source, cf. “Wave of Serb nationalism possible without fair solution”, Source: TANJUG, 17 May 2018, at: https://www.b92.net/eng/news/politics.php?yyyy=2018&mm=05&dd=17&nav_id=104181.

26 “Serbians like ruling party, and frozen conflict – poll”, B92, 8 June 2018, at https://www.b92.net/eng/news/society.php?yyyy=2018&mm=06&dd=08&nav_id=104359.

in Belgrade and Pristina, as well as international positions and discussions overall, and despite the new dynamic created by the strengthened engagement of the US, that a conclusive solution to the Kosovo question will be possible in the short term.

Conclusion

Some observers think that the politicians in the region will only work with the fear in the West of new conflicts in the Western Balkans in order to force concessions on the way to EU membership.²⁷ This relates to the scaremongering of overflowing nationalism, unresolved bilateral conflicts, increasing external influences on the region, criminality, corruption, the export of organized crime, and terrorism. It is a pipe dream – so they argue – to assume that the prospect of accession offers an incentive for sustainable progress in these countries. Bulgaria, Croatia, Romania, and Hungary have shown that this has not worked up to now. On *Deutsche Welle*, Zoran Arbutina urged caution and commented that the announcement of a potential accession in the not too distant future rather allowed the ruling elites to maintain their grip on power. He names Serbian President Vučić as “a prime example” of someone who is “a master of playing on the fears of Russia and China, he presents himself as a modern, pragmatic and pro-EU leader, viewed in Brussels and Berlin as a strong source of stability, while his autocratic tendencies, including suppressing opposition and the press, go ignored, even tolerated.”²⁸

Indeed, the European Union seems to be in a dilemma, and appears to be trying to square the circle. The EU-Western Balkans Summit in May 2018 hosted by the Bulgarian presidency in Sofia, in which the Spanish prime minister did not take part in order to avoid appearing on a photo with senior Kosovo politicians, was the first event of its kind since the Thessaloniki Summit in 2003. The accession prospects of the Western Balkans partners were affirmed again, as they had been 15 years earlier. Even though the Commission repeatedly states that no one has been promised a date for accession and the 2025 deadline for Serbia and Montenegro should only serve as an incentive for quick and consistent reforms – obviously to dispel the fears of some member states that earlier mistakes on the part of the EU could be repeated, there are of course other, no less problematic aspects. For example, a lack of clarity about

27 Cf. Jenny Nordman, Nationalism, EU Integration, and Stability in the Western Balkans, in: Institute für Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2015*, Baden-Baden 2016, pp. 151-163; Andreas Ernst, “Die Politiker auf dem Balkan spielen geschickt mit Europas Ängsten” [Politicians in the Balkans play with Europe’s fears], in: *Neue Zürcher Zeitung*, 28 February 2018, at: <https://www.nzz.ch/international/realpolitik-mit-werten-ueberzuckert-die-neue-erweiterungsstrategie-eu-auf-dem-balkan-ist-die-alte-ld.1361380>.

28 Zoran Arbutina, Opinion: Western Balkans joining EU would be wrong move for wrong reasons, *Deutsche Welle*, 25 February 2018, at: <https://www.dw.com/en/opinion-western-balkans-joining-eu-would-be-wrong-move-for-wrong-reasons/a-42721362>.

the prospect of accession could very well lead to disappointment and weakening enthusiasm for the clear pro-European forces in Serbia (and in the region) and, at the same time, weaken public support for the reforms. In such a case, it would then be even more complicated to convince the population of the benefits of EU membership in the long term. In Serbia, there has already been a clear decrease in public support in the last five years, but the slim majority of the population is, for now, still in favour of joining the EU. Brexit also plays a part. In 2017, for example, some radical nationalist forces prevented the EU ambassador and leader of the EU Delegation in Serbia from 2013-2017, a renowned British diplomat, from appearing in the Serbian National Assembly, referring to the UK's plans to leave the EU. The Kosovo question is another factor. Observers wonder whether the Serbian public will vote for accession to the EU on a rational basis, or whether they will react more emotionally and therefore actually oppose accession if the *de jure* abandonment of the *de facto* lost Kosovo were at stake.

In the light of the problems outlined, the question may also arise as to whether the EU actually has to offer Serbia and the other states in the Western Balkans full membership immediately, or whether it would be advisable to "first offer a common trading zone or privileged partnership. A type of co-operation must be established to protect economically weaker countries while supporting the development of democratic civil society – all outside the EU."²⁹

Is Serbia therefore at a crossroads? This question seems inadequate and inexpedient. In the last few years, Belgrade has repeatedly made it explicitly clear that the EU integration of the country is the top priority of Serbia's foreign policy and has, despite its faults, made very considerable progress. In the face of the enormous pressure from the West regarding the Kosovo question, some Serbian politicians, such as defence minister Aleksandar Vulin, have repeatedly challenged Vučić to reconsider the relationships to the EU. However, this was most likely directed at their own political clientele, but can also be understood as a demand that the West should not take this pressure too far. In contrast, Serbia does not intend to join the Collective Security Treaty Organization (CSTO) led by Russia, in which it has observer status, any more than it intends to join NATO, in whose manoeuvres Serbia participates even more extensively. Neither is Serbia aiming to join the Eurasian Economic Union (EEAU).

Despite its avowedly clear EU orientation, Serbia will also maintain historically and culturally determined relationships (Slavonic heritage, orthodoxy) with the Russian Federation and continue to develop these. They have deepened further, not least since Russia supported Serbia's Kosovo position with its power of veto in the UN Security Council, and are seen as essential. Serbia should obviously not be put in a position of having to decide either-or, as

29 Ibid.

observers saw in Ukraine in 2013. Many within the EU seem to have recognized this too. In spite of the generally accepted requirement that an accession candidate should bring its foreign policy in line with that of the EU by the time it joins at the latest, it could prove questionable as to whether Serbia can be expected to adopt the EU's sanction policy towards Russia.³⁰ This comes at a time when a number of EU member states have long since recognized that it is not realistic to expect that a change in Russia's politics can be achieved through sanctions. In addition, Belgrade clearly sees that these sanctions also lead to considerable economic losses in many member states, but not the USA. The fear of some Western politicians that Serbia could prove to be Russia's Trojan horse in Europe also seems far-fetched. The access that Serbian politicians have to listening ears in Russia could instead be useful in overcoming the lack of dialogue between Moscow and the West. Twice already, Belgrade has provided the neutral ground upon which the American and Russian envoys in the Ukraine conflict, Kurt Volker and Vladislav Surkov, were able to agree to meet.

30 Some EU member states block the opening of chapter 31 (foreign, security, and defence policy) referring to the fact that Serbia has not applied sanctions against Russia.