

The War in Ukraine and Resilience in South East Europe

From Democratic Consolidation to Security

Predrag Jureković (Ed.)

Study Group Information



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From Democratic Consolidation to Security

**44th Workshop of the PfP Consortium Study Group
“Regional Stability in South East Europe”**

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Table of Contents

Foreword	
<i>Predrag Jureković</i>	5
Abstract.....	7
PART I: The General Role of South East Europe in the Geopolitical Paradigm Shift.....	9
Unity versus Division in South East Europe on Global Conflict Issues	
<i>Plamen Pantev</i>	11
PART II: Resilience of Individual South East European States to the Global Crises	29
The Challenges of Building Resilience: The Case of Bosnia and Herzegovina	
<i>Denisa Sarajlić</i>	31
Resilience of Kosovo to the War in Ukraine	
<i>Agon Demjaha</i>	45
Resilience of Individual South East European States to the Global Crises: The Case Study of Serbia	
<i>Djordje Popović</i>	67
Building Resilience in the Region through the EU Integration Process	
<i>Alba Çela</i>	75
Montenegro Stands in Solidarity with Ukraine, but Struggles with Its Own Instability	
<i>Jovana Marović</i>	81
PART III: The Role of International Actors Strengthening Resilience in South East Europe	93
A “Zeitenwende” also in and for the Western Balkans? Geopolitical Effects of Russia’s War against Ukraine: Europe Whole and Free	
<i>Michael Schmunk</i>	95

Back on Track? The Impact of War in Ukraine on EU Integration of the Western Balkans <i>Matteo Bonomi</i>	109
NATO and Southeast Europe <i>Matthew Rhodes</i>	117
The Role of the OSCE in Strengthening Resilience in Southeast Europe <i>Stefan Wolff</i>	121
PART IV: Policy Recommendations	139
Policy Recommendations <i>Regional Stability in South East Europe Study Group</i>	141
List of Abbreviations.....	149
List of Authors and Editor.....	151

Foreword

Predrag Jureković

This volume is composed of articles from the 44th workshop of the Study Group “Regional Stability in South East Europe”. The workshop was conducted in Reichenau, Austria, from 4 to 7 May, 2023. Under the overarching title “The War in Ukraine and Resilience in South East Europe – from Democratic Consolidation to Security” 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 Defence Policy.

The Russian war against Ukraine, which has been raging since February 2022, has very much changed the political, security and economic paradigm, especially in Europe, but also beyond. Fragile regions, such as the Western Balkans in Southeastern Europe, which are still in the midst of difficult transformation processes in terms of conflict resolution and democratization, are particularly affected by the resulting intensifying geopolitical fault lines.

Against this difficult regional backdrop, responding with resilience to this grave European and global crisis poses an even more difficult challenge for Southeastern European states compared to their Western neighbours. While Western actors are trying to prevent an escalation of conflicts in the Western Balkans in the shadow of the war in Ukraine, the geopolitical competition, especially between the EU and the USA on the one hand and Russia on the other, is also evident in Southeastern Europe. For indecisive Western Balkan states such as Serbia, the political pressure to take a clearer foreign policy stance has increased under these circumstances.

In this geopolitical and regional context, the following questions seem to be of particular relevance:

- What impact do the geopolitical fault lines reinforced by the war in Ukraine have on democratic consolidation, economic development, regional neighbourhood relations and security in South East Europe?
- What measures can be taken to strengthen the resilience of South East European countries to global conflict lines?
- What contribution can the EU, the OSCE, NATO, as well as other international actors, make to strengthen South East Europe's resilience?
- Which regional and international developments are hampering the strengthening of regional resilience?

These are some of the key questions that the authors of this Study Group Information volume address in their contributions. The first part of this publication deals with the general role of South East Europe in the geopolitical paradigm shift in one article. This is followed in the second part by contributions from authors based in Bosnia and Herzegovina, Kosovo, Serbia, Albania and Montenegro, who work out the specificities of their respective countries in terms of resilience of individual South East European states to the global crises. This is followed in part III by two contributions containing views on the impact of Russia's war in Ukraine and the resulting geopolitical "Zeitenwende" on EU integration of the Western Balkans. Two further contributions deal with the role of NATO and the OSCE in strengthening resilience in South East Europe. The recommendations of the Study Group members are summarized at the end of this publication, in part IV.

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 valued readers the analyses and recommendations 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 Sara Milena Schachinger, who supported this publication as facilitating editor.

Abstract

The geopolitical turning point brought about by Russia's aggression against Ukraine is creating new political and security parameters in the Western Balkans which, similar to the Black Sea region, has become a "geopolitical front region". Thus, the fragility of this part of Southeast Europe that continues to exist provides a good opportunity for Russia to further fuel conflicts, especially by diplomatic and security means, and thereby also to harm its Western adversaries in their geopolitical confrontation in the immediate neighborhood of the EU. Against this backdrop, the only semi-consolidated state of the Western Balkans increases the pressure on the Western side to provide much more concrete support to this region on conflict issues that were previously neglected by Brussels and Washington. This relates primarily to the consolidation of the multiethnic state of Bosnia and Herzegovina and the normalization of relations between Serbia and Kosovo.

As the contributions of the authors from the region show, this part of South-eastern Europe needs strategies and instruments to avoid energy dependency on Russia and credit dependency on China. Furthermore, they argue for more substantial support from EU and NATO in the fight against disinformation campaigns and cyber attacks in order to increase resilience.

According to the majority of the authors of this volume, EU candidate status for Moldavia and Ukraine – and most recently Georgia – has also given new momentum to the integration efforts of the Western Balkan states. Of course, innovative and proactive ways of integrating the Western Balkan states into the EU, which is absolutely necessary from a geopolitical point of view, are only possible if they respect democratic rules internally and their key politicians do not follow authoritarian models. Despite its institutional crisis, the OSCE can provide good service in this area through its field missions in the Western Balkans. Furthermore, the Council of Europe can also play a central role in the pre-accession process, especially in the protection of human and civil rights.

PART I: The General Role of South East Europe in the Geopolitical Paradigm Shift

Unity versus Division in South East Europe on Global Conflict Issues

*Plamen Pantev*¹

Introduction

In the period after the end of the Cold War and especially after the end of the regime of Milošević the region of South East Europe has been dialectically oscillating and slowly moving to the objective set by the EU in 2003 in Thessaloniki of integrating it in the Union.

The Russian invasion and unprovoked full-fledged aggressive war against Ukraine shook the slow movement towards the integration in the geopolitical by nature EU. The realities of the reborn by Russia Nazi behaviour in occupied Ukrainian territories poses fundamental moral questions and requires brave political decisions. Graham Green's words in his novel "The Quiet American" – "sooner or later ... one has to take sides. If one is to remain human", could be considered the moral and geopolitical compass and navigator in these turbulent times, including in the region of South East Europe.

It is not easy for many people in Europe, including in the Western Balkans to realize that South East Europe has become a front-line region in a war that aims to reverse the course of history and change the way of living in free, peaceful, democratic and increasingly prospering societies. The perception of a rising danger from militarist Russia in the Western Black Sea coastal countries Romania and Bulgaria is a fact of life.

The Russian aggression of 24 February 2022 marks a *Zeitenwende*, a watershed that makes us reconsider older concepts and inclinations. It forces us to think

¹ Prof. Dr Plamen Pantev is Founder and Director of the Institute for Security and International Studies (ISIS), Sofia, Bulgaria. He is co-founder of the PfPC SG on Regional Stability in South East Europe in 1999 in Sofia and Co-Chair of this Group in the period 2002–2010; co-founder of the PfPC SG on Euro-Atlantic Security and Co-Chair of this Group in the period 1999–2003.

again what is the meaning of minimum standards of international law, how to oppose geopolitical revisionism and how to upgrade our resilience to the level of the one that Ukrainians demonstrate after 15 months of war. Olaf Scholz defined in his speech to the Bundestag on 27 February 2022 the essence of the required resilience in this new situation:

Whether we permit Putin to turn back the clock to the nineteenth century and the age of the great powers. Or whether we have it in us to keep warmongers like Putin in check.²

Divisions in South East Europe

The traditional for the region of South East Europe tendencies of uniting and dividing on various grounds are presently experiencing head-on collision with a tectonic geopolitical paradigm shift, caused not by luckily arising new geoeconomic opportunities, but by a brutal aggressive war of the military nuclear giant and permanent member of the UN Security Council Russia against non-nuclear neighbouring sovereign Ukraine. South East Europe is just next door to the most devastating war in Europe after the Second World War.

The sad experience of “our own” Balkan wars in the 1990s intensified the various dividing tendencies. The continuing for a second year war of Russia against Ukraine strained the evolving, though not smoothly, trends towards unity and European integration. A contest of narratives and interpretations of the war, many of them generated in the workshops for fake news in the Kremlin and distributed by local regional agents bear an additional potential of increasing the cleavages and squeezing the unification developments in the Balkans.

A rather comprehensive list of the persisting divisions in South East Europe can be found in the Situation Analysis part of the Policy Recommendations of the 43rd workshop of the PfPC Study Group for Regional Stability in

² Olaf Scholz, Policy Statement by Olaf Scholz, Chancellor of the Federal Republic of Germany and Member of the Bundestag, 27 February 2022, at: www.bundesregierung.de. Last visited on 24 April 2023.

South East Europe, 22–25 September 2022 in Sarajevo.³ The analysis took place when the war of Russia against Ukraine has already been raging for seven months and reflected the actual at that time state of affairs.

On 6 December 2022 in Tirana the leaders of the EU and of its member states in consultation with Western Balkan leaders and in the presence of regional and international stakeholders adopted a Declaration after a summit held for the first time in the Western Balkan region.⁴ The conclusions of this EU Summit Declaration were agreed also by the Western Balkan Partners.

The importance of this document was that it reflected the developing process of integration of the Western Balkans in the EU, including the pending divisions and issues in the context of the escalating aggressive war of Russia against Ukraine. The summit sent a clear message about the risks for peace and security and highlighted the particular real dividing issues that have the potential to be affected by the war as well as their capacity to influence the evolving new balance of powers in Europe and the world.

The leaders of the EU member-states pointed to the fundamental standards of the accession process to the Union of the Western Balkan countries, mainly the need of credible reforms, fair and rigorous conditionality and the principle of own merits. At the same time they clearly defined the strategic role of the full alignment with the EU Common Foreign and Security Policy and of the common actions on the Union's restrictive measures, provoked by the Russian aggression and the violation by Moscow of international law and human rights.

For many years the EU has been stressing that Serbia's progress towards EU membership depends on the country's alignment with the foreign policy of the Union. It has become crystal clear that the Yugoslav method of playing "equidistantly" does no longer work for Belgrade and is not in the interest of the region of South East Europe. In an article by the Carnegie Europe

³ Policy Recommendations, Study Group Regional Stability in South East Europe (RSSEE SG), "Democratic Transition and Multi-Ethnicity – Opportunities and Challenges for Bosnia and Herzegovina and Its South East European Neighbours", Austrian National Defence Academy, 2022, at: www.bmlv.gv.at/publikation-1151.

⁴ EU-Western Balkans Summit, Tirana Declaration, 6 December 2022, at: www.consilium.europa.eu. Last visited on 13 March 2023.

author, Dimitar Bechev, of 19 January 2023 with the title “Hedging Its Bets: Serbia Between Russia and the EU”⁵ he reminds very directly of the expectation that Belgrade cannot sit on two chairs at the same time, especially if they are that far apart.

It is really sad that a large part of the Serbian society believes that Russia started the war on Ukraine because of NATO’s intentions to enlarge. Actually by February 2014 the Alliance has not been changing its strategic posture after its expansion in 1997 and 2004. The so called threat perception of the Russians from NATO is the euphemism of the real and sincere Kremlin’s fear of the free, open and democratic East European societies with which Ukraine is also joining ranks via the European Union. The fact that Serbia with its limited capacity has added to its “great powers balancing board” China, alongside with Russia, the EU and the United States does not change the fact it is geopolitically overstretching itself. While this is a sovereign Serbian issue it is also a major obstacle for the integration of the Western Balkans in the EU.

Serbia’s Janus-faced policy towards Russia and its aggressive war is a serious geopolitical issue for the region of South East Europe, especially of its two Black Sea countries and the rest of the Bucharest-9 states. While these states are preparing for an eventual Russian aggression, Serbia is playing double games in the rear of these NATO countries. And if the Roman god Janus was able to see both in the past and in the future, Serbia’s temporal orientation in this case is definitely to the past – similar to the anachronistic policy of the Nazi regime in Moscow. A recent research by Radio Free Europe/Radio Liberty investigative journalists provides a lot of evidence that at this moment Serbia has become the last refuge in Europe for the safe intelligence work of Russian operatives, kicked out from different European states and pretending to work as diplomats in Belgrade.⁶

⁵ Dimitar Bechev, “Hedging Its Bets: Serbia Between Russia and the EU”, Carnegie Europe, 19 January 2023, at: <https://carnegieeurope.eu>. Last visited on 26 April 2023.

⁶ Maja Zivanovic, Sonja Gocanin, Riin Aljas, Mark Krutov and Sergei Dobrynin, “Expelled Russian Diplomats With Spy Links Resurface in Serbia – Analysis”, in: *Eurasiareview news&analysis*, 13 March 2023, at: <https://www.eurasiareview.com/category/analysis>. Last visited on 27 April 2023.

Another dividing issue is the persistent lack of political will of Serbia to come to terms with the wrongdoings of the past and finally recognize the independence and sovereignty of the state of Kosovo. To be fair, five EU member-states – Cyprus, Greece, Romania, Slovakia and Spain, also continue to send destabilizing impulses to the Balkans by not recognizing sovereign and independent Kosovo. All these dividing issues are welcome presents for the Russian foreign and security policy of hybrid warfare, an additional argument for spoiling the process of integration of South East Europe in the EU.

And finally, the unfinished business in a still fragmented Bosnia and Herzegovina has provided Moscow with diplomatic and political tools for exerting pressure in recurrent opportunistic circumstances.

The Global Conflict Issues and Their Galvanizing and Polarizing Role in South East Europe

Global conflict issues exert galvanising influence on the international relations and domestic politics of the South East European countries. A brutal Russian aggressive war against Ukraine is such a galvanizing political factor.

Conflicting attitudes in an evolving multipolar international system is the second factor with galvanizing effect.

Contesting values of assertive autocratic regimes and democracy of enlarging EU and NATO also affect South East Europe and stimulate activity of the individual states in the region.

The flagrant violation of international law by the criminal regime in Moscow has both a galvanizing and polarizing political impact on the relations in the South East European region and the policies of the Balkan countries.

The Aggressive War of Russia against Ukraine

Russia's aggression against Ukraine and the concept, ideology, objectives, means and consequences of it after one year of war have been dealt in detail

in an earlier study.⁷ The imperial drive for restoring a “great power” status in combination with pre-emptively devastating a medium sized country and potential dangerous competitor of the Russian federation, including de-Ukrainizing the neighbouring state, more or less defines the wrong conceptual foundation of this war.

The practical performance of this concept, the ideological motivation of some Russians and the armed forces, the objectives and the means used by the invaders characterise them as the “Nazis” or “Ruscists” of the 21st century. The future of the Black Sea region, including of its Western coast countries Romania with 6% (244 km) and Bulgaria with 9.3% (378 km) of the sea coastal line is contingent on the results of the war. The bleak future of the Russian federation, the danger of producing another frozen conflict before driving the aggression further to the West generate additional geostrategic, economic and political problems for the Eastern part of the South East European region.

While the war of Russia against Ukraine has strong global implications, it has existential consequences for Europe and especially for the neighbours of the aggressor. That means that the EU and NATO are directly influenced by the ongoing occupation by Moscow of sovereign Ukrainian territories. If Russia wins in this war the dismantling of the European security order will continue on the whole continent. The victory by Ukraine will lead to the restoration of the rules-based security order in Europe that will exclude Russia until its overall potential guarantees a peaceful foreign and security policy.

Though the reactions to the war of the so called “Global South” matter and should not be ignored, the major focus of the European countries, including in South East Europe, must be facilitating a Ukrainian victory. From this point of view it is a success for the Balkan region that Albania, Montenegro, North Macedonia and Kosovo have joined the EU member-states from South East Europe in imposing sanctions on the aggressor, while the formal support by Bosnia and Herzegovina for this policy has been paralysed by Republika Srpska’s links with Moscow.

⁷ Plamen Pantev, “Russia’s Aggression Against Ukraine: Concept, Ideology, Objectives, Means, Consequences”, Research Study 25, Institute for Security and International Studies, Sofia, February 2023, at: www.isis-bg.org/ResearchStudies, 62 pp.

The Strange Multipolarity

It will not be an exaggeration to say we live in a messy world: the present structural levels of the centres of power relationships in the international system functions in the situation of an unstable order:

First, the highest institutional regulative authority – the UN Security Council, is not efficient as one of its permanent members and major military nuclear power, the Russian federation, aiming territorial grab, initiated an aggressive war against a non-nuclear neighbouring country.

Second, Russia strives for elevating its status of big country to the status of “great power”, presenting only one argument – its huge strategic nuclear arsenal.

Third, India, the second or maybe first most populated country, is decades away from turning into a genuine power pole.

Fourth, China is close to reaching the status of a superpower.

Fifth, the United States is no longer the uncontested superpower, hegemon of the international relations system.

Sixth, the EU, an economic global centre of power, is still in the process of turning into an effective single geopolitical and strategic world actor.

Seventh, the so called P-5 countries, the permanent five members of the UN Security Council and “legal” possessors of nuclear weapons, because of Moscow, could not implement strictly the details of their joint pledge of 3 January 2022 that nuclear war cannot be won and must not be fought.⁸ For more than a year the Russian federation is sending nuclear threats, bluffs and compromises the last major treaty reducing nuclear arms and the danger of nuclear war – the START treaty (Strategic Arms Reduction Treaty).

⁸ Joint Statement of the Leaders of the Five Nuclear-Weapon States on Preventing Nuclear War and Avoiding Arms Races, 3 January 2022, at: www.whitehouse.gov. Last visited on 28 April 2023.

It is no secret that the centres of power relationships of the international relations system generates galvanizing and polarizing influences on medium and smaller countries, especially with the conflictual structural level of the system. The war of Russia against Ukraine creates this polarizing effect on the states of South East Europe.

The problem in this case is not just of aligning because of belonging to or applying for membership in the EU and NATO, or because the multiple power poles attract specific interests of the Balkan countries. The problem is also not just of taking side in the great power competition, characterised today by the only two actors with encompassing power potential – the United States as the undisputable superpower with uncontested military force, and China – the eventual soon-to-be full-fledged superpower.

The balance that the countries of South East Europe need in the present conflict situation, for which reason they either belong to the EU and NATO or strive for membership in these institutions – with the exception of Serbia, is not against a powerful country, but against the threats Russia produces.⁹ The danger of extending Russia's aggressiveness to the West is real and taking sides today means to elect for security or for war. The sophisticated uni-polar/tripolar/multipolar/bipolar world and competing centres of power are no excuse for the individual South East European states to make responsible, open and clear geopolitical choice. The regional orientations in the multicentric world also add significantly to the future of the global security order.

The Force of the Values

The theory of foreign policy is clear on the decisive role interests play in defining the course of a state on the international arena. This same theory has no doubts, however, that the priority factor in formulating the foreign policy interests, including the geopolitical ones, is the value orientation.

⁹ Stephen M. Walt, "Friends in Need: What the War in Ukraine Has Revealed About Alliances", *Foreign Affairs*, 13 February 2023, at: <https://www.foreignaffairs.com>. Last visited on 28 April 2023.

Russia's invasion of Ukraine, its amorality and archaic imperialism brought in a forceful way the debate of democracy vs. autocracy. It is true that there was not a black-and-white alignment of the democratic and autocratic nations to this war. The general picture is much more nuanced.

However, the demonstrative failure of Russia to stay in the concert of civilized nations, the courage, heroism and resilience of the Ukrainian people and its leadership have a galvanizing ideational and political effect, including for the societies of South East Europe. The people of the Balkan countries were reminded by the Ukrainian example of the existential value of freedom and democracy. Putin galvanised something in our societies from which one cannot escape – when freedom and human dignity are at stake, our divisions should stop here. Kremlin's "Russian World" ("Русский мир") brought associations with the Nazi "Lebensraum". Bucha, Mariupol and hundreds of other sites in Ukraine awoke memories of similar atrocities and war crimes in the past.

The Munich Security Report 2023 rightly highlights the intensification of autocratic revisionism.¹⁰ The aggression against Ukraine is an attempt by an authoritarian power to eliminate a democracy as a sovereign nation-state.

Apart from an existential threat to liberal democratic countries autocratic revisionism as demonstrated by Russia and China, seeks to impose its interpretation of human rights, ensuring that collective rights as defined and upheld by the state take precedence over individual civil and political liberties. A logical continuation of the autocratic revisionism is the effort to dominate the digital realm, the developmental model, depriving it of such conditionalities as democracy, good governance, free markets, accountability and transparency. The weaponization of energy resources by autocratic regimes indicates the eventual future of the energy order. Autocracies left their mark on the military nuclear order, putting the world at risk. The behaviour of Russia, the accelerated piling of nuclear arms by China, the irresponsible demonstrations of North Korea, the nearing of capacity to produce nuclear weapons by Iran – all this should be honestly attributed to the above mentioned autocratic regimes.

¹⁰ Re:Vision, Munich Security Report 2023, February 2023, at: www.securityconference.org. Last visited on 27 March 2023.

The Flagrant Violation of International Law by Russia as a Galvanizing and Polarizing Factor in South East Europe

The invasion of Russia on 24 February 2022, as in 2014, when the same aggressor annexed Crimea from Ukraine, flagrantly violated the principles and norms of the UN Charter-based international law.

Moscow has already trampled down in 2014 a long list of international political and legal treaties.¹¹ It has been hard to be conceived by international legal scholars how was it possible for the Russian diplomacy to present so simplistic arguments to exculpate the aggression against Ukraine. The imperative international legal principle of self-determination has been highlighted by Russia as the sacrosanct UN Charter norm that has paved the way for the “righteous” military intervention in Ukraine in 2014. It is a notorious theoretical truism that imperative international legal norms and principles act in a system and no state or its foreign ministry is allowed to pick one and ignore the others to explain and justify acts that violate the UN Charter.

Russia never explained after 2014 why did it violate bilateral and multilateral legal and political treaties with Ukraine, in which the inviolability of the state borders of the two sovereign and independent countries has been agreed after voluntary, free and transparent negotiations. Moscow never explained why it deprived the Ukrainian state of organizing a referendum in Crimea as provided by the Ukrainian Constitution and legal system. Violating other

¹¹ The Helsinki Act of 1975 provides inviolability of borders unless peaceful negotiations lead to other solutions; The Belovezh Agreement of 1991 for the dissolution of the USSR provides for guarantees of the territorial integrity of the constituent Soviet republics and for the inclusion of Crimea as an autonomous part of the Ukrainian state; The Lisbon Protocol of 23 May 1992 of Kazakhstan, Ukraine, Belorussia, the Russian Federation and the United States about the mechanism of formalizing the accession of all 5 states to the START, and for Belorussia, Ukraine and Kazakhstan – to the Non-Proliferation Treaty (NPT) of 1968 as non-nuclear states; The Budapest Memorandum of 5 December 1994 of the United Kingdom, United States, Russian Federation and Ukraine that guarantees the security of Ukraine in light of the country’s accession to the NPT against nuclear attack and of its territorial integrity; The Bilateral Treaty of the Russian Federation and Ukraine of 2003 for the regulation of the border between the two states – signed by Putin and ratified by the Russian Duma, and, The Harkov Agreement of 2010 between the Russian Federation and Ukraine, signed by Medvedev and Yanukovitch, about the right of Russia to base its Black Sea Navy in Sevastopol by 2042.

countries' national legal norms as well as international law instead of fulfilling them became a key feature of the Russian armed forces – regular and mercenary, of the servile diplomacy and all the other state institutions. The “rule of law Russia style” has been displaced for years already by the administrative commands of the supreme leader in the Kremlin.

It took some time to realize that implementing the norms and principles of international law – a normal foreign-political strategy, has become part of the Russian war-making arsenal. The term “lawfare” was born recently – a combination of “law” and “warfare”, describing a form of asymmetric warfare. What is specific of Russia’s misuse of the international legal arguments in the context of its “lawfare”?

A perfidious Russian hybrid foreign-political strategy is “Russia – a defender of international law”. In its aggression against Ukraine on 24 February 2022 this argument was declared as the solid, undeniable ground for launching the war. The argument has been Russia had to defend international law against the acts of genocide against Russians in the Donbas region.

As already mentioned, the permanent mission of the OSCE in this area rejected categorically this statement. On its side the UN International Court of Justice issued on 16 March 2022 an Order, concerning the allegations of the Russian federation against Ukraine of genocide under the Convention on the prevention and punishment of the crime of genocide. According to Art. 59-60 of this Order:

59. The Court can only take a decision on the Applicant’s claims if the case proceeds to the merits. At the present stage of the proceedings, it suffices to observe that the Court is not in possession of evidence substantiating the allegation of the Russian Federation that genocide has been committed on Ukrainian territory. Moreover, it is doubtful that the Convention, in light of its object and purpose, authorizes a Contracting Party’s unilateral use of force in the territory of another State for the purpose of preventing or punishing an alleged genocide.

60. Under these circumstances, the Court considers that Ukraine has a plausible right not to be subjected to military operations by the Russian Federation for the purpose of preventing and punishing an alleged genocide in the territory of Ukraine.¹²

¹² UN International Court of Justice, 16 March 2022, Order, Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide

Genocide of Russians by Ukraine became another futile excuse of the treachery of the aggression. Ukrainian, other nations' governmental and nongovernmental institutions and organisations have collected evidence of the Russian-committed genocide against Ukrainians. Sooner or later the perpetrators of this crime will be put on trial and convicted. The present Russian president Putin will surely lead the group of war criminals for his army's crimes against humanity and for the orders he has given to start the war and to commit so many evil acts and atrocities.

The Russian lawfare trick with deluding public opinion at home and abroad relies on the exploitation of the lack of legal expertise of the large majority of people. Claiming all Russia does in its international relations is based on international law requirements suggests the position of Moscow is the moral one ("Our war is just and the victory will be ours"). The defenders of international law are considered the moral leaders and examples in an anarchic international system.

Though this Russian "maskirovka" (disguise) has worked from time to time, the aggressive full-scale war against Ukraine pulled down the mask of this false policy. A famous aspect of Russia's "intellectual" contribution to the beloved "maskirovka" methods dwindled away. The total disunity between the Russian objectives in the war and contemporary international law led to the mobilization of the democratic people and countries of the world against the aggressive war.

Furthermore, Russia's violations of international law led to unprecedented and ever mounting sanctions against the invaders. Tens of countries provide military support to the Ukrainian armed forces (3CY). Ukraine's international status grew up – the country is already a candidate for EU membership and a *de facto* member of NATO. Russia's status of a permanent member of the UN Security Council has been strongly diminished politically and morally. Moscow's isolation in the UN General Assembly – with the exception of 6–7 countries out of 193, is a fact of life.

(Ukraine v. Russian Federation), at: www.icj.org/public/files, Art. 59–60, p. 13. Last visited 29 April 2023.

Violation of international law is a heavy shock on vital interests of smaller states, for which the legal protection is among the few security guarantees. Most of the countries in South East Europe are small and violating the UN Charter by a permanent member of the UN Security Council definitely carries galvanizing and polarizing geopolitical effects. Rules-based international order serves as a protective shield for small countries. That is why small states are usually active defenders of international law and its implementation. On 24 February 2022 the Albanian Ambassador to the United Nations and non-permanent member of the UN Security Council, Ferit Hoxha, bravely asked the question: “Who is next after Ukraine?”, dealing a moral blow on the aggressor from the name of the big majority of small states in the United Nations Organisation.

Defending international law is one of the important sources of resilience of South East Europe. From this perspective the region can perform unifying acts in the international political and security forums and organisations.

The Regional Resilience of South East Europe as a Deterrent for Divisions and a Driver of Unity

Three aspects of a resilient attitude by South East European states can serve as factors of overcoming divisions and of stimulating unity while facing the global conflict issues:

First, the continuing attraction of EU and NATO membership for Western Balkan countries.

Second, the real situation of South East Europe as a front-line region, necessitating a stronger voice against the aggressive power Russia.

Third, intensifying the activity for coping with the three most dividing issues – Serbia’s two-faced policy *towards* the EU, the threat of a separatist Republika Srpska and the continuing non-recognition of Kosovo by Belgrade and by five EU member-states.

Continuing Attraction of EU and NATO Membership for the Western Balkan Countries

There are analysts who state that the “West’s greatest leverage” in the region of South East Europe – the prospect of accession to the European Union, has lost credibility in the recent years.¹³ However, for the time being there is no better driving force of overcoming the belated modernization and achieving the needed stabilization of the Western Balkans than the EU integration process. Neither the Chinese projects of economic embrace, nor Russia’s centuries-old policy of pulling the wires of Balkan conflicts can replace a conscientious, benign, sometimes contradictory, but no doubt – progressive social process of improving the life of the people on the basis of democracy and the rule of law. The fact that Ukraine and Moldova have been included in this process does not mean the merit-based process, linked to governance reforms has been given-up as a prerequisite for accession of any candidate country for EU membership.

The invasion of Russia in Ukraine imposed a new range of issues on the EU and on the European integration of the Western Balkan countries. The integration in EU is by nature geopolitical and the driving forces of this unique for Europe social experiment have never quitted this dimension of the developing process. If we consider just the change of foreign-policy attitude of the leading economic power of the Union, Germany and its *Zeitenwende*, the contenders for EU membership from the Western Balkans should register the huge shift of Berlin in the geopolitical and geostrategic direction. Germany’s steadiness in this new situation turned to be the key factor of the Union’s togetherness. Germany is the largest donor of economic and military help for Ukraine and Berlin became the major agent of shaping a “geopolitical Europe” in coordination with France, the UK and the USA. The Western Balkan states consider for sure this fundamental change of policy, paralleled in the same direction by Finland, Sweden and the other EU countries, especially of the B-9 group. Narrowing the region’s own divisions and strengthening the unity against the aggressor is just logical to expect.

¹³ The effects of the war in Ukraine on the Western Balkans, “Strategic Comments”, IISS, London, 26 September 2022, at: www.iiss.org/publications/strategiccomments. Received by e-mail as an individual member of the IISS.

A Stronger Voice against the Aggressor

The geopolitical nature of the EU requires considering the developments in the Western and the Eastern parts of South East Europe as intertwined and systemically interdependent.

As already mentioned Romania and Bulgaria – two Black Sea and Balkan countries, belong to the front-line of NATO in the aggressive war of Russia in this region, alongside with the other countries of the Bucharest-9 group. The resilience of South East Europe is very much connected with the eventual enlargement of the war in the aquatorium of the Black Sea. Bulgaria and Romania are deeply involved in upgrading the NATO defence, stretching from the Baltic to the Black Sea. The success of these two NATO and EU countries in withstanding the pressure of the aggressive war of Russia against Ukraine will influence substantially the region's capacity to respond adequately to the invasion against an EU candidate state.

Another aspect of the region's toughness and capability to neutralize Russia's imperial ambitions is connected with the individual Balkan countries' efforts to put their own houses in order – in the broadest sense of these words. There are issues of various kinds everywhere. Now is the time each EU and NATO member or candidate to prove democratic values and respect of international law matter in the individual countries' policy. It is vibrant democratic states and societies that can deal successfully with autocratic and imperial-minded aggressors. A special responsibility lies on the Serbian democratic forces in preventing a repetition of the Kremlin-backed "Russian world" ("Русский мир") by the so-called "Serbian world" ("Srpski svet"), in which Belgrade would exert influence beyond Serbia's border. Many South East Europeans consider this formula as code word for irredentism and revanchism.

A potential third format of declaring the regional countries' position against the Russian invasion of Ukraine is the United Nations Organisation – both the General Assembly and the Security Council.

Defending international law is a very appropriate strategy for the small South East European states in the UN. The countries of the region can be active in applying a standard method of interaction in the UN realm as insisting the

Russian Federation or the PRC (People's Republic of China) to explain publicly their vetoes or abstentions in connection with Moscow's aggression against Ukraine as a form of political pressure. The unprecedented assault on the principles of the UN Charter by Russia, the outrageous project of this permanent member of the UN Security Council and major nuclear power to erase a country from the map deserves strong reaction.

In the multilateral forums as the UN it is possible to initiate and participate in building public support, a multilateral coalition in favour of Ukraine. This can take place by proposing a definition of this war as a "criminal act" and proclaiming Putin "a criminal leader".

Proposing and supporting a UN General Assembly resolution of expelling the Russian federation from the United Nations and suspending by a 2/3 majority of votes its membership in the UN Security Council is another possibility. Unless such pressure is put on Moscow there are low chances of drafting and adopting a resolution for compensating the invaded country for the destruction, caused by the invader.

It is good to remind also of another possibility of exerting diplomatic pressure on Russia. Unlike all former Yugoslav constituent countries Russia has not passed in 1992 the procedure of joining the United Nations Organisation after the dissolution of the USSR. Many international lawyers consider this a violation of the procedural rules of the UN and a reason to consider the very membership of Moscow as illegal in the world organisation.

An Intensified Political Leadership to Deal with the Dividing Issues

The fragile democratic societies of the Western Balkans, the faltering "rule of law" reforms, the threatening the stability disputes, the Serbian opposition to the EU sanctions against the Russian aggressor, Belgrade's non-recognition of Kosovo, the persisting danger of Republika Srpska's separatism from the federation of Bosnia and Herzegovina – all these issues do provide chances for the opportunistic Russian policy to meddle in the affairs of the South East European countries.

However, the balance of political forces in the region does not provide easy freedom of action for the Moscow diplomats and spies. Preventing a Russian

political “success story” in the Balkan region depends mostly on the performance of the local political parties, activists and leaders. We can expect pro-Russian politicians to try to preserve the status quo of the existing divisions and reducing the unification potential. Following Russia’s war agenda is publicly unpopular and Russian foreign policy activism is not much visible. There are, though, invariant trends in Russia’s policy – the support of Vučić on Kosovo, keeping active formal relations with Dodik in Bosnia and Herzegovina and concentrating the activity of expelled Moscow’s spies from other European countries in Belgrade.

So, it is very much up to the Balkan state and government leaders that a pro-West or anti-West policy would dominate. Not taking clearly and openly sides is no longer a political option. The slightest chances of moving from crisis-management to normalization and reconciliation in the Serbia-Kosovo relations must be utilized. That would strengthen decisively the Balkan voice against the Russian aggression on Ukraine. Making the support of Ukraine a priority number one of the Swedish Presidency of the EU additionally helps the strengthening of the geopolitical identity of South East Europe as an EU/NATO zone of interest.

Conclusions

Shortly – it is time for a “*Balkan Zeitenwende*”. The aggression of Russia in Ukraine changed our continent, including South East Europe forever. Many political leaders realized they have lived and worked with illusions about their joint business with Putin. The annexation of Crimea – the first war of Russia against Ukraine in 2014, was not perceived adequately in many European countries and an aggressive, imperialist, revanchist, brutal and militarist Russia assumed it was following the right course.

On 24 February 2022 the Europeans, the EU leaders were awoken for the truism that peace must not be taken for granted and military power is needed to protect it. And Europe was quickly galvanized for the policy of saving freedom, sovereignty and independence of Ukraine, realizing this was an effort of protecting our own free and democratic way of life. Berlin’s *Zeitenwende* symbolized the epochal turning point of the Union in its policy to Russia. EU is becoming a credible and strategically responsible military power

with a meaningful contribution in NATO and with a potential to act globally in the strategic area in the years to come.

South East European countries and their societies need to realize that after Ukraine, if successful, Russia will continue its aggressive policy further to the west. The presence and membership in NATO is the only deterring argument for the Kremlin. There are again front-lines in Europe and there is no such place as “in-between”. Mental *Zeitenwende* is ripe for South East Europe too – by dealing with residual divisions and closer unifying in the European Union and NATO. It would be perfect if more *Wende* takes place in less *Zeit*.

**PART II: Resilience of Individual
South East European States to the
Global Crises**

The Challenges of Building Resilience: The Case of Bosnia and Herzegovina

Denisa Sarajlić

Case Study – Bosnia-Herzegovina

General Situation and Political Resilience

The protracted political crises that have marked the period between 2018 and 2022 (and even preceding this time) had its reflection on the election campaign that ran before the October 2022 General Elections. One of the evident effects of the crises was the saturation of political space with negativity, conflictual rhetoric and confrontational style of politics, which created citizens' apathy and dissatisfaction with the overall situation. More citizens have been leaving or trying to leave the country (and the region), but there seemed to be some appetite in for political change as well. This raised some hopes that the 2022 elections could bring some level of change. This sentiment was fuelled by some visible changes in the Canton Sarajevo during the previous four years, where a weak coalition of progressive political parties was able to deliver some of their promises to citizen about improving the quality of life in Canton Sarajevo. Driven by those moderate success, parties formed the governing coalition in Canton Sarajevo promised to form post-election coalitions at higher levels of government and try to replicate those successes in other parts of the country. However, the appetite for change seemed to have been limited to small patches of the Federation of Bosnia and Herzegovina (FBiH), while in Croat-majority areas of Federation, voters chose Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH) to represent them, as they have done for the most of the last 30 years. In Republika Srpska (RS), the opposition parties,¹ staged a strong push against the ruling Alliance of Independent Social Democrats (SNSD), led by Milorad Dodik. However, due to a combination of strong rooting in their electorate, dirty campaigning, some election engineering and possible frauds, the SNSD declared electoral victory eventually. That result was contested already on the

¹ Led by the Serb Democratic Party (SDS), Party of Democratic Progress (PDP) and a range of smaller parties and individual politicians.

election day by the opposition, who continued to challenge the results through formal complaints for several days and weeks. More than 10,000 people rallied in the city of Banja Luka immediately after the elections, claiming the elections were rigged, and protesting against the results which brought Milorad Dodik a win of the seat of the RS President.²

A further blow to moderate voters was delivered on the election day after the polling stations closed, when the High Representative of the International Community, Christian Schmidt, imposed changes to the Constitution of FBiH and the Election Law to restructure the House of Peoples in FBiH.³ Many voters, even before deep analysis of Schmidt's interventions, felt betrayed and disappointed that the votes they cast on may be skewed through electoral engineering which the changes to the Constitution could bring. But it was not just a matter of poor timing of the intervention which brought disillusionment. The changes introduced by Schmidt clearly favoured the ethno-national principle in the way House of People is formed, thus playing in favour of the major nationalist parties in FBiH. Before that, there was hope and intention to reduce and limit the remit of the House of People only to questions of 'national interest' or significance, so that the legislative process in the Federation would become more conducive and less complex when considering reforms and legislation that would be addressing the needs of citizens overall.

Before Schmidt's changes, the House of Peoples comprised 58 delegates from 10 cantonal parliaments, and each of the three main ethnic groups got 17 seats, while 7 seats belonged to Others (i.e. minorities). Schmidt increased the number of delegates from 58 to 80, 23 each of Bosniaks, Serbs and Croats, and 11 Others. The increase in seats allows Others to select a representative from each canton, which was not the case earlier. However, before his decision, the entire parliament in each canton used to decide which particular ethnic representatives would be delegated to the House of Peoples. Schmidt changed this so that only the ethnic caucus in each cantonal assembly gets to

² According to Bosnia's Central Electoral Commission, Dodik won some 48 per cent of votes, while Trivić got around 44 per cent, trailing by around 30,000 votes. However, there were numerous irregularities that led the opposition to claim the election was rigged.

³ Upper House of FBiH Parliament.

approve the delegates from their ethnic group. This has consolidated the power of nationalist parties over the selection of representatives of the three ethnic groups, because in the majority of cases, nationalist parties have the majority in the ethnic caucuses at cantonal level. In other words, Bosniaks on Bosniak delegates in a certain canton, Serbs decide on Serb delegates, and Croats pick Croats. In practical terms, this system favours the most the Croat Nationalist Party, which has for 20 years consolidated its power at the level of cantons in which they have the majority. Even if there were any doubts that this was the intention of the High Representative, they were quickly dissolved by representatives of the HDZ in BiH and Croatia, who claimed the High Representative's changes were a result of their lobbying in months preceding the elections, or in the words of Croatia's foreign minister "High Representative Christian Schmidt's intervention in BiH's electoral law is a success of the Croatian government".⁴ Croatia's Prime Minister, Andrej Plenković had announced already in July 2022 that Schmidt was considering changes which would "rectify the wrong decisions made by his predecessors some 20 years ago and thus to make sure that the bodies that represent the electorate are set up in a fair and effective manner."⁵ The High Representative's decisions on the election night thus cemented HDZ BiH's dominance in all future coalitions and contributed to further delays in implementing elections results.

Schmidt's changes also secured a thin advantage of the largest Bosniac nationalist party, Party of Democratic Action (SDA) which was thus able to get the position of a deputy President of Federation of BiH, who then blocked the formation of FBiH Government for over 6 months.

The new majority at the level of BiH was formed after months of negotiations, and it was agreed on the premise that the new coalition partners would focus on concrete reforms, leaving aside the confrontational political atmosphere that had been building up for years before. That did not last for very long. Soon after the BiH Council of Ministers was formed, Milorad Dodik

⁴ <https://mvcp.gov.hr/press-22794/schmidt-s-decision-a-success-of-croatian-government/248755>.

⁵ <https://n1info.ba/english/news/croatian-pm-says-schmidt-rectifying-mistakes-of-previous-high-reps-to-bosnia/>.

continued with threats of secession, and new crises ensued (related to distribution of state property and attempting to decrease dependence of RS on the state in the field of energy).

Many signs of distrust within coalition were visible very early on, including disagreements on the gas connection with Serbia (which conditioned then by HDZ BiH's demand for a Southern connection through Croatia), continued disagreements on the content of the Election Law which HDZ BiH continued to push in spite of Schmidt's concessions granted through election day changes. Meanwhile, there have been no signs of agreements on key priorities included in the 14 EU recommendations – e.g. changes to the law on High Judicial and Prosecutorial Council, conflict of interest, etc. Member of BiH Presidency from republic Srpska, Željka Cvijanović, attended the UN General Assembly soon after the elections to present an RS position on the status of the High Representative, which was not previously agreed with other members of BiH Presidency. Prior to that, Milorad Dodik and the coalition of parties led by SNSD in the RS had attempted to take away competencies from the state in the field of judiciary, control of medicines, etc. While still in Presidency, in 2022, Dodik used veto on most policies relating to the war in Ukraine, such as sanctions on Russia, condemning invasion, thus aligning with the Russian federation rather than with EU's common foreign policy. And Dodik and SNSD were not alone, HDZ aligned with SNSD in Parliament on sanctions against Russia.

During 2022, the authorities of Republika Srpska threatened to curb the freedom of association and expression more than ever before, targeting journalists and civil society organisations. This has been only one of the features of a captured state in Republika Srpska, where the voices opposing the regime have been increasingly silenced over the past few years.

Domestic turbulences have been accompanied by a high degree of disorientation within the international community, especially by the European Union, which continues to shift priorities without having a clear agenda for the situation in BiH and the Western Balkans more broadly. For example, changing the Constitution of BiH in line with the decision of the European Court for Human Rights from 2009 in the Sejdić/Finci case was a condition *sine qua non* for any further progress in EU accession for BiH for over 15 years. This was subsequently replaced with 14 priorities for granting the candidate

status for EU membership and further accession. However, that too was dropped when the war in Ukraine started and BiH was granted a candidate status having met only 1 out of 14 conditions.

The EU candidate status has been overtly granted as a result of the rising security concerns in EU because of the war in Ukraine, rather than being a result of the merit-based process of EU accession. In the eyes of many Bosnians, this was a proof of a certain level of hypocrisy on the part of the EU, which has hailed a merit-based process and conditionality for decades. That all changed overnight, and proved that the EU accession is ultimately a matter of political will, while conditions set forth by the EU are a moving target. Just as the public more broadly was beginning to recognize and accept this, the EU sent another mixed message through Miroslav Lajčák, the EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues. He said that “BiH cannot expect any lowering of the criteria, political and technical criteria are equally important”,⁶ and he used the opportunity to offer an alternative scenario for the EU accession of the Western Balkan countries which would replace full membership – i.e. gaining access to some aspects of membership without having the voting rights within the EU bodies. This delivers another blow to citizens throughout the region, who had been gradually losing faith in the EU accession due to the complexity of the process and the passing time, who might see this alternative as another expression of the EU’s hypocrisy and double standards after so many years of failed promises. In the backdrop of those mixed messages and alternative scenarios, the EU conditionality is losing its credibility among citizens and politicians, who know understand that conditionality is full of moving targets. On their part, the political elites in BiH have done very little on delivery of their homework in that process, but that was to be expected given the fact that many of them benefit from the status quo and from a delayed membership, which would demand more transparency and accountability. Trapped between those two opposing visions are the citizens of BiH, who feel left in the hands of politicians who do not seem interested in their needs or demands.

⁶ “Lajčák: Nije realno da budu sniženi kriterijumi za prijem BiH u EU”, *Nezavisne novine*, May 3rd, 2023. <https://www.nezavisne.com/novosti/bih/Lajcak-Nije-realno-da-budu-snizeni-kriterijumi-za-prijem-BiH-u-EU/770180>.

Economic Impact and Resilience

The war in Ukraine has had similar economic impact on Bosnia and Herzegovina as it had on the regional and global economy. In terms of the inflation, the average inflation in BiH in 2022 compared to 2021 was 14% higher. The most significant change was increase in fuel prices which drove up prices in all sectors, but did not result in fuel shortages as BiH maintained supply of fuel through the neighbouring countries.

The most significant effect was seen in the level of prices, which drove up dramatically in the second half of 2022. In March 2023, a new increase in prices was recorded – significantly higher compared to March previous year, on average the prices rose by as much as 10%. For citizens of BiH, where the living standard was quite low to being with, this meant a huge decrease in their purchasing power, most strikingly in relation to the prices of food and living costs. For illustration, the average price growth compared to the same period last year was:

- Food and non-alcoholic beverages 19%,
- Alcoholic beverages and tobacco 6%,
- Housing and overhead expenses 11.9%,
- Furniture, household appliances and regular home maintenance 12.1%,
- Education for 2.3%,
- Restaurants and hotels for 8.6%,
- Other goods and services for 10.2%.

Unlike other countries in the region – BiH governments did not subsidise the rises in cost, introduced only limited measures for the most vulnerable, but random, insufficient and hard to access due to very complicated procedures for claiming those costs.

Economy and Trade

The impact of the war in Ukraine on trade relations of BiH was not as significant as the impact on inflation and costs of living. In 2022, Russia accounted for 2.4% of Bosnia's imports and 0.3% of its exports, 0.28% of total exports and 1.56% of imports in RS. This is extremely low in comparison to

the EU, which accounted for 74% of Bosnia's exports, and 69.9% of RS exports to the EU.

The situation is similar when it comes to foreign direct investments (FDI), with Russia providing only 1.5% of foreign direct investment in RS, while the EU member states account for 55% of FDI. BiH as a whole receives 4% of total foreign direct investment from Russia. Western sanctions have forced Russian banks out of BiH, with two domestic banks taking over the local branch of Sberbank after it experienced a liquidity crisis.

Prior to its full-scale invasion of Ukraine in 2022, Russian economic activity in BiH was primarily concentrated in the financial and energy sectors. BiH imports almost all its gas from Russia, but this makes up only 3.3% of its total energy needs – far less than the EU average of 26%. Most Russian gas is used in FBiH, primarily for the needs of several factories, but also for the heating system in Sarajevo City. At the time when most of Europe is decreasing its dependency on Russian gas, the authorities in Republika Srpska are doing just the opposite, clearly then for political reasons. The government of the RS is buying, through the Investment and Development Bank, the East Sarajevo Gas Company, and allegedly with Russian capital, gasifying East Sarajevo and Jahorina. The RS is developing the gas pipeline to Trebinje and planning to use exclusively Russian gas.

As mentioned in the previous section, the issue of the East and Southern gas connections have strong political significance and are closely linked to the region's dependency on Russian gas, which the EU has been trying to counter with short-term subsidies for energy costs the most vulnerable groups. Meanwhile, Russia and its proxies have worked intensively on creating infrastructure projects for the long-run. In July 2022, the Council of Ministers of BiH rejected two documents that were offered to them as a package. One was a Draft document for conducting negotiations for the conclusion of the Agreement between Bosnia and Herzegovina and the Republic of Croatia on the construction of the gas pipeline South Interconnection of Bosnia and Herzegovina and the Republic of Croatia on the route Zagvozd (HR) – Posušje (BiH) – Novi Travnik/Travnik (BiH) with a branch to Mostar. The second document was the basis for conducting negotiations for the conclusion of the Agreement between Bosnia and Herzegovina and the Republic of Serbia on the construction of a gas pipeline along the border between the

two states. Both international agreements with the two countries were merged into one item on the agenda by representatives of SNSD and HDZ BiH, while Bosniac parties refused to vote on this so close to the elections and create a risk of impacting the electoral choices. While those two documents have been in procedure, the four cantons with a majority Croat population in FBiH, where the government is held by HDZ BiH, established a company for gas distribution, while allegedly the plan is that the Southern gas pipeline would be built by a company close to the political elites of HDZ BiH. HDZ BiH's representatives have claimed not to be satisfied with the work of BH-Gas, the current main supplier of gas in FBiH, nor were they satisfied with the national structure of employees in that public company, which is why they decided to form a separate gas entity. Those demands were brought into the new coalition, which eventually approved the two proposals, while demanding some minor political concessions in return.

When it come to the market distribution, there is somewhat greater dependency on oil, with Russian company Neftegazinkor controlling around 30% of BiH's oil market. Optima Group owns Oil Refinery Brod and Oil Refinery Modrica in Republika Srpska, which import only Russian crude oil through a pipeline from Serbia. The two refineries continue to record losses, which stand at €514m. Optima Group currently has liabilities of more than €600m. The debts Russian oil companies have accumulated are likely to become a burden on Republika Srpska. If the authorities in Republika Srpska take over the two refineries in a situation similar to that recently faced by Sberbank, they would inherit Optima Group's local debts, which would create more vulnerabilities and instability for the government of RS that is already dangerously exposed to financial instability due to their international debt. But at the same time, it would send another message of support to the regime in Russia, which is currently very high on the political agenda of Milorad Dodik.

Security and Stability – Home-Grown vs. Externally-Driven

Although the war in Ukraine has sent shockwaves throughout Europe and globally, the instability in BiH is not so much a result of that shockwave, but rather a result of home-grown political and constitutional fragilities, and political tensions created for domestic audiences. Nonetheless, nationalist politicians in BiH have opportunistically jumped on the wagon of rising concerns and instabilities stemming from the war in Ukraine, and linked many

of the internal processes to that wider security concern. At the beginning of the war in Ukraine, many citizens had started to fear the spread of the conflict towards the Western Balkans, and nationalist politicians used that fear of another conflict to manipulate further with the public opinion and generate new crises.

At the same time, there have been unhelpful messages and even more direct threats to stability in BiH coming from the neighbouring countries, e.g. through statements that draw parallels between Kosovo and RS (Dodik and Vučić), but also by supporting HDZ BiH blockades of reform processes (Milanović and Plenković). Whatever crises emerged over the past few years, the HDZ BiH has consistently taken that opportunity to renew the claims for a third entity, in one form or another.

All the while, the biggest threats to stability in the region, and in BiH in particular, stem from the widespread corruption, stabilitocracy, lack of reform projects, gradual collapse of the judiciary system, and state-capture (mainly in the RS).

When it comes to instability created by Russia, either directly or through their aggression of Ukraine, their main goals in BiH remains to challenge the BiH accession to NATO, keep the political status quo, destabilise the EU, and shed light on its weaknesses. Russia and its proxies (Dodik in particular) has been trying to weaken the current focus of the EU on Ukraine, by creating instabilities in places other than Ukraine and drawing the EU's attention to the Western Balkans (WB) region. Russia's main interest in BiH remains to expose the weaknesses of the EU – military and political – which is why their campaigns of misinformation and disinformation have been feeding into citizens' growing distrust of the EU.

Russian paramilitaries have been regularly making presence in parades throughout Republika Srpska, while Russian diplomats have been making parallels between BiH and Ukraine. Even if unrealistic and unrelatable, those parallels are very effective in generating fear among citizens and making them more susceptible to the manipulation by nationalist politicians in BiH. Some local media reported early during the Ukraine war that Dodik had an agreement directly with Putin on how to destabilise BiH in case of a need to create

new conflicts, but it has been hard to substantiate those claims beyond his general intention to destabilise the country internally.

NATO responded to the war in Ukraine immediately by making a reference to BiH membership of NATO, but there has been no action on further accession to NATO. The EU has responded to renewed threats to instability and Dodik's calls for secession by sending additional 500 troops to BiH, and 50 more from Germany, but this also sent a message to citizens that peace is fragile, so many more have been leaving the country.

Between 2017 and 2022, Russia has opposed all declarations of the Peace Implementation Council (PIC) which stated that the RS had no right to secede. Russia has questioned the legitimacy of judgments from the International Criminal Tribunal for the former Yugoslavia, and objected PIC statements of support for Bosnia's Constitutional Court and its judges, when they were challenged by Dodik. Dodik and Russian representatives have synchronised their campaigns to deny the appointment of Christian Schmidt as the High Representative, and Russia has since been boycotting PIC in defiance of its decision to support Schmidt's appointment. Russia's policy on the Office of the High Representative (OHR) is closely synchronised with Dodik, and they have been jointly working on the closure of the Office of the High Representative, and on departure from Bosnia's institutions of all Western officials, such as the three European judges on the Bosnian Constitutional Court.

However, the biggest threat from Russia still is the possibility of their veto on continuation of the EU Althea Mission in the UN Security Council, which is balanced by their recognition that such move would result in a greater presence of NATO in the country, which Russia may seek to avoid.

In early 2022, at the outset of the war in Ukraine, the Russian Embassy announced that Putin and Dodik signed an agreement, which was not publicly available, but many speculated that it included mutual support in the next steps to dissolve the state of BiH, while avoiding BiH sanctions against Russia. Soon after that announcement, and Dodik's first visit to Putin since the Russian invasion of Ukraine, Dodik announced the introduction of set of

legal changes aimed at dissolving state institutions (May 2022).⁷ The link with Russia was made even more apparent, when Dodik said that the Russian President had told him during their meeting that the “Dayton Agreement was destroyed by those who promote rules in the world, not international law”. Furthermore, according to Radio Television of Republika Srpska (RTRS), Putin was “grateful for the RS’ neutral attitude towards the issue of Ukraine and for the support of Russian culture”. He confirmed that “the economic cooperation between Russia and RS will continue”.

In May 2023, Dodik met Putin for the third time since the start of the Russian aggression on Ukraine in February 2022, and it was their ninth conversation since 2014. So far, apart from the mutual support showcased during those visits, the two leaders seem to put up those visits strategically in order to send a message primarily to Brussels and Washington, who issue some reactions every time. However, the link between the two and their impact likely goes beyond showcasing support public. Kremlin may have promised to Dodik that it could recognise the independence of Republika Srpska, analogous to the “people’s republics” of Luhansk and Donetsk. Alleged networks of Russian agents bare spread out throughout the Balkans, and their activities and networks are supported by Dodik and RS institutions. Disinformation is broadly spread from Russia, and specifically by Russia Today, and cyber attacks and hybrid activities have become more frequent and acute than Russia’s outright involvement in political decisions. Russian spreading of misinformation, especially through social and electronic media, is aimed at exacerbating internal fragilities and instabilities in BiH and the rest of the region. In the first 2 months since the start of the invasion, Russian Embassy in Sarajevo published over 70 posts in Bosnian-Croatian-Serbian (BHS) languages on Telegram. Russian Embassy in Sarajevo had its own information war at the beginning of the invasion in Ukraine by drawing an analogy with the crimes in Srebrenica and the Donbas region of Ukraine – Putin making similar remarks subsequently (Srebrenica comparisons even though Russia does not recognise genocide in Srebrenica, but it resonated well internationally). Russia has thus been using BiH to give more prominence and visibility to Russian victims in Ukraine, while disrespecting victims of the that narrative has an additional effect of generating fear and triggering traumas among BiH citizens who had suffered in a similar way.

⁷ <https://www.dw.com/bs/putin-i-dodik-mega-prijetnja-bih/a-61184628>.

One action that was announced following the alleged agreement between Dodik and Putin was a call on the Serbian members of the Constitutional Court to resign, which materialised in 2022, with the last judge going for 'early retirement' in June 2023. The remaining judges in the Constitutional Court then passed a decision, which would enable them to cast votes and pass decisions even without Serb judges present, because they saw their departure as a deliberate move to block decision-making in this body. Dodik then instigated a number of decisions and changes to the Law in June 2023, aimed at withdrawing the competence of the Constitutional Court in the territory of Republika Srpska, which was broadly seen as an attack on the constitutional order of BiH. This was a reason for another intervention by the High Representative, who annulled those decisions, but Dodik's move may have set in motion another political crisis that could unravel in many directions, including further escalation of tensions in the country, and could possibly mean some more serious security threats.

In response to those threats, NATO announced the enhancement of cooperation in the fight against trafficking in small arms and light weapons, the fight against terrorism, crisis management and cyber security. They also strengthened their headquarters in Sarajevo with more staff and providing more resources to support the visits of expert teams to the country and efforts to combat disinformation. The response from the EU has been mainly in the form of granting the candidate status to BiH, and some verbal condemnation of Dodik's moves and his relationship with Putin. So far, the EU has not been able to agree internally on sanctions to Dodik, which would parallel those introduced previously by the United States and United Kingdom.⁸ The EU using the tools available through its distribution of aid and financial support to the country. In 2022, the EU announced that it would direct unused funds from the Instrument for Pre-Accession Assistance (IPA) to reduce dependence on Russian energy and oil. In July 2023, the EU approved 303 million euros worth of grants for BiH infrastructure projects,

⁸ USA imposed sanctions on Dodik in January 2022, followed by the UK in May 2022. <https://www.aljazeera.com/news/2022/1/5/us-imposes-sanctions-on-bosnian-serb-leader-dodik>.

with all grants focused on Federation of BiH, and no money going to Republika Srpska.⁹

Resilience of Citizens

The International Republican Institute's 2022 opinion poll found that 89 per cent of BiH Serbs have a positive view of Russia's role in their country, compared to 39 per cent of BiH Croats and only 27 per cent of Bosniaks. Milorad Dodik indicated the overwhelming support of Serb representatives to Russia and the "special military operations".¹⁰

In a recent poll conducted by the BiH Directorate for European Integration, three fourths of citizens would vote for BiH's accession into the EU if the referendum would be held on the EU membership today. This support is significantly higher in the FBiH and the Brčko District of BiH than in the RS. In comparison to 2021 and 2022 surveys, the support for BiH's accession into the EU decreased in 2023 (-7.2% compared to 2021; -4% compared to 2022), but the number of citizens who would not vote in the referendum increased (+4.3% compared to 2022).¹¹ In any case, the overall support remains very high, and it has not been impacted significantly by the growing insecurity. Nonetheless, the anecdotal evidence at the beginning of the invasion in Ukraine shows that citizens felt threatened, and started withdrawing their saving from banks, threatening a banking crisis in 2022, eventually forcing banks to increasing guarantee limits on deposits. They also started stocking on food and hygienic products, fire-wood and other essentials need in a case of a war.

Policy Options

The preceding sections analysed resilience in BiH from the political, economic, security and civic perspectives. It can be said that the main insecuri-

⁹ <https://www.reuters.com/world/europe/eu-approves-grants-bosnian-infrastructure-leaves-out-serb-region-2023-07-04/>.

¹⁰ <https://www.ponarseurasia.org/rallying-to-russia-from-the-balkans-milorad-dodik-and-the-invasion-of-ukraine/>.

¹¹ <https://www.dei.gov.ba/en/istrazivanja-javnog-mnjenja-en-28>.

ties facing the country are home-grown, stemming from the secessionist policies of Milorad Dodik, the political support he receives from HDZ BiH and HDZ Croatia, destructive interference from the authorities in Croatia and Serbia, and the weaknesses brought by the constitutional set-up which requires that SNSD and HDZ remain in power, whoever might in the governing coalition from FBiH. With all that in mind, the following options are available to the EU, its members and allies:

- Use EU's strong economic and trade leverage over Russia in BiH – the trade between BiH and the EU is still larger than with any other region, even for the RS.
- Send clear, firm and consistent messages on eventual EU membership for BiH, and in the meantime make that association real for citizens.
- Support projects fighting misinformation domestically and that coming from Russia.
- Continue to support civil society, especially in RS where the state-capture and a tight grip on civil society have become more prominent over the past 2–3 years.
- Provide security guarantees by the EU and NATO in case of further destabilisation.
- Make the most of the regional cooperation – infrastructure projects most viable if done jointly and so far, showing results and an expression of good will.
- Capitalise on Serbia's balancing act with the EU, which partly diminishes Russian influence in BiH.
- Support concrete projects, free travel within the region, mutual recognition of documents, infrastructure projects and access to funds.

Resilience of Kosovo to the War in Ukraine

Agon Demjaha

Introduction

Situated at the crossroads between the ‘West’ and the ‘East’, Kosovo and the Western Balkans (WB) region have historically experienced major geopolitical influences. In recent years, the region has been under increased engagement by the European Union (EU) and the United States (US) on the one hand, and Russia and China, on the other. These intersecting, overlapping and often conflicting influences of external actors have amplified over the last previous years. The internal weaknesses such as the bleak economic and social situation as well as the weak state of the region’s democracies have opened additional space for such external influences.¹

Recently, Russia has invested heavily to stop the rapprochement between the Western Balkans countries (WB6) and the EU and the North Atlantic Treaty Organization (NATO). In addition to more traditional soft power and trade approaches, its activities have also included widespread use of disinformation, cyberwarfare, and intelligence operations. In this way Russia has managed to tremendously increase its influence in Serbia, Bosnia and Herzegovina (BIH), Kosovo and Montenegro, where many influential political leaders are staunchly supportive of Russia. In the past, Russia has demonstrated that it could easily destabilize these countries and even the entire region of the WB. In Montenegro, Russian infiltrated operatives allegedly staged a coup to overthrow the government in Podgorica in 2016 and prevent Montenegro’s accession to NATO. In Kosovo, Russia’s backing of Serbia’s position hinders attempts to normalize relations between the two countries and hampers their integration into the EU. Furthermore, Russia’s recent threats to veto the extension of the EU peacekeeping operation in

¹ Sabina Lange, Zoran Nechev and Florian Trauner eds., “Resilience in the Western Balkans,” Report No. 36, EU Institute for Security Studies, August 2017, p.5.

BIH have clearly exposed the fragility of Bosnia's post-war constitution.² Russia also exerts its influence in North Macedonia, mainly through the opposition pro-Russian party Levica (The Left). If Bulgaria continues to block North Macedonia's EU membership negotiations, Levica might considerably strengthen its power due to enormous disappointment of citizens, thus further increasing Russia's influence in the country.

Similarly, China has in the past decade, especially since the launch of the Belt and Road Initiative (BRI) and its cooperation platform with Central and Eastern European Countries (CEEC), considerably increased its presence in the WB. Except Kosovo, all other countries have been targeted with various Chinese initiatives aimed to boost trade, investments, infrastructure projects and development cooperation.³ China refuses to recognize Kosovo since it sees an immediate link between Kosovo and the Taiwan issue. Although its position on the Kosovo issue has been rather constant throughout the years, "the changing geopolitical landscape and polarization between the East and the West [...] as well as the issue of Taiwan could arguably motivate China into engaging more on the Kosovo issue in future."⁴ Such potential Chinese radicalization towards Kosovo might have detrimental impact on Kosovo's state building and ambition to strengthen its international recognition.

Russia's unprovoked aggression against Ukraine has seriously undermined the European and international security, and has shown how precarious and fragile is the peace in the world when faced with aggressive acts of the rogue big powers. At the same time, concerns were raised that Russia might also try to destabilize the WB region to deflect attention from its military aggression in Ukraine. The region's significant ethnic, political, and social divisions, combined with the prevailing dissatisfaction with the slow pace of Euro-Atlantic integration, make it simple for Russia to disturb the post-Cold War

² Dejana Saric and Pierre Morcos, "The War in Ukraine: Aftershocks in the Balkans," Center for Strategic & International Studies, 15 April 2022, <https://www.csis.org/analysis/war-ukraine-aftershocks-balkans>.

³ Ana Krstinovska, "China's Role on the Kosovo Issue: Between an Inactive Past and Indistinct Future." In Ioannis Armakolas et al eds. *Confronting Multiple Crises: Local and International Perspectives on Policy-Making in Kosovo*, Kosovo Foundation for Open Society, 2022, p. 410.

⁴ Krstinovska, 2022, p. 411.

European order. Russia has proven that it knows how to be a master of distraction and how to take advantage of ethnic cleavages and complicate the region's lagging reform agendas by bolstering hard-line nationalist politicians.⁵ Given Russia's strong relationship with Serbia and Republika Srpska, there are still justified fears that WB might turn into a new source of turmoil in Europe.

The EU-Facilitated Dialogue between Kosovo and Serbia

The EU facilitated dialogue between Prishtina and Belgrade has started in 2011 following the UN General Assembly (UNGA) Resolution 64/29 in September 2010. The dialogue aimed at normalization of relations between Kosovo and Serbia through a comprehensive legally-binding agreement, and the process of dialogue in itself was supposed to be a factor for peace, security and stability in the region.⁶ However, so far, the dialogue has been going back and forth, and has still not led to full normalization of relations between the two countries. The first important agreement on "Arrangements Regarding Regional Representation and Cooperation" (ARRRC) was signed on 23 February 2012. The agreement enabled Kosovo to participate under certain conditions at all intergovernmental regional meetings, as an equal partner with all other participating states.⁷ Soon after, on 19 April 2013, the two countries signed "The First Agreement of Principles governing Normalization of Relations"⁸ that aimed to integrate the Kosovo Serb majority municipalities of Northern Kosovo into the constitutional and legal system of Kosovo through the establishment of an Association/Community of Serb Municipalities (ACSM), which would have "full overview of the areas of economic development, education, health, urban and rural planning."⁹ In

⁵ Paul Stronski, "Russia in the Balkans After Ukraine: A Troubling Actor," *Carnegie Politika*, 20 September 2022, <https://carnegieendowment.org/politika/87959>.

⁶ UN Doc. A/RES/64/298, 9 September 2010.

⁷ See "Arrangements Regarding Regional Representation and Cooperation," Brussels, Rev10 RC, 23 February 2012.

⁸ The agreement is also known as the Brussels Agreement. See "Information Session: First Agreement Between Serbia and Kosovo of Principles Governing Normalization of Relations", *Wilson Center*, 24 April 2013; <http://www.wilsoncenter.org/event/information-session-first-agreement-between-serbia-and-kosovo-principles-governing>.

⁹ Miruna Troncota, "The Association that Dissociates': Narratives of Local Political Resistance in Kosovo and the Delayed Implementation of the Brussels Agreement," *Southeast European and Black Sea Studies*, 18 (2), 2018, pp. 219–238.

2015, Kosovo and Serbia finalised four new agreements on the establishment of the ACSM,¹⁰ energy, telecommunications, and the freedom of movement of the Mitrovica Bridge. However, the practical implementation of these agreements, especially the one on the establishment of the ACSM, has proven to be the rather difficult.

In the following years, the dialogue between Kosovo and Serbia has often been suspended due to a series of incidents¹¹ and no meetings were held for almost two years. Although after the parliamentary elections in 2021, the new Kosovo Prime Minister Albin Kurti returned to dialogue, no major progress was achieved after several meetings in Brussels. Since September 2021 a number of dangerous incidents again took place in Kosovo, mainly due to the decision of Kosovo Government to introduce reciprocity measures to Serbia related to ID cards and vehicle plates. The Special Police Units were sent to the border crossing in the North of Kosovo to ensure the implementation of the measure. In return, local Serbs protested and blocked the roads in the North, while Serbia deployed its military at the border with Kosovo. The tensions were diffused with the involvement of the EU and US. Similar crises also occurred in February and August 2022, and they were again mitigated by heavy involvement of the EU and US Envoys, Miroslav Lajčák and Gabriel Escobar.

The new geopolitical reality shaped by the war in Ukraine created an urgent momentum for reaching an agreement on the normalization of relations between Kosovo and Serbia. In this situation, Western diplomacy was mobilized, and soon after the “Franco-German” proposal was put forward. The plan, which is now called European, envisages the normalization between

¹⁰ “Association/Community/of Serb Majority Municipalities in Kosovo – General Principles, Main Elements,” http://eeas.europa.eu/archives/docs/statements/eeas/docs/150825_02_association-community-of-serb-majority-municipalities-in-kosovo-general-principles-main-elements_en.pdf.

¹¹ Incidents included the building of the concrete wall in northern Mitrovica by the Serb authorities, the arrest of former Kosovo Prime Minister, Ramush Haradinaj, in Paris, the attempt of Belgrade authorities to operate a direct train decorated with nationalist slogans between Belgrade and northern Mitrovica, and the killing of a top Serb politician, Oliver Ivanović, outside of his office in Mitrovica by an unknown gunman. See for instance Maja Zivanovic and Die Morina, “Murder Puts Serbia-Kosovo Dialogue in Doubt,” *Balkan Insight*, 18 January 2018.

the two countries based on the model of the agreement between the two Germanies in 1972. The EU presented the draft proposal to both Kosovo and Serbia on 5 December 2022, at the EU-WB summit in Tirana. After several rounds of consultations, on 27 February 2023, Vučić and Kurti accepted the EU's draft after a meeting in Brussels. According to Josep Borrell, no further discussion was needed regarding the plan itself, and future negotiations would be dedicated to its implementation.¹² Finally, on 18 March 2023 Kurti and Vučić met again in Ohrid, North Macedonia and verbally accepted a roadmap (Annex) for implementing the agreement.

The European proposal was offered to Kosovo and Serbia on take-it-or-leave-it basis, and only the implementation plan was open for negotiations. Although the agreement does not contain the de jure recognition of Kosovo's independence by Serbia, there is a de facto recognition that opens the way for Kosovo to be recognized by the international community and countries that had not done so before. Moreover, Articles 1 and 2 stipulate that parties "shall recognize their respective documents and national symbols" and will be guided by the principles of the UN Charter, "especially those of the sovereign equality of all states, respect for their independence, autonomy and territorial integrity, and the right to self-determination."¹³ Serbia has on the other hand, managed to secure Kosovo's commitment to "formalise the status of the Serbian Orthodox Church in Kosovo and afford strong level of protection to the Serbian religious and cultural heritage sites" as well as "an appropriate level of self-management for the Serbian community in Kosovo and ability for service provision in specific areas."¹⁴

The roadmap for the implementation of the agreement was accepted only verbally after hours of negotiations in Ohrid. It was also agreed that the Agreement and the Implementation Annex will become integral parts of the

¹² Misha Savic and Jasmina Kuzmanovic, "Serbia and Kosovo Edge Closer on Deal to Normalize Ties," Bloomberg News, 27 February 2023, <https://www.bloomberg.com/news/articles/2023-02-27/serbia-and-kosovo-move-closer-on-deal-to-normalize-ties?leadSource=uverify%20wall>.

¹³ European Union External Action, "Belgrade-Pristina Dialogue: Agreement on the path to normalisation between Kosovo and Serbia," The Diplomatic Service of the European Union, 27 February 2023, https://www.eeas.europa.eu/eeas/belgrade-pristina-dialogue-eu-proposal-agreement-path-normalisation-between-kosovo-and-serbia_en.

¹⁴ Ibid.

respective EU accession processes of Kosovo and Serbia. The Parties have agreed to set up a Joint Monitoring Committee chaired by the EU within 30 days, that will ensure and supervise the implementation of all Agreement's provisions. Additionally, Kosovo agreed to immediately

launch negotiations within the EU-facilitated Dialogue on establishing specific arrangements and guarantees to ensure an appropriate level of self-management for the Serbian community in Kosovo, in compliance with relevant previous Dialogue agreements as determined by the EU Facilitator.¹⁵

Kosovo and Serbia have also agreed that all Articles of the Agreement will be implemented independently of each other, and that the "order of the paragraphs of this Annex is without prejudice to the order of their implementation."¹⁶

In Kosovo, currently there are fears about a potential future scenario in which Kosovo fulfils all its obligations stemming from the agreement, but gets almost nothing in return. In other words, what will happen if Serbia does not implement its part of the agreement, while the EU non-recognizers continue to block Kosovo's Euro-Atlantic integrations? Serbian President Aleksandar Vučić has only days after accepting the agreement made statements qualifying and even abrogating key commitments. The EU and US must eliminate any remaining doubt about the binding nature of the agreement and all its provisions. If Vučić is allowed to distort the terms or even the status of the agreement, then chances of implementation will certainly tumble.¹⁷ Such scenario might have serious negative consequences in Kosovo since it would lead to rise of nationalism, anti-western sentiments and

¹⁵ In fact, this refers to the establishment of the Association/Community of Serb Municipalities (ACSM) in accordance with the Brussels Agreement of 2013, however, the Kosovo Prime Minister insisted to replace the word "Association" with "appropriate level of self-management". See "Belgrade-Pristina Dialogue: Implementation Annex to the Agreement on the Path to Normalisation of Relations between Kosovo and Serbia," EEAS Press Team, Ohrid, 18 March 2023, https://www.eeas.europa.eu/eeas/belgrade-pristina-dialogue-implementation-annex-agreement-path-normalisation-relationships-between_en.

¹⁶ Ibid.

¹⁷ Edward Joseph, "Kosovo Has a Deal – if the West Can Save It," Foreign Policy, 22 March 2023, https://foreignpolicy.com/2023/03/22/kosovo-serbia-deal-europe-united-statesohrid/?fbclid=IwAR2VSUT5vOz5NT_DzlrjCqhcwUUVbcmA19pUqefz-QE3ugcUU-EcsppWks0U.

most probably the rise of radical Islam that might result in political instability, internal conflict, and one with Serbia as well. In this way, the five non-recognizers would give to Serbia the veto power on Kosovo's Euro-Atlantic future – the best possible 'gift' to Russia – keeping the region unstable.

The situation was further complicated with recent elections in four Serb majority municipalities that took place after the mass resignation in November 2022 of all Serb officials and local politicians. Because the Serbian List, the largest party of Serbs in Kosovo, boycotted the elections, and Serbian institutions made repeated calls for local Serbs to do the same, the elections registered the lowest turnout in the country's history with just 3.47 percent.¹⁸ As a result, all elected mayors in the four municipalities were Albanian.¹⁹ Such reality triggered overwhelming criticisms and harsh words from Belgrade. The US regretted the limited involvement of Serbs from Kosovo, but it still confirmed that it would accept the outcome of the election. The EU also acknowledged that the elections were held in line with the legal framework of Kosovo and that efforts were undertaken for them to take place in a smooth and orderly manner. However, it also emphasized that elections without Serb participation do not offer a long-term political solution.²⁰ It remains unclear how the situation will develop once the newly elected Albanian mayors will try to take office.

Impact of the War in Ukraine on Democratic and Economic Consolidation as Well as the Security Situation of Kosovo

Impact on Democratic Consolidation of Kosovo

The war in Ukraine has not had a significant impact on democratic consolidation of Kosovo. Kosovo has a stable government that has a comfortable

¹⁸ Alice Taylor and Bojana Zimonjić Jelisavac, "North Kosovo elections trigger harsh words, criticisms from Belgrade," *Euroactiv*, 24 April 2023, <https://www.euractiv.com/section/politics/news/north-kosovo-elections-trigger-harsh-words-criticisms-from-belgrade/>.

¹⁹ The ruling Vetevendosje (VV) Movement won the municipalities of North Mitrovica and Leposaviq, while the Democratic Party of Kosovo won Zvecan and Zubin Potok.

²⁰ "EU: North Kosovo elections do not offer a long-term political solution," *European Western Balkans*, 24 April 2023, <https://europeanwesternbalkans.com/2023/04/24/eu-north-kosovo-elections-do-not-offer-a-long-term-political-solution/>.

majority in the parliament. According to the Freedom House Report, in 2022 National Democratic Governance rating improved from 2.50 to 3.00 due to the stabilization of Kosovo's leadership after snap parliamentary and presidential elections. The report further concludes that both national and local elections were well-administered, and the processes were fair and transparent. The Report also notes that after the parliamentary elections, the opposition parties pledged not to obstruct the establishment of the new parliament, signalling a degree of political maturity rarely seen in the broader region.²¹

Nevertheless, Kosovo's democratic situation still faces challenges, mainly related to corruption, political polarization, and the influence of organized crime on the political life. Although these challenges are largely related to Kosovo's internal politics, the war in Ukraine may indirectly affect Kosovo's democratic consolidation. Firstly, it could divert international attention and resources away from Kosovo, making it more difficult for the country to receive the support it needs to continue its democratic consolidation. Moreover, if the conflict were to escalate into a wider conflict between Russia and NATO, this could destabilize the entire WB region and lead to increased tensions and instability in Kosovo. This could in turn impact the country's democratic consolidation by making it more difficult to address internal challenges and pursue reforms.

Second potential impact on Kosovo's democratic consolidation of Russian aggression against Ukraine is Putin's tendency to justify his recognition of the Russian created breakaway republics of Donetsk and Luhansk by misusing Kosovo's independence. Back in 2014, Putin also used what he calls the Kosovo 'precedent' to justify his annexation of Crimea, while also using Kosovo case to justify his attack on Ukraine and to maintain that Kosovo's independence is illegal. By doing so, Putin directly impedes the consolidation of Kosovo's statehood at the global level, which directly affects the consolidation of its internal democracy, and the security of the Balkans.

However, as confirmed in KIPRED's paper "efforts to draw any analogy between Kosovo and the separatist regions of Ukraine which are occupied

²¹ Freedom House, "Kosovo Nations in Transit Country Report 2022," Washington DC, 19 April 2022, <https://freedomhouse.org/country/kosovo/nations-transit/2022>.

and annexed by Russia are misleading and manipulative,” since these cases are totally different in historical, legal and political aspects.²² In fact, it is impossible to establish any similarity between Kosovo and the Ukrainian territories of Crimea, Donetsk and Luhansk. While Kosovo was a constitutive federal unit of the Yugoslav Federation vested with the decision-making powers at the federal level, Crimea, Donetsk and Luhansk had no federal constitutional status within the Soviet Federation. Furthermore, NATO intervention against Yugoslavia in 1999 was preceded by three UNSC resolutions²³ and aimed at stopping the unfolding genocide against innocent civilians in Kosovo, and at preventing the spill-over of the war in the Balkan’s fragile region. On the contrary, the annexation of Crimea, and declaration of independence of Donetsk and Luhansk represent a direct outcome of the Russian aggressions against Ukraine, in 2014 and 2022. Occupation of these parts of Ukraine’s territory, are in grave violation of the international law and territorial integrity of an independent and sovereign state.²⁴

Finally, the International Court of Justice (ICJ) Advisory Opinion in 2010 has confirmed that Kosovo’s declaration of independence was in conformity with international law, given that it did not violate any of its general norms or specific acts.²⁵ Furthermore, the UN, including the General Assembly, have neither condemned nor called for non-recognition of Kosovo’s independence. On the other hand, the UN has through several resolutions of its Assembly continuously condemned Russia’s aggressions and illegal annexations of Ukrainian territories. On 27 March 2014 UNGA adopted the Resolution 68/262 “Territorial Integrity of Ukraine” that clearly underscored that:

[T]he referendum held in the Autonomous Republic of Crimea and the city of Sevastopol on March 16, 2014, [have] no validity, cannot form the basis for any alter-

²² Bekim Sejdiu and Lulzim Peci, “Comparing the Incomparable: Kosovo’s Independence and the Russian Aggression against Ukraine,” Kosovar Institute for Policy Research and Development (KIPRED), Prishtina: August 2022.

²³ These three UN Security Council (UNSC) resolutions (1160, 1199 and 1203) were adopted in 1998 under the provisions of the Chapter VII of the UN Charter.

²⁴ Bekim Sejdiu and Lulzim Peci, 2022, pp.40–41.

²⁵ ICJ, “Accordance with International Law of the Unilateral Declaration of Independence in Respect to Kosovo,” 22 July 2010, <https://www.icj-cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf>.

ation of the status of the Autonomous Republic of Crimea or of the city of Sevastopol.²⁶

In the period between 2014 and 2022, the UNGA has adopted several other resolutions that addressed the violation of human rights of the residents of Autonomous Republic of Crimea and the city of Sevastopol of Ukraine by Russia.²⁷ Lastly, on 2 March 2022, the UNGA adopted the Resolution ES-11/1, “Aggression against Ukraine,” that condemned the Russian aggression, reaffirmed territorial integrity of Ukraine and demanded unconditional and immediate withdrawal of all military forces of Russia from Ukraine.²⁸

Impact on Economic Consolidation of Kosovo

The economies of Western Balkans countries have been heavily hit by the consequences of the war. The inflation has skyrocketed due to increasing food and energy prices, while economic growth has gone down in all countries. Kosovo, on the other hand, had little direct risk exposure since practically it has no economic links to Russia and Ukraine regarding trade, tourism and remittances. However, there was an indirect impact due to dramatic price increases of electricity during the energy crisis. Since the government has subsidized electricity, this also resulted on an additional fiscal burden for the budget of the country.²⁹ At the same time, due to the war, the global oil prices also increased by 75 percent from last September, causing an increase on refined oil products as well. Since Kosovo imports refined oil products, if

²⁶ Resolution was adopted with 100 votes in favour, 11 against and 58 abstentions. See UN. General Assembly (68th sess.: 2013–2014), 27 March 2014, <https://digitallibrary.un.org/record/767883?ln=en#record-files-collapse-header>.

²⁷ The include: Resolution 71/205, 15 December 2016; Resolution 72/190, 19 December 2017; Resolution 73/263, 22 December 2018; Resolution 74/168, 19 December 2019, and Resolution 75/192, 16 December 2020.

²⁸ Resolution was adopted with 141 votes in favour, five against and 35 abstentions and also deplored the decision of the Russian Federation to recognize the independence Donetsk and Luhansk regions of Ukraine by considering it as “a violation of the territorial integrity and sovereignty of Ukraine and inconsistent with the principles of the Charter.” UNGA Resolution ES-11/1, “Aggression against Ukraine”, 2 March 2022, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/293/36/PDF/N2229336.pdf?OpenElement>.

²⁹ German Economic Team (GET), “War in Ukraine: what are the implications for Kosovo?,” Newsletter, Issue No. 05, Berlin, May – June 2022.

prices remain high, Kosovo might face additional expenditures of 262 million euros or 3.9 percent of GDP in 2022.³⁰

Even before the war in Ukraine, Kosovo already faced a number of economic challenges, such as high levels of unemployment, low levels of foreign investment and heavy dependence on remittances from its diaspora abroad. These weaknesses could be further exacerbated due to the war in Ukraine, since hyperinflation due to increasing food and energy prices and decline on the economic growth, might further increase unemployment in the country. Also, many investors would be hesitant to invest in Kosovo during crisis, due to potential political and economic instability. Finally, the war in Ukraine might make it difficult for many Kosovars living abroad to send money back home, further hindering the country's economic growth.³¹

Impact on the Security Situation of Kosovo

Since the end of the war in 1999, the security in Kosovo is provided by NATO led peace-enforcement mission, the Kosovo Force (KFOR), in accordance with the UNSC Resolution 1244. The Resolution assigned the KFOR Mission a role of retaliatory power in case of defection from the peace terms as envisaged by the Resolution 1244.³² The security situation in Kosovo is not directly impacted by the war in Ukraine, but it may be indirectly affected at least in two ways. Firstly, the security in Kosovo is directly and continuously threatened by Serbia's hostile approach. Although the conflict officially ended with the signing of the Kumanovo Agreement in 1999, tensions between the two countries have persisted, and occasional outbreaks of violence have occurred mainly because Belgrade still considers Kosovo as part of its state. This has led to a continued presence of international military presence (KFOR) in Kosovo to help maintain security and stability in the region.

³⁰ Ibid.

³¹ Though for the time being this is not the case since during 2022 remittances in Kosovo amounted to more than 3 billion euros, 5.5 percent more than in 2021. See "Kosova, e varur nga remitencat e mërgimtarëve," Albinfo, 6 January 2023, <https://www.albinfo.ch/kosova-e-varur-nga-remitencat-qe-dergojne-mergimtaret/>.

³² United Nations Security Council Resolution 1244/1999, 19 June 1999, https://peacemaker.un.org/sites/peacemaker.un.org/files/990610_SCR1244%281999%29.pdf.

Consequently, the main impact of the war in Ukraine on Kosovo's security is linked with Russia's intentions to increase tensions and uncertainty in Kosovo and the broader Balkan region. Concerns were raised that through its strong relationship with Serbia and Republika Srpska, Russia might try to destabilize the WB region to deflect attention from its military aggression in Ukraine. While most countries in the region have joined or want to join NATO and have a clear goal of EU integration, the Serbian state has chosen to stay with Russia, objecting to NATO membership and not aligning its foreign policy with that of EU. Serbia has in recent years intensified political, economic, military and intelligence cooperation with Russia. Moreover, the increasing militarization of Serbia, "directly raises the security dilemma and remains an identified source of threat to both Kosovo and the countries in the region."³³ In line with this, since the beginning of the war in Ukraine, a number of serious incidents have happened in the North of Kosovo.

According to Kosovo's Minister of Interior Svecla, there was already evidence that Serbia has recently started to arm various paramilitary groups in the North of Kosovo.³⁴ Having in mind that Serbs living in the North of Kosovo have a strong pro-Putin and pro-Russia sentiment, it is clear that Serbia has the potential to conduct limited hybrid warfare in the North of Kosovo.³⁵ Already months before the aggression, Foreign Minister Lavrov has continuously made comparisons about the similarity of the separatist regions of Donetsk and Luhansk with the North of Kosovo. Clearly this was an attempt to create propaganda circumstances that would enable a coordinated Russian-Serbian action once the aggression in Ukraine would begin. This propaganda, sometimes even amplified, was eagerly also disseminated by Serbian media controlled by Vučić. Russia and Serbia hoped to swiftly achieve their goals – full occupation of Ukraine by Russia and the de facto

³³ "Kosovo Security Strategy 2022–2027," Office of the Prime Minister of the Republic of Kosovo, Prishtina, 26 October 2022, p. 7.

³⁴ "Sveçla publikon video ku, sipas tij, shihen serbët duke shpërndarë armë në veri", Koha Ditore, 14 September 2022, <https://www.koha.net/arberi/343714/svecla-publikon-video-ku-sipas-tij-shihen-serbet-duke-shperndare-arme-ne-veri/>.

³⁵ Lulzim Peci, "Regional Experiences in Dealing with Multi-Ethnicity Issues: The Case of Kosovo," *Regional Security Cooperation in South East Europe in the Aftermath of North Macedonia's NATO Accession*, Study Group Regional Stability in South East Europe, forthcoming, p. 4.

takeover of the North of Kosovo by Serbia.³⁶ Serbia could not risk an open conflict with NATO by taking over the North through regular military forces, and was instead planning to achieve this through non-official paramilitary formations (little green men) infiltrated into the territory of Kosovo. Moreover, with such scenario Serbia would also try to push KFOR towards its de facto transformation into a classic peacekeeping mission that separates the warring parties, something similar to a “toothless” mission of the United Nations Protection Force (UNPROFOR) in BIH, and thus prevent its mandate of peace enforcement that allows the exercise of military force against those who endanger peace and security in Kosovo.³⁷

The war in Ukraine might also indirectly impact the security situation in Kosovo if international attention and resources are eventually diverted from Kosovo. Namely, the conflict in Ukraine has captured international attention and resources, including military and diplomatic efforts from NATO, US and the EU. As a result, Kosovo’s key allies might divert their attention and resources away from Kosovo and the entire WB, which would potentially weaken international support for the country. However, having in mind recent mobilization of the Western diplomacy for achieving the Ohrid agreement between Kosovo and Serbia, it seems that this is not a likely scenario. Rather, it seems that the EU and US are determined to further strengthen their position in the WB and prevent Russia’s intention to eventually destabilize the region.

Impact of the War in Ukraine on Kosovo’s Neighbourhood Relations

Russia’s invasion of Ukraine has had quite an impact on Kosovo’s neighbourhood relations since it has further “emphasized the cleavages between pro-Western and pro-Russian voices” across the region. “Kosovo, where public sentiment is strongly pro-Western and anti-Russian”, has fully aligned its position with the EU and US, and was the first country in the WB to

³⁶ Lulzim Peci, “Agresioni i Rusisë në Ukrainë dhe Veriu i Kosovës: A po shndërrohet KFOR-i në UNPROFOR?”, *Koha Ditore*, 5 January 2023, <https://www.koha.net/veshtrime/359842/agresioni-i-rusise-ne-ukraine-dhe-veriu-i-kosoves-a-po-shnderrohet-kfor-i-ne-unprofor/>.

³⁷ *Ibid.*

adopt sanctions on Russia.³⁸ Kosovo government has immediately condemned Russia's unprovoked and unjustified invasion and expressed full solidarity for the people of Ukraine. Kosovo has also demonstrated its generosity and commitment to democratic values by welcoming Ukrainian individuals seeking refuge, including journalists, thus enabling them to carry out their crucial function in upholding Ukraine's free and autonomous media.³⁹

As expected, NATO members Albania, Montenegro and North Macedonia have fully aligned their position with the EU and US, and have also imposed sanctions against Russia. However, the situation in Montenegro and North Macedonia is not as straightforward as it may seem, since there are considerable pro-Russian elements in both countries.

[In] Montenegro, Russia exercises a pronounced "soft power" due to its shared religious (Christian Orthodox), cultural and historical ties. [...] In September 2022, US intelligence agencies presented a report claiming that the Democratic Front of Montenegro (DF), which supported the government between 2020 and 2022, [...] [is] secretly funded by Russia.⁴⁰

The Democratic Front – a right-wing populist pro-Serb and socially conservative political alliance in Montenegro – is otherwise notorious for its alleged role in the foiled October 2016 coup plot, in which the plotters, who included Serbian paramilitaries and two suspected members of the Russian secret services, are believed to have planned to kill Djukanović and install the Democratic Front in power. In February 2022, thousands of supporters of the pro-Russian Democratic Front blocked 17 key roads across Montenegro. Some of the protesters carried flags of the self-proclaimed People's Republic of Donetsk within Ukraine, recently recognised by Russia as independent, and hailed the Russian invasion of Ukraine.⁴¹

³⁸ Saric and Morcos, 2022.

³⁹ Jeffrey M. Hovenier, "Ukraine's Six Months of Resistance, Resilience, and Resolve," U.S. Ambassador to Kosovo, United States Embassy in Kosovo, Prishtina, 24 August 2022, <https://xk.usembassy.gov/ukraine/>.

⁴⁰ Marina Vulović, "Western Balkan Foreign and Security Ties with External Actors: An arena of geostrategic rivalry for the EU or a local power struggle?," German Institute for International and Security Affairs, SWP Comment 8, February 2023, p.3.

⁴¹ "Pro-Russian Democratic Front paralyses Montenegro with road blockades," IntelliNews, 24 February 2022, <https://intellinews.com/pro-russian-democratic-front-paralyses-montenegro-with-road-blockades-236132/>.

In North Macedonia, except Levica, all other mainstream political parties have since the early stages aligned with the official NATO and EU positions with regards to the war in Ukraine. Levica, on the other hand, criticized the government's "subservience" to NATO and the EU and opposed the sanctions on economic and anti-imperialist grounds. Moreover, the Left's two members of parliament (MPs) distanced themselves from "the latest controversial actions of the Macedonian diplomacy" and stated that "these uncivilized anti-Russian steps in no way express the will of the majority of Macedonian citizens".⁴² That the views of the public in North Macedonia are different from the positions espoused by their political parties was confirmed by President Pendarovski, who also expressed his concern that many ethnic Macedonians are sympathetic to Russia's political views. According to him, it is especially worrisome that over 40 percent of the public thinks that the Eurasian Union is an alternative to the EU.⁴³ In such circumstances, the war in Ukraine might create another form of division between different ethnic groups, since many ethnic-Macedonians clearly demonstrate sympathies for a neutral or pro-Russian position, while almost all ethnic-Albanians are more inclined to favour the official NATO line.

On the other hand, Serbia and Bosnia-Herzegovina's Republika Srpska are the two "outliers" in the WB who use their strong ties and special relationship with Russia to achieve their own political goals. Serbia mainly seeks Russia's support for its Kosovo policy, while Republika Srpska is trying to get Russia's backing for its separatist tendencies. Although Serbia and BIH supported the UN resolutions condemning Russia's actions, they have refused to adopt sanctions against Russia, and were the only two European countries that were left out Russia's list of "hostile" states.⁴⁴ While other WB6 are 100 percent aligned with the EU's Common Foreign and Security

⁴² Party leader Dimitar Apasiev and Borislav Krmov met the Russian ambassador in North Macedonia Sergey Bazdnikin and expressed their position. See "The MPs of the Left met with the Russian Ambassador Bezdnikin in the Parliament of the Republic of Macedonia," *Antropol*, 16 March 2022, <https://antropol.mk/2022/03/16/pratenicite-na-levica-ostvarija-sredba-so-rus-ambasador/>.

⁴³ "Pendarovski worried that Macedonians support Russia," *Nezavisen*, 25 February 2022, <https://nezavisen.mk/pendarovski-zagrizhen-shto-makedoncite-se-vrtat-kon-rusija/>.

⁴⁴ Saric and Morcos, 2022.

Policy (CFSP) decisions, due to its refusal to enact sanctions against Russia, Serbia's overall rate of alignment has dropped from 64 percent in 2021 to 45 percent in 2022. Similarly, BIH also has a comparable limited alignment with the CFSP since its constituent Republika Srpska advocates for a neutral stance vis-à-vis Russian aggression.⁴⁵

Moreover, the support in Serbia and Republika Srpska for Russia's policies is among the highest in the world even after the aggression against Ukraine. Protests with thousands of people waving Russian and Serbian flags and carrying pictures of Russian President Putin were held in Serbia in support of Russia's war in Ukraine. In Republika Srpska also, people have been spray-painting the 'Z' symbol in public places, associated with support for the attack on Ukraine, to show their solidarity with Moscow.⁴⁶ In Serbia, opinion polls have revealed that 63 percent of Serbs blame the West for the outbreak of the war, while 66 percent still consider Russia a friend of Serbia. Similarly, in Republika Srpska, 52 percent have stated their support for the Russian aggression against Ukraine.⁴⁷ Vučić has continuously adhered to the "policy of balancing the East and West, building on the idea of the four pillars of Serbian foreign policy, namely the maintenance of good relations with Russia, China, the US and EU."⁴⁸ However, after Russia's invasion of Ukraine such policy seems unsustainable for Serbia, since The EU and the US have constantly pressurized Belgrade to adopt sanctions against Russia. Having in mind the huge popular support for Russia's policies, it is difficult to predict Vučić's future actions, especially since a recent poll has shown that "the majority of respondents would not support Serbia enacting sanctions against Russia, even if it would mean a more expedient accession to the EU."⁴⁹

⁴⁵ Vulović, 2023, p.2.

⁴⁶ "The effects of the war in Ukraine on the Western Balkans," *Strategic Comments*, 28:4, Routledge, August 2022, p. xi.

⁴⁷ Maxim Samorukov, "What's Behind the Posturing of Russian Mercenaries in the Balkans?," *Carnegie Politika*, 6 April 2023, <https://carnegieendowment.org/politika/89463>.

⁴⁸ Vulović, 2023, p. 3.

⁴⁹ Vulović, 2023, p. 8.

Kosovo's Resilience Strategies in the Field of Economy, Politics and Security

Economic Resilience

Kosovo's economy is characterized by high levels of informality and unemployment (particularly among youth), low levels of foreign investment and heavy dependence on remittances from its diaspora. It is also lagging behind with its green agenda due to extremely high coal dependency, high energy intensity, insufficiency of renewable resources, and lack of municipal and environmental infrastructure. Moreover, it suffers from inadequate levels of institutional arrangements for trade and investment at a regional level that could potentially boost the economy.

In order to build its resilience strategy in the field of economy, Kosovo must first and foremost address these weaknesses. In developing, transition and post-conflict countries like Kosovo, the institutional environment can hinder resilience, entrepreneurship and competitiveness. Therefore, improving the business environment within the country should be a key aim for policy makers.⁵⁰ Clearly there is a need for pressing reforms that will create an environment in which the private sector can thrive beyond the limited domestic market and create employment opportunities for all.

It is of utmost importance that Kosovo develops a more competitive and inclusive private sector to foster economic recovery and growth. To achieve that, Kosovo should firstly strengthen resilience of the financial sector through a mix of financing and regulatory policy support such as corporate governance of banks, bank resolution, deposit insurance, and commercialisation of Microfinance Institutions. It should also provide direct financing and advice to corporates and medium-sized enterprises to enable their growth, improve corporate governance and value creation. Innovation, digitalization, adaptation of EU standards and increased productivity through indirect financing and business advice of local small and medium-

⁵⁰ Solyossy, E., "Entrepreneurship in Extreme Environments: Building an Expanded Model," *International Entrepreneurship and Management Journal*, 1, pp.501–518.

sized enterprises (SMEs) should also be supported.⁵¹ Another important element of the resilience strategy is investment in entrepreneurship and work-based education that would drive up competitiveness. Since entrepreneurship in Kosovo is integral to promoting the diversification and capacity building, equipping citizens, especially youth, with the skills, knowledge and confidence to start their own business will contribute to the overall resilience of the country. To do this, policy makers should develop an appropriate legal and regulatory framework that reduces the size of the informal economy, improves access to finance and eases the tax burden on businesses.⁵²

Finally, in order to improve its economic resilience, Kosovo needs to strengthen regional integration, connectivity and foreign investments. Currently, Kosovo has a poor quality and connectivity of transport infrastructure, especially railway. Since independence Kosovo has considerably improved its road infrastructure, however, its railway infrastructure is in a very poor condition with severe structural constraints that limit traffic speeds to 60 km/h. In December 2022, the EU decided to invest €91 million in the rehabilitation and upgrade of 34 kilometres of Kosovo railways to help improve its connectivity with Europe. This rehabilitation is the first major investment in the railway sector in Kosovo and includes the replacement of outdated switches, tracks and sleepers, and the renovation of tunnels and bridges.⁵³ Kosovo also has the lowest level of Foreign Direct Investments (FDI) in Europe and WB, and heavy focus on the non-productive sector (two thirds on real estate). To build its economic resilience, Kosovo should finance in-bound FDI, with a focus on value chains integration and technology transfers to local suppliers, while at the same time creating additional opportunities for FDI through economic zones and business parks, and also encouraging increased diaspora engagement and investment, especially for women.⁵⁴

⁵¹ “Kosovo Country Strategy 2022–2027,” European Bank for Reconstruction and Development, 26 January 2022.

⁵² Vorley and Williams, 2017, p. 171.

⁵³ “EU invests €91 million in Kosovo railways to help improve connectivity with Europe,” *Webalkans*, 19 December 2022, <https://webalkans.eu/en/news/eu-invests-e91-million-in-kosovo-railways-to-help-improve-connectivity-with-europe/>.

⁵⁴ “Kosovo Country Strategy 2022–2027,” 2022.

Political Resilience

Kosovo needs to implement various resilience strategies in the field of politics in order to strengthen its political system and ensure stability. To begin with, despite significant efforts to strengthen its democratic institutions, Kosovo still needs to further improve its judiciary, legislature, and executive. Among others, this includes implementing reforms to improve the independence and efficiency of the judiciary, enhancing the transparency and accountability of public institutions, and promoting citizen participation in decision-making processes. Strengthening judicial independence is critical in ensuring that the rule of law is upheld and that all citizens have access to justice. Kosovo has tried to strengthen the independence of its judiciary by implementing reforms to increase transparency and reduce political interference. However, the country still needs to address organized crime and ensure equal access to justice for all citizens. Moreover, there are currently continuous attacks on judiciary and prosecution by different government officials, which opposition parties and civil society organizations consider as direct political interference and as tendency to capture the justice system.⁵⁵

Another challenge to Kosovo's resilience in the field of politics is the fight against corruption. During the electoral campaign, fight against corruption was one of the key promises made to citizens of Kosovo by Vetëvendosje. Although some progress has been made with the adoption of significant anti-corruption legislation, still corruption is widespread and remains an issue of serious concern that requires the improvement of the implementation of the overall legal framework.⁵⁶ Local NGOs and different international organiza-

⁵⁵ Government officials, including Prime Minister Kurti and Justice Minister Haxhiu have continuously criticized the judicial system and claimed that is captured by parties in previous governments. For instance, the Prosecutorial Council has called on Minister Haxhiu to “refrain from constant threatening statements towards the prosecutorial system of Kosovo in general and towards the work of prosecutors in particular, because the language used is an attempt to interfere in the independent work of the State Prosecutor.” See “Bulletin of the Kosovo Prosecutorial Council,” Prosecutorial System of the Republic of Kosovo, Prishtina, February 2023.

⁵⁶ The Assembly approved the new Criminal Procedure Code, the Law on the Agency for Prevention of Corruption, the new Law on Asset Declaration and legislation on political party financing. See European Commission, “Kosovo* 2022 Report,” Communication on EU Enlargement policy, 12 October 2022, p. 24.

tions have alleged numerous failures by the judicial system to prosecute corruption, especially in cases against senior officials. They claim that sentencing of high-level officials convicted of corruption still remains lenient.⁵⁷ There is obviously a need for “strong political will to continue to effectively address systemic corruption risks and a robust criminal justice response to high-level corruption.”⁵⁸

Finally, Kosovo must build a culture of political consensus, since the country currently faces a high level of political polarization. Since independence, consensus building has been considered essential for political stability in Kosovo’s political system, Accordingly, political leaders have made efforts to engage in dialogue and work towards consensus on important issues. After Vetevendosje’s landslide victory in last elections, such practice of consensus building has been lacking. Challenges stemming from the implementation of the recent agreement with Serbia require an urgent formation of broad-based coalitions, cross-party negotiations, and the involvement of civil society organizations in decision-making processes. Having in mind the current geopolitical reality Kosovo needs to reach a consensus on the implementation plan and its execution. Otherwise, implementation of the agreement might fail, thus leading to increased tensions with Serbia and the international partners and eventual instability. Continued focus on resilience strategies will be critical in addressing these challenges and ensuring the long-term sustainability of Kosovo’s political system.

Security Resilience

As mentioned earlier, since June 1999, the NATO led peace-enforcement mission Kosovo Force (KFOR) is the main provider of security and stability in Kosovo. Since independence Kosovo has also built its own security system which is composed of the following institutions and agencies: Kosovo Security Force, Kosovo Police, Kosovo Intelligence Agency, Ministry of Defence and Ministry of Internal Affairs. In addition to ensuring the safety and security of the country and its citizens, the Kosovo’s security system is also designed to promote regional stability and cooperation. The Kosovo Security

⁵⁷ “Kosovo 2022 Human Rights Report,” US Department of State, 20 March 2023, p. 22.

⁵⁸ “Kosovo* 2022 Report,” 2022, p. 24.

Force (KSF) was founded in 2009 and is responsible for defending the sovereignty and territorial integrity of Kosovo, military support for civil authorities, and participation in international peacekeeping missions and operations.⁵⁹ NATO's involvement in the building of the security sector, has helped Kosovo to steadily adopt a very progressive conceptual approach to defence doctrines, including the nature and role of armed forces along the lines with NATO standards.⁶⁰

Kosovo, as a state aspiring NATO membership has continuously tried to upgrade its military competencies. In December 2018, the Assembly of Kosovo passed legislation that redefined the KSF as a “professional military force” and also established a defence ministry.⁶¹ Currently there is a process overseen by NATO experts that should by 2028 transform the KSF into the Kosovo Armed Forces. As a small and relatively poor country, Kosovo considers NATO membership as crucial for its security, especially since the longest portion of its border is delineated with unfriendly Serbia. It is also thought that NATO membership is fundamental for ensuring the Kosovo's sovereignty, territorial integrity and its stability.⁶² In line with this, Kosovo's membership in NATO's Partnership for Peace could on the one hand provide a venue for addressing security concerns, while at the same time creating possibilities for security and defence cooperation between Kosovo and Serbia by utilizing multilateral institutional platforms, such as the Euro-Atlantic Partnership Council.⁶³

Meanwhile, to protect its sovereignty and territorial integrity, Kosovo should develop and maintain a powerful defence system, further develop its state intelligence agencies, and develop and protect the critical national infrastructure.⁶⁴

⁵⁹ Assembly of the Republic of Kosovo, “LAW NO. 06 L-123 ON KOSOVO SECURITY FORCE,” Article IV, Prishtina, 4 January 2019.

⁶⁰ Lulzim Peci, “NATO's Role on the Stability and Security of the Western Balkans: Small States and a Hyper Powerful Alliance,” PhD Thesis, Faculty of Contemporary Social Sciences, South East European University, November 2020, p. 142.

⁶¹ Zijadin Gashi and Arton Konushevci, “Kosova formon ushtrinë,” *Evropa e Lirë*, 14 December 2018, <https://www.evropaelire.org/a/fsk-shnderrimi-ne-ushtri-te-kosoves/29654856.html>.

⁶² Peci, 2020, p. 146.

⁶³ Peci, “Regional Experiences...,” p. 6.

⁶⁴ “Kosovo Security Strategy 2022–2027,” 2022, p. 24.

Kosovo could also strengthen its resilience in the field of security by establishing positive relationships and increasing cooperation with all neighbouring countries. In line with this, Kosovo should actively seek out bilateral and multilateral partnerships with countries and initiatives that share similar values and objectives based on strategic interests. Promotion of regional cooperation on security issues contributes to the stability, security, and peace of Kosovo and the region as a whole.

Recommendations

- The EU should regain its credibility in the Western Balkans through reform and fulfilment of promises in order to minimize the influence of Russia, China and other actors in the region.
- The European Union should advance Kosovo's status to a candidate country.
- NATO should as soon as possible offer Kosovo membership in the Partnership for Peace.
- The EU and US should ensure full and timely implementation of the European agreement between Kosovo and Serbia by both sides.
- The EU and US should additionally pressure the five EU non-recognizers (or at least four NATO ones) to recognize Kosovo.
- Kosovo should develop a more competitive and inclusive private sector to foster economic recovery and growth.
- Kosovo should strengthen the independence of its judiciary and reduce the political interference.

Resilience of Individual South East European States to the Global Crises: The Case Study of Serbia

*Djordje Popović*¹

The beginning of the third decade of the twenty first century brought us to the verge of a global conflict with consequences more horrifying than we could imagine only couple of years ago. Russian aggression against another neighbor after Georgia, the heroic defense of the Ukrainian people, thousands of victims and destroyed cities and villages, significant military aid from western countries of the scale not seen in this century and what is maybe most worrying lack of any sustainable peace initiative are the pictures that we are getting every day. The pictures from the Ukrainian front remind me of another conflict – the conflict that ended the twentieth century, in which Serbia had an active role. They remind me of the Yugoslav wars where another, at the time, mighty army – the Yugoslav People’s Army, unable to defeat its “enemy” resorted to the doctrine of scorched earth leaving devastation behind them with thousands of dead, injured and homeless. Even the Russian propaganda today remind me of Milošević’s propaganda at the beginning of Yugoslav wars. The rhetoric that mentions historic injustices and fight against fascism somehow rings a bell of reminiscence to all of us that were watching the news at the beginning of the conflicts in Yugoslavia. Life under sanctions and thousands of people leaving the country because they do not want to take part in this horrific episode is also very well known to us.

But there are also great differences. Russia is a nuclear power which attacked independent neighborly country, the conflict in Ukraine is not a consequence of the dissolvment of one big country but on the contrary of the pretensions to restore great Soviet empire and there is a big coalition of western countries heavily supporting Ukraine openly stating that Russia cannot win this war.

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Impact of the Global Conflict Lines on Democratic and Economic Consolidation and the Security Situation

In the situation described as above, Serbia found itself in a very difficult position. The aggression on Ukraine, by a very close Orthodox country which did not recognize the independence of Kosovo and which was among the first to condemn the NATO intervention in 1999 has put the traditional closest relations with Russia to test. Although Ukraine was the first Soviet republic to sign the Partnership for Peace with NATO in 1994, at the same time it was the first country to try to mediate in the Yugoslav crisis, long before the Russian-Finnish duo Viktor Chernomerdin and Marti Ahtisari. The Minister of Foreign Affairs of Ukraine Boris Tarasyuk and the Minister of Defense, Army General Oleksandr Kuzmuk flew to Belgrade already on March 27, 1999, just two days after the start of the bombing. In April 1999, Ukrainian President Leonid Kuchma called on the international community to send United Nations peacekeeping forces to Kosovo. His proposal was that they consist of troops from countries that did not participate in the NATO bombing. Also, Kuchma then said that the UN peacekeeping forces must gain the trust of the Serbs – which means that the participation of Russian troops is essential for the mission of such peacekeeping forces to succeed. Furthermore, in 2008 Ukrainian President Viktor Yushchenko stated just two days after the declaration of Kosovo's independence, that Ukraine's position on the situation is primarily to follow the country's national interests and international law. On December 4, 2008, speaking at the OSCE meeting, the Minister of Foreign Affairs, Volodymyr Ohrizko, put an end to Ukraine's position on the independence of Kosovo, when he said that "Ukraine will never compromise on the territorial integrity of any state."

However, official Serbian policy took a standpoint of trying not to interfere in a conflict of two close allies. Serbian government declared that it will never introduce any kind of sanctions to Russia. Public surveys which were conducted one year after the start of the war in Ukraine show that 82% of the Serbian population is against the introduction of sanctions to Russia and moreover almost 60% would not support sanctions even if Serbia itself would face some kind of sanctions. However, Serbia voted in the United Nations for the resolutions that condemn Russian aggression (in March 2022), that condemn Russian annexation of four regions in the east of Ukraine (in October 2022) and that demand from Russia immediate

withdrawal of armed forces from Ukraine and establishment of just and lasting peace (in February 2023). Serbia also voted for the exclusion of Russia from the United Nations Human Rights Council (in April 2022).

Ukrainian Ambassador to Serbia recently said that as a diplomat he completely understands Serbian position on the sanctions to Russia having in mind that Serbia needs Russian energy sources and tries also to defend its territorial integrity and therefore needs Russian support. However, he said that the Ukrainian people under bombs cannot understand this position and cannot accept this argument.

It is a fair question to ask whether this attempt to remain neutral in the polarized world is possible and for how long. Especially since the pressure from the western countries on Serbia to reach a final agreement with Kosovo is becoming stronger every day, otherwise endangering the already dire perspective of Serbian EU integration, which would be in any case favorable for the Serbian population and economic development of the country.

It is now obvious to everyone that the conflict in Ukraine will last for a longer period of time and that stalling is not the option anymore. The lack of EU perspective is not sufficient as an argument to put pressure to Serbia to align itself with the sanctions to Russia. Unfortunately, no one in Serbia expects anymore that the country will join EU in the foreseeable period. In practice the accession process is stopped, Serbia did not open or close any chapter in the EU negotiations and the negotiations will not continue until the agreement with Kosovo is implemented in practice.

Support for the EU is in all public surveys well below fifty percent, by 35% to be exact, and therefore playing at the card of European integration does not bring any effect anymore. Therefore, the stake had to be raised and Serbia was faced with the European proposal for the normalization of relations with Kosovo which in its essence means the de facto recognition of Kosovo's independence. This proposal, which was offered to both sides in the "take it or leave it" format was followed with the clear perspective what will happen if both parties do not accept it – namely the end of the European integration process, end of access to EU funds and significant decrease of the direct foreign investments coming from the western countries. And therefore, the proposal was verbally accepted by both sides.

This significantly influenced the collapse of the EU enthusiasm in Serbia. Firstly, the people who were against the EU membership got the additional argument to their claim that the EU is only trying to make Serbia recognize the independence of Kosovo. And secondly, which is even more worrying, is the fact that many citizens of Serbia who were in favor of EU integration used the same argument to claim that the EU is ready to overlook all the flaws of Serbian democracy and internal problems of huge corruption and lack of rule of law just to have the Kosovo agreement signed, sealed and delivered by the Serbian President. And there is a strong concern that when the agreement is made the only guarantor of its implementation will be given cart blanche for anything that goes within the country as long as the agreement is fully implemented.

This complicated situation in the country where only Vladimir Putin is a more popular politician than Aleksandar Vučić led to significant rise of right-wing movements and political parties which created a strong front of so-called patriotic forces united in their action to prevent the implementation of the agreement with Priština. This highly conservative coalition which is connected with radical parts of the Serbian Orthodox Church and pro-Russian elements is currently the only political force which can gather significant number of supporters and which is becoming the strongest opposition to the current regime.

Impact on Neighborhood Relations

It was already mentioned that relations between Belgrade and Priština are entering something what is considered to be the beginning of the final phase of negotiations. The agreement and the road map for its implementation are verbally accepted and it now remains to be seen how both sides will put into practice what has been agreed upon. Any kind of agreement would take the argument that if Kosovo could unilaterally proclaim independence so could some parts of Ukraine, Georgia and who knows which other territory out of Putin's hands. If the issue of Kosovo would be resolved and if we would enter into a process of dialogue that would lead to a solution that is in line with the interests of normalization in a way that suits Washington and Brussels, then the Russian issue would also be resolved. For a simple reason, if the Kosovo issue is resolved and Serbia accepts the reality, then Resolution

1244 also becomes irrelevant, and the role of Russia becomes irrelevant. This would be a very significant fact for the current world order. If it happens in practice. This is also one of the reasons why the Russian Ambassador to Serbia often repeats that it is official Russia's position that the Kosovo problem should be solved only after the end of the war in Ukraine.

When it comes to the agreement with Priština, from the Serbian perspective, the protection of the Serbian population and their property, as well as the religious sites should be the only thing that cannot be disputable, everything else should be subject of negotiations and agreement – license plates, travel documents, diplomas, etc. It is of utmost importance to establish the free movement of people, goods, capital and services in accordance with the EU standards since this is what real normalization of relations means in practice. Another important thing is decriminalization of the northern part of Kosovo. Currently, the Serbian population in Kosovo is taken as hostage by Srpska lista – para criminal and para political organization under the control of the Serbian government. The northern part of Kosovo became safe haven for many criminals from central Serbia who are running their operations from there. Anyone who is opposing the informal ruling structures in the North can end like the murdered Oliver Ivanović. Therefore, apart from normalizations of relations between Belgrade and Priština life must be normalized also in the northern part of Kosovo.

Another possible hotspot in the region is Bosnia and Herzegovina with all its problems and dysfunctionalities. Whether Serbia and Belarus are the only European countries that did not impose sanctions on Russia, or whether Bosnia and Herzegovina will join this club, is not yet clear, since all parties claim the opposite. What is perfectly clear is that the entity Republika Srpska fosters closer relations to Russia than Serbia. Its leader Milorad Dodik who is quite vocal in his demands that Republika Srpska proclaims independence is as vocal in his support and admiration to Vladimir Putin. He is probably the only leader in the world who awarded Vladimir Putin during the conflict in Ukraine with the highest medal of Republika Srpska during the celebration of its National Day – a holiday which is proclaimed unconstitutional by the Constitutional court of Bosnia and Herzegovina. But it seems that Dodik went this time too far since his support from Belgrade is slowly fading away. Aleksandar Vučić refrained himself from supporting him during the last elections which Dodik won with numerous irregularities. His rival Jelena Trivić

has in the moment silent support from Belgrade in her effort to form a new political party which would become strong opposition to Dodik.

The latest change in the region took place in Montenegro where after more than three decades in power Milo Djukanović lost the presidential elections. Although many analysts rushed to say that the President-elect Jakov Milatović is close to Belgrade because of his close ties with Serbian Orthodox Church in Montenegro, we have to be fair and say that the candidate who had the biggest support from Belgrade, Andrija Mandić, only came third and did not enter the second round of elections. Jakov Milatović should be given a benefit of a doubt to prove that he is as he claims pro-European and modern politician who will make the discontinuity with Djukanović's corrupt regime. His first statements after the elections are definitely a step in the right direction, but the actions are what counts and they still remain to be seen.

Resilience Strategies of Serbia in the Field of Economy, Politics and Security

As already mentioned, Serbian resilience strategy in this moment is to remain neutral as long as possible and to cooperate with all parties in the conflict. This strategy works for the moment, but it is a fair question to ask at what cost. Serbia is completely dependent on energy from Russia although Serbian officials are increasingly talking about energy diversification and the possibility of supplying gas from Azerbaijan, via Bulgaria, or liquefied natural gas from a terminal in Greece. However, those projects are not yet close to realization. Due to EU sanctions, Serbia does not import Russian oil from Croatia via the JANAF pipeline, and it is not known what is happening with the announced construction of the "Družba" branch of the pipeline, which would deliver Russian oil from Hungary to Serbia. Therefore, among other reasons, a decision was made that the priority is to overcome this winter with as little consequences in the energy sector as possible since there is no alternative to Russian gas. During this winter citizens of Serbia did not feel so strongly the repercussions of the energy crisis as the citizens of the rest of Europe since the prices of gas, oil and electricity were not raised as much as in other countries. However, this was the situation for this winter. The prices of all sources of energy are rising progressively and will rise furthermore throughout the whole year. And it is very difficult to imagine how the next winter will look like, especially if it is colder than this one. In order to prevent

a difficult winter Serbia decided to work closely with its new best ally and neighbor Hungary. Serbia sees Hungary as its role model in many ways, not only concerning the energy issue, but also in the sphere of democracy and rule of law. Close friendship of Aleksandar Vučić and Victor Orbán worries not only opponents to the principles by which the two officials are governing their countries but rises the eyebrows also within the European Union because the Union does not need another country like Hungary among its members. This sheds also light from another side to the Serbian EU perspective.

It is clear that Aleksandar Vučić will try to continue doing what he does best – to stall and to play with all relevant parties. However, time is not on his side and the polarization is getting bigger every day. It would be crucial for Serbia, but also for the western world to use this opportunity and finally make Serbia a part of the European Union. This is a very difficult task, but not impossible. It needs difficult decisions on the Serbian part which would have to be followed with tangible help coming from the west. If the Kosovo issue is resolved in any way, the road to full orientation toward the West remains open and this should be the direction of the future joint activities of Euro-Atlantic partners in their foreign policy towards Serbia.

Building Resilience in the Region through the EU Integration Process

Alba Çela

Resilience is defined as the capacity **to cope with, adapt to, and recover from various external and internal challenges**.¹ By contrast, the EU defines resilience more concretely and more dynamically, as the “**ability of states and societies to reform** [emphasis added], thus withstanding and recovering from internal and external crises”.²

The Russian war of aggression against Ukraine has brought to the limelight the issue of resilience on four fronts:

- Security,
- political,
- economic,
- social.

This paper will examine some of the aspects connected to the impact of the war on these four dimensions mainly in Albania and argue that EU integration process can serve as a tool for building resilience for the countries in the region.

On an additional note the diplomatic side Albania has faced the war of Russia against Ukraine *as a non-permanent UN Security Council member*. Albania had other priorities when assuming this important role however had to change and adapt its actions. Albania works closely with its ally the United States to draft resolutions and take coordinate actions in the UNSC when it comes to Ukraine. Albania has been very vocal in the UNSC to address both security and humanitarian issues pertaining to the war juxtaposing Albanian

¹ David Chandler, *Resilience: The Governance of Complexity* (Routledge, 2014).

² European External Action Service, “A Global Strategy for the European Union’s Foreign and Security Policy,” December 15, 2019, p. 23, https://www.eeas.europa.eu/eeas/global-strategy-european-unions-foreign-and-security-policy_en.

ambassador Ferid Hoxha to Russian Minister Lavrov³ and other Russian diplomats many times. These have included heated exchanges on the issue of Kosovo being misused by the Russians several times as an alibi for their actions in Ukraine.⁴

Albania aligned itself fully with the imposed sanctions towards Russia by the European Union. The fact that Serbia did not impose the sanctions, posed additional strain on the already controversial public perceptions of the Open Balkan initiative.

Recently the countries in the region which fully aligned with the EU Common Security and Defence Policy (CSDP) have formed a regional platform named the Quad (*Albania, North Macedonia, Kosovo and Montenegro*).

The Berlin process was also last year reinvigorated with the joint decision to adopt four important agreements to facilitate regional cooperation and this year in October will have its first summit in the region, in Tirana.

Security

Three out of six countries in the region are now part of NATO and the Alliance provides a security anchor whose credibility is very important.

Ironically in Albania the major security threats post February 24 have been coming not from Russia but from the Islamic republic of Iran. Albania has sustained **multiple cyber-attacks** from an alleged consortium of hackers orchestrated by Iran.

A vast amount of confidential data was stolen and published, including emails from key law enforcement agency directors and even the Prime Minister's office. The largest attack was that on the government platform *e-Albania*, which provides crucial and vital services to citizens.⁵ Similar

³ <https://sot.com.al/english/aktualitet/shqiperia-perplaset-me-rusine-per-kosovenne-keshillin-e-sigurimit-fe-i584977>.

⁴ Ledion Krisafi: Albania as a non-permanent member of the USC, AIIS 2022, p. 7–9.

⁵ Elona Elezi and Niloofar Gholami, “Albania Blames Iran for Cyberattacks – DW – 09/16/2022,” Deutsche Welle, <https://www.dw.com/en/albania-once-again-the-target>

though smaller attacks, were reported elsewhere in the region. NATO expressed solidarity and issued an almost immediate statement of readiness to support Albania after this attack.

The context that can shed light on the motives behind this attack is necessary to mention here. Albania has severed diplomatic ties with the Islamic Republic of Iran and has received even an indirect threatening message in a speech delivered to the Iranian Assembly by none less than the ayatollah who described the country as a small devilish place. The key factor that exposes Albania to this extremely capable and resourceful malign actor is the hosting of around 3000 Mujahadeen-E-Khalq representatives which constitute a significant political opposition force to the existing regime in Iran.

The region does not have the adequate human resources or even comprehensive strategies and action plans in force to be able to face the increasing cyber threats by the rival powers.

An investigation in Albania revealed that there are multiple issues also with domestic readiness and the digital hygiene of public administration employees in general, not only IT departments and more trainings are necessary to put in place even basic safety protocols.

Political Impact

Politically the main issue is about **democratic resilience**. Russia does not have the attractiveness to challenge democracy as a model but still autocratic tendencies are on the rise. The stagnation of the integration process as well as the capturing of milestones by political bilateral disputes is proving an arduous threat.

Albania, though making considerable progress and ameliorating its image looks now like a poster child but some tangible regression in media freedom is real. International indexes point out deteriorating conditions for the work of reporters.⁶ In addition and perhaps more important the weak and clearly

-of-cyberattacks-after-cutting-diplomatic-ties-with-iran-and-expelling-diplomats/a-63146285.

⁶ <https://balkaninsight.com/2022/11/18/media-climate-in-albania-worsening-press-freedom-advocates-say/>.

splintered opposition is a real problem when it comes to pluralism and checks and balances upon governance.

There are concerns that countries might benefit from their geopolitical grandstanding when it comes to the assessment of their real democratic progress.

Economy

Building economic resilience is for most of countries in the region securing and diversifying energy supply.

Economically Albania was sheltered on the energy front but very much exposed in the inflationary pressures. Albania produces all of its energy from hydropower replants being vulnerable primarily to rainfall. Albania imports usually in the summer or when long dry periods put a strain on its water reserves. The country recently has launched ambitious projects in other renewables as well such as solar and wind power.

Albania subsidizes the energy bills for the consumers and small business. This has protected the citizens from direct rising energy costs in their electricity bills. However prices did rise significantly including primarily those of food which still account for about half of the average family monthly budget. The price of fuel is one of the highest in the region. Albania even established a Monitoring Board for the setting of fuel prices to avoid speculation. Many experts argued that this was undue interference with the principles of competitiveness.

Reported inflation has been in the single digits which is considered good for the country compared to others. However the economic difficulty is being felt in the middle class whose loan payment interest increased.

High number migration is another challenge in the economic front with significant social dimensions as well. Migration is exacerbating brain drain, care drain and causing short term issues with labor force required to handle the seasonal tourism boosts. All the countries need to consider seriously the resilience of their pensions systems and overall public finances tot his systemic change.

Society

Socially, and in the political front too, disinformation is a key challenge and building resiliency towards it is a long term battle. Dis-information erodes public trust in institutions and decision making therefore is very corrosive. Disinformation and misinformation is rampant in the region when it comes to the war in Ukraine and the role of Russia versus the Western countries in it.

Efforts to address the issue have been mostly ad hoc projects by civil society. Much more systematic efforts are necessary to increase both the capacity of national media and to increase in general the media literacy of the public.

Necessary Steps

The process of integration with its complex reforms is a resilience building tool for democracies and economies of our region. Therefore its stagnation, its delays and obstacles have a direct effect. In order to assist democratic resilience in the region this process needs priorities: avoiding political capturing and resolving bilateral disputes by respecting norms as well as fighting disinformation through strategic communication.

The EU in addition can and should act as a major partner financially and providing expertise and networking for issues such as cyber security, disinformation and propaganda from external third party actors as well as financial dependencies.

The EU needs first and foremost a clear vision for its enlargement policy which currently seems not only stagnant but also entangled with competing narratives such as European Political Community or gradual sectorial integration. The geopolitical context of the content requires much more resolve.

Montenegro Stands in Solidarity with Ukraine, but Struggles with Its Own Instability

Jovana Marović

The Impact of the War in Ukraine on Montenegro

Reactions to the War in Ukraine

Since the beginning of negotiations for full membership in the EU in 2012, Montenegro has been continuously aligned with the Common Foreign and Security Policy (CFSP) of the EU. Also, membership in the NATO since 2017, among other, contributes to improving the defence system but also influences foreign policy. Negotiations with the EU and membership in NATO strongly conditioned the reaction of state authorities in relation to the war in Ukraine. On 10 March 2022, the government adopted the Information on the Status of Persons from Ukraine in Montenegro as well as the Decision on Approving International Protection to Persons from Ukraine.¹ Montenegro introduced sanctions against Russia on 2 April 2022, after few unsuccessful attempts in the 42nd Government led by Prime Minister Zdravko Krivokapić due to disagreements among ministers and divided opinions on this issue. The Ministry of Foreign Affairs (MVP) expelled four diplomats from the Russian Embassy in Montenegro just a day before. However, once it introduced the sanctions, Montenegro joined all additional EU packages. Montenegro also introduced a ban on Russian airlines in its airspace and Russian state media. This was recognized in the last European Commission's country report:

On **common foreign and security policy**, 100% alignment with all relevant High Representative statements on behalf of the EU, and Council decisions continued, a strong signal of Montenegro's strategic commitment to the EU path. This included all EU sanction packages against Russia and Belarus. [...] Montenegro is the Western

¹ Information from the 62nd session of the Government, 10 March, 2022, <https://www.gov.me/clanak/62-sjednica-vlade-crne-gore-10032022>.

Balkan partner hosting the highest number of Ukrainian nationals having fled the war, exceeding 1% of its population.²

Bearing in mind that Russia is traditionally considered an ally in the Balkans, the situation is similar in Montenegro. However, this was only partially reflected in the attitudes of public opinion, that is, of Montenegrin citizens. During the first 100 days of Russian aggression against Ukraine, daily protests were organized in the old royal capital Cetinje,³ followed by frequent reactions from non-governmental organizations.⁴ Moreover, all political parties in the parliament, except the pro-Russian Democratic Front (DF), voted for the Resolution condemning the Russian military invasion of Ukraine in July 2022. What was partly divided was the writing of the media and problems in making certain decisions. Montenegro is a highly polarized society and divisions along identity lines have existed since the referendum on independence in 2006. In addition, political parties maintain these divisions for the sake of their political benefits. Since the government was toppled in the parliament in August 2022, the public was additionally “burdened” by the campaign for the parliamentary elections that were held in June 2023, in addition to the regular presidential elections held in April.

Political Situation

As already pointed out, Montenegro is a deeply polarized society, and the relations with Russia is one of those issues further dividing it, and which are often raised in public debates, especially in the parliament. Montenegro is a multi-ethnic state, but the two prominent groups are Montenegrins and Serbs. The latest data from the census held in 2011 show that 44.98% of the citizens declared themselves as Montenegrins, and 28.73% as Serbs.⁵

² Montenegro 2022 Country Report, European Commission, October 2022, p. 122, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-10/Montenegro%20Report%202022.pdf>.

³ A smaller protest in support of Russia was organized in Nikšić, which is the second largest city in Montenegro.

⁴ CEDEM, “We condemn Russia’s aggression against Ukraine”, 7 March 2022, <https://www.cedem.me/vijesti/osudujemo-agresiju-rusije-na-ukrajinu/>.

⁵ Census 2011 Data, Montenegro, Statistical Office of Montenegro – Monstat, <http://www.monstat.org/eng/page.php?id=393&>.

After the 42nd Government faced the no-confidence vote in February 2022, a minority Government headed by Prime Minister Dritan Abazović was formed, which was supported for, among other parties, by the votes of the Democratic Party of Socialists (DPS). The government enjoyed wide international support, primarily because of its composition and the lack of results achieved by the previous government,⁶ while its vote was a good momentum for reforms and acceleration of integration in EU, which is a foreign policy priority. There has been a deadlock in the integration process for some time, and, if we consider the conditions that Montenegro needs to fulfil in order to speed up the EU accession process, it can be pointed out that the most complicated situation is in the judiciary. The Supreme State Prosecutor has been in acting capacity since 2019, the Judicial Council has been incomplete during the same period, while the Constitutional Court had been completely blocked for a long time due to the parliament's inability to vote for judges. Based on the European Commission's conditionality, the Constitution was amended in 2013 and stipulated a two-thirds majority for the voting of high-level judicial positions,⁷ which has often been a challenge for the parliament with a narrow majority. These are some of the priorities around which the 43rd Government was formed, but after unsuccessful votes in the parliament, none of this was achieved until the no confidence vote in August 2022. The main trigger for this outcome was the withdrawal of support for the government by DPS due to the signing of the Fundamental Agreement with Serbian Orthodox Church (SPC) on 3 August 2022.⁸ Thus, the government formally worked in full capacity for less than four months, while its technical mandate is still ongoing. By putting such priorities beyond those in the integration process, the government lost international support, but also the support of the public, while the contract with SPC, which traditionally supports Russia, put the relationship with non-democratic elite in Serbia at the centre of criticism.

During this period, several controversial decisions were made in the parliament by the political parties that formed the coalition after the parliamentary

⁶ As well as its negligence on certain issues, including sanctions against Russia.

⁷ Or a three-fifths majority in the second round.

⁸ Government of Montenegro, "Montenegro and Serbian Orthodox Church sign Fundamental Agreement", 3 August 2022, <https://www.gov.me/en/article/montenegro-and-serbian-orthodox-church-sign-fundamental-agreement>.

elections in August 2020, including the adoption of amendments to the Law on the President that was later declared unconstitutional.⁹ After many turbulences, the President of Montenegro dismissed the parliament and announced extraordinary parliamentary elections for June 2023. The “Europe Now” movement led by the former ministers of economy and finance in the 42nd Government won the most votes, while the negotiations on the future coalition are still being conducted, and the pro-Russian (former) DF, and now the “For the Future of Montenegro” coalition, also participates in it. After frequent changes in the government after August 2020, the question of a possible turn in foreign policy orientation arises, and so now, but also after the presidential elections, when Jakov Milatović, the candidate of the “Europe Now” movement, defeated the leader of the DPS, Milo Djukanović, but he was clear in his first statements that it would not come to that. However, more important for this is whether the government will truly be pro-European and civic-oriented, which certainly cannot be if there are divided views regarding, among other, the CFSP and international obligations.

Economy

The War in Ukraine has negatively affected the economy of Montenegro, which depends on tourism and makes up 22% of the country’s GDP. During 2021, 20% of tourists came from Russia and Ukraine, according to the Monstat, official statistical agency.

Despite the sanctions, the data indicate that the Russians were again among the top investors in 2022. The total inflow of foreign direct investments was 1.15 billion euro, which according to the Central Bank is 24.07% more than in 2021. Observed by country, investments from Serbia were in first place with 137 million euro, followed by Russia with 127.17 million, while German citizens invested around 100 million. Most investments were in real estate, with the largest amount of invested funds coming from Germany (69.85 million), Russia (61.2) and Serbia (52.89).

⁹ Vijesti, “The Constitutional Court annulled the amendments to the Law on the President”, 27 June 2023, <https://www.vijesti.me/vijesti/politika/662900/ustavni-sud-ukinuo-izmjene-zakona-o-predsjedniku>.

The government continued with the economic citizenship program that allows investors and their families to obtain Montenegrin passports in exchange for an investment in a government-approved real estate development project. From 31 August to 8 November 2022, 287 economic citizenships were granted. The largest number of persons who received citizenship in this period came from Russia (110), followed by China (67) and the USA (24).¹⁰ The program was officially terminated at the end of 2022 and its implementation has been harshly criticized by the European Commission:

[T]he current government publicly committed to phasing-out the scheme by December 2022; however, in June 2022, it decided to lower the requirements to apply for it. This scheme poses risks such as money laundering and corruption and should be terminated definitively.¹¹

Moreover, in the report of the Global Initiative against Transnational Organized Crime (GI-TOC), Montenegro was highlighted as a country facing a serious challenge – illegal financial flows amounting to a whopping 6.6 billion US dollars where the “citizenship for investment scheme” is assessed as particularly problematic.¹²

Resilience Strategies

In August 2022 Montenegro experienced a massive cyberattack crippled online government information platforms and put Montenegro’s essential infrastructure at high risk. The National Security Agency then announced that Russian services were behind the cyber-attack and the same was confirmed by the NATO Deputy Secretary General.

In continuation of efforts to protect the region from the malign influence of non-Western actors, the Centre for Cybersecurity Capacity Building in the Western Balkans as a joint initiative between France’s Ministry for Europe and Foreign Affairs and the Slovenian Foreign Ministry was opened in

¹⁰ Centre for Civic Education, “New records in granting honorary citizenships despite the EC’s warning”, 29 December 2022, <https://cgo-ccc.org/en/2022/12/29/new-records-in-granting-honorary-citizenships-despite-the-ecs-warning/>.

¹¹ Montenegro 2022 Country Report, p. 45.

¹² Global Initiative against Transnational Organized Crime, “Cash is king: impact of the Ukraine war on illicit financial flows in South Eastern Europe”, 24 July 2023, <https://globalinitiative.net/analysis/ukraine-war-iffs-south-eastern-europe/>.

Podgorica in May 2023. In addition to training operators and experts from the entire region, this facility will strengthen the operational and institutional response capabilities of governments throughout the Western Balkans to deal with cyber threats and attacks.

In recent years Montenegro has made improvements when it comes to increased internet access, broadband penetration and the number of e-government services. The new Digital Transformation Strategy was adopted in 2022.

Impact on Neighbourhood Relations

Montenegro has no open bilateral disputes with its neighbours, participates in regional initiatives, including the Berlin Process, and has already ratified the signed agreements that take the initial steps in establishing a regional market. One of the stumbling blocks lately is the potential participation in the Open Balkans initiative,¹³ since this is one of the topics that further polarizes society. In November 2022, the Ministry of European Affairs published an analysis on the compatibility of this initiative with the European integration process with the clear conclusion that it is currently lacking results, insufficiently transparent, non-inclusive and that it overlaps with activities that have already been carried out under the auspices of the Berlin Process.¹⁴

EU's Strategy towards the Western Balkans

The war in Ukraine has forced the EU to reconsider its enlargement policy and take steps related to the Western Balkans which it should have taken a long time ago.¹⁵ The reactions, that should have followed immediately after the presentation of the revised enlargement methodology back in 2020,

¹³ An initiative launched by Albania, North Macedonia and Serbia in 2019 with the aim of eliminating business barriers and closer cooperation in specific areas.

¹⁴ Ministry of European Affairs, "Advantages and disadvantages of Montenegro's participation in the regional initiative Open Balkans", 25 November 2022, <https://www.gov.me/clanak/analiza-prednosti-i-mane-ucesca-crne-gore-u-regionalnoj-inicijativi-otvoreni-balkan>.

¹⁵ Delević, Milica; Marović, Jovana, "Keeping the Thessaloniki promise: How to Make Enlargement Work for All 20 Years Later?", BiEPAG, July 2023, <https://biepag.eu/publication/keeping-the-thessaloniki-promise/>.

during 2022 were reflected on both the political and administrative levels: through messages from the highest level, summits that were also held in the Western Balkans,¹⁶ but also concrete steps in the form of the opening of accession negotiations with Albania and North Macedonia, the granting of candidate status to Bosnia and Herzegovina (and also to Ukraine and Moldova), the approval of the agreement reached between the Council of the EU and the European Parliament on the visa liberalization for Kosovo starting in 2024.

In this way, one gets the impression that the EU's approach has changed and that the perspective of EU membership for the region is more promising. However, this is still not the case. The rise of nationalism, the strengthening of right-wing parties, the weakening of democracy, even without clear indications that something more significant could happen soon in terms of democratization and Europeanization of any of the countries, deep political crises in most of the countries, are serious reasons for concern. There is no progress in solving bilateral disputes, and some of them are holding back the entire region.

Many parallel regional initiatives, deficient application and slow development of instruments from the revised enlargement methodology, slow reactions on many crises in the WB countries, unclear vision for integration of the region, indicate that the EU is not aware in which direction it should change its approach and strengthen democracy in the Western Balkans. It is certain that it should provide more concrete benefits for the WB citizens and secure integration of the countries into EU policies as soon as possible.¹⁷

Two months ago, the president of the European Commission, Ursula von der Leyen, announced a new strategy towards the Western Balkans in 4 steps: Gradual integration into the Single European Market; Deepening regional economic integration through the Common Regional Market (CRM) and the

¹⁶ Two EU-Western Balkan summits were held, one of which was held for the first time in the region, in Tirana in December 2022. In July, the EU-Montenegro Stabilization and Association Council was held in Podgorica.

¹⁷ Marović, Jovana, "Enlargement Back on the EU's Agenda: Western Balkans Moving Slowly Nowhere?", in "A Year Later: War in Ukraine and Western Balkan (Geo)Politics" (eds. Džankić, Jelena; Kacarska, Simonida and Keil, Soeren), European University Institute, 2023, <https://cadmus.eui.eu/handle/1814/75524>.

Berlin Process; Accelerating fundamental reforms; Increasing pre-accession funds.¹⁸

Integration into the Single European Market implies that the Western Balkan countries will enjoy certain benefits of membership in the European Union before formal membership and would take place by integrating with EU member states within the specific policies, of which the digital market along with e-trade was initially highlighted as one of the priorities. The CRM got its new momentum with the signing of three agreements in Berlin in November 2022 and is an important step in integrating and connecting the region.¹⁹ However, the new approach still has access to certain policies within the Single European Market at the centre, such as the digital market, cyber security, which is important, but it is still questionable how much it will affect democracy and the rule of law, and in what way success in the process is “linked” to deeper integration. Moreover, the focus rests on the CRM and it remains to be seen how the countries that fulfil the conditions faster will be integrated into specific policies of the Single European Market, whether they will have to wait for the other countries that make up CRM and whether this means that the ‘regatta principle’ is archived. It is necessary to point out that using some membership benefits is not the same as a clear membership perspective and that even though trade in the Western Balkans has been increased significantly in the last 20 years, “change through trade” has not happened. CRM only makes sense if it is fully linked to EU accession and if membership is in sight.

¹⁸ European Commission, “Keynote speech by President von der Leyen at the GLOBSEC 2023 Bratislava Forum”, 31 May 2023, https://ec.europa.eu/commission/presscorner/detail/en/speech_23_2993.

¹⁹ In November 2022, at the summit in Berlin, three agreements were signed on travel with identity cards, recognition of diplomas and professional qualifications: Regional Cooperation Council, “Agreements on Freedom of Movement with Identity Cards, Recognition of Higher Education Qualifications, Recognition of Professional Qualifications for Doctors of Medicine, Dentists and Architects”, <https://www.rcc.int/docs/635/fact-sheet-agreements-on-freedom-of-movement-with-identity-cards-recognition-of-higher-education-qualifications-recognition-of-professional-qualifications-for-doctors-of-medicine-dentists-and-architects>.

Conclusion

Montenegro has spent most of the time since the outbreak of the war in Ukraine in a state of deep political crisis, which has prevented reforms and decrease of polarization in society. Although it is fully aligned with the EU CFSP failed to valorise this in practice by making a more decisive turn and getting closer to Western partners in terms of consolidation and meeting the criteria for EU membership. After the extraordinary parliamentary elections held in June 2023, it is still unclear which political parties will participate in the 44th Government, and whether the potential participation of pro-Russian parties in it will further distance the country from the EU path and partially change its attitude towards Russia. The outlook for resilience in relation to malignant influences is clear: strengthening the rule of law, fulfilling interim benchmarks within Chapters 23 and 24,²⁰ maintaining a clear foreign policy course determined by NATO membership and the goal of joining EU.

²⁰ 23 – Judiciary and fundamental rights, 24 – Justice, freedom and security.

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PART III: The Role of International Actors Strengthening Resilience in South East Europe

A “Zeitenwende” also in and for the Western Balkans? Geopolitical Effects of Russia’s War against Ukraine: Europe Whole and Free¹

Michael Schmunk

War is the father of all things, and the king of all.

*Heraclitus*²

We have woken up in a different world today ...

The European peace order of the past decades is the foundation for life in prosperity and peace. If we do not act resolutely to defend it now, we will pay an even higher price.

*Annalena Baerbock, Foreign Minister*³

History loves unintended consequences.

*Timothy Garton Ash*⁴

In the Western Balkans, in Moldova or in Ukraine people want their countries to join the European Union because free elections take place here, because the media can report freely and courts can work independently. And they want this accession because EU member states are free to determine their own future ... We will stand side by side with people in Moldova and in the Western Balkan countries and make it clear to them that we’re serious about their countries’ prospect of EU membership. In all honesty, we have to admit that they have been disappointed by us too often.

*Annalena Baerbock, Foreign Minister*⁵

¹ The article was completed in May 2023.

It was Timothy Garton Ash who reminded us of U.S. President George H. W. Bush’s famous keynote speech on 31 May 1989 in Mainz, elaborating on a new vision for a united Europe “whole and free”.

² Heraclitus of Ephesus. Quoted from Hermann Diels: *Herakleitos von Ephesos. Die Fragmente der Vorsokratiker*, Berlin, 1901.

³ Annalena Baerbock: Statement following the meeting of the Federal Government’s crisis unit at the Federal Foreign Office on the Russian attack against Ukraine. Berlin, 24 February 2022; www.auswaertiges-amt.de.

⁴ Timothy Garton Ash: Postimperial empire. How the war in Ukraine is transforming Europe. In: *Foreign Affairs* 102 (2023) 3, May/June 2023; <https://www.foreignaffairs.com/ukraine/europe-war-russia-postimperial-empire>.

⁵ Annalena Baerbock: Speech at the conference of the Heads of German Missions in the EU member states and of the Permanent Representation to the EU (in the presence of

The “Zeitenwende”

The West, in 1989/1990, thought that, with the end of the Cold War and the break-down of the Soviet empire, the “End of history”⁶ on the European continent had come, as Francis Fukoyama summed it up later. That the disintegration of Tito’s Yugoslavia shortly after would plunge the West, in particular Europe and the Transatlantic community, into a new war, the so-called “Balkans Wars”, was regarded rather as an (deplorable) accident than as another fundamental and systematic historic break. Kosovo, that had been agreed, should have been “The last war in Europe”⁷ – once and for all. History, however, demonstrated forcefully that it cannot be reduced to a simple mathematical equation.

The Western Balkans however, up till now, have still not found a formal peace yet, facing instead an increasing undermining of the functioning of their countries by an aggressive Russian Federation. Strictly speaking, the “Zeitenwende”, as German Chancellor Olaf Scholz has defined it,⁸ caused by Russia’s illegal, colonialist and revanchist war against Ukraine, did not start with the outbreak of the war on 24 February 2022, but already with the military attacks on the Donbas and the annexation of Crimea in 2014:⁹ the Russian war of 2014 has been, technically speaking, broadened since 2022. Direct comparisons between the developments in the Ukraine since 2014 and the developments in the Western Balkans have not been made, apart from the warnings of some few experts. The West, in particular the Europeans (the EU) has, retrospectively, been sleepwalking, closing its eyes to what has been happening meanwhile geopolitically and militarily in the Ukrainian East. As Annalena Baerbock stated: it needed the kick-off of the third phase of the war against Ukraine on 24 February 2022 to wake up and face the new reality.

Spanish Foreign Minister Josè Manuel Albares Bueno). Berlin, 21 April 2022; www.auswaertiges-amt.de.

⁶ Francis Fukoyama: *The end of history and the last man*. New York, NY, 1992.

⁷ See, among many, Günter Joetze: *Der letzte Krieg in Europa. Das Kosovo und die deutsche Politik*. Munich, 2001.

⁸ Policy statement by Olaf Scholz, Chancellor of the Federal Republic of Germany and Member of the German Bundestag, 27 February 2022, Berlin; www.bundesregierung.de.

⁹ Crimea’s annexation started from 27 February 2014, and was completed with the accession ratification on 21 March 2014.

Since then it has become clear that Putin's brutal and bloody war against Ukraine¹⁰ has had significant effects on the EU as a whole, but also on specific OSCE areas such as Moldova, the South Caucasus and Central Asia. Moreover: Russia's revanchist attack has turned the European security architecture of Helsinki (1975) and Paris (1990) upside down – for an indefinite period of time. Already since the end of the Cold War and the collapse of the Soviet Union, this European security order had become less and less effective because of Putin's aggressions against the USA and NATO. Within the OSCE and vis-à-vis the EU, Russia's obstructionism has increasingly indicated Moscow's intention to undermine the principles of the Charter of Paris wherever it served Putin's geopolitical vision to restore the former Soviet Union at least in parts. Latest after the Kosovo war and Kosovo's self-declared independence,¹¹ plus Russia's de-facto annexations of parts of Georgia in 2008, and in the Donbas and Crimea, Putin, suffering under empire phantom pains, has been warning NATO and the EU categorically: "Our Western partners have created with their recognition of Kosovo the respective precedent."¹²

The War: *Deus Ex Machina* for the Enlargement Process or Business as Usual?

While many, in particular in the Baltics and in Eastern Europe, including Moldova, have found themselves overnight in a dangerous new security situation, suddenly aware that a Russian land grabbing attack cannot be ignored in principle anymore, the countries of the Western Balkans have been speculating if this Russian threat, though the region has no direct borders with the Russian Federation, might reopen and refresh the EU's enlargement de-

¹⁰ Regarding Russia's war against Ukraine, see, among others: Katharina Raabe/Manfred Sapper (eds.): Testfall Ukraine. Europa und seine Werte. Berlin, 2015; Martin Aust/Andreas Heinemann-Grüder/Angelika Nußberger/Ulrich Schmid: Osteuropa zwischen Mauerfall und Ukrainekrieg. Besichtigung einer Epoche. Berlin, 2022; Kateryna Mishenko/Katharina Raabe (eds.): Aus dem Nebel des Krieges. Die Gegenwart der Ukraine. Berlin, 2022; Gwendolyn Sasse: Der Krieg gegen die Ukraine. Hintergründe, Ereignisse, Folgen. Munich, 2022.

¹¹ Confirmed by the International Court of Justice (ICJ), Advisory Opinion, 22 July 2010; www.icj.com.

¹² President Putin's address to the Russian State Duma, 18 March 2014.

bate in their favor – this time with less reference to the, in parts, rather bureaucratic EU norms and standards than, in view of the “Zeitenwende”, to security and geopolitical concerns.

Traditionally, the EU’s foreign and security policy has been ranking near the bottom when it comes to the fulfillment of the enlargement criteria. Serbia, in particular, has continuously demonstrated its neglect of the EU Acquis’ requirements for membership candidates as laid down in the foreign affairs Chapter 31,¹³ above all in the context of its relations with Russia. After several membership candidates and membership aspirants of the Western Balkans Six (WB 6) seemed to have already lost their faith into a full EU membership, since Russia’s indirect military and political pressure on the EU’s security and stability, many of them have regained fresh hope that the EU’s new security dilemma may facilitate the accession process and help to circumvent formerly hard to fulfil criteria.

Also among EU member states discussions have been started about whether the “Zeitenwende” might be about to change the rules of the enlargement process fundamentally. It looks like the old “Western Balkans Black Hole” discussion has returned to Brussels and to Member States’ capitals. Will this security paradigm change¹⁴ be an ephemera or lead to a redefinition of the organization’s accession criteria and accession procedures? Turning point or ‘business as usual’? Wishful thinking on the side of some aspirants, or distraction from their homework still to be completed?

Western Balkans to Brussels Ground Control: Which Priorities First, Now?

This discussion is not completely new, in principle. Since the so-called Thessaloniki promise of 21 June 2003 two main enlargement strategies have been

¹³ See most recently the EU’s reiteration of its expectations on accession candidates to align with the EU Common Foreign and Security Policy (CFSP): Council of the European Union: Council conclusions on enlargement and stabilization and association process. ENLARG 106, COWEB 190, COEST 914, Doc. 15935/22, Brussels, 13 December 2022, Para. 23.

¹⁴ Predrag Jureković: Western Balkans 2023 – Conflict Management in the Geopolitical Crossfire. Institute for Peace Support and Conflict Management (IFK), National Defense Academy Vienna, IFK Monitor International, Vienna, February 2023, p. 2; <https://www.bmlv.gv.at/wissen-forschung/publikationen/beitrag.php?id=3655>.

discussed in the EU, in member states' capitals and in the region concerned. The so-called "regatta principle" (the fittest and fastest will become members first – the so-called "merit-based" approach) versus an accession "as a bloc" (all six together at once) – when political-strategic (e.g. the parallel membership of Serbia and Kosovo) reasons would make this unavoidable. So far, the former strategy has not only been supported in the EU by a large majority, but has also determined the enlargement process in practice. Without the complete fulfillment of all the to a large degree technical-bureaucratic requirements of the 35 negotiation chapters, there will be no proposal of the EU Commission to the 27 member states to politically and formally admit a candidate country. Naturally, the Commission, "master of the monitoring of the accession criteria", and the member states, insist on merits: merits seem to have been absolutely dominating the enlargement processes – rather than political-strategic and even more so geopolitical-security factors. Some have been arguing that in the cases at least of Spain, Portugal and Greece and later in the cases of Bulgaria, Romania and, worse, Cyprus, political deliberations had by far outweighed the "bureaucratic" criteria as anchored in the EU's *Acquis Communautaire*. Now, fully cognizant of Russia's revisionist, imperialistic attack on its direct neighbor Ukraine, the EU extended on 23 June 2022, surprisingly, without much preparation and lead time, unanimously the candidate status to Ukraine and Moldova, even before Bosnia and Hercegovina, that had applied already in 2016.¹⁵ At the same time, on 18 May 2022, NATO welcomed the applications of Sweden and Finland to join the Atlantic Alliance (with the original resistance of Turkey and Hungary).¹⁶ Thus, Kosovo remains the last country of the WB 6 without EU candidate status – and no chance for NATO membership – due to the mutual conflict with Serbia.

If There Is a Peace Dividend – Can There Also Be Something Such as a "War Dividend"?

Although this development must have been bitter for more or less all of the WB 6 (Albanian Prime Minister Edi Rama made this very clear at the EU

¹⁵ Bosnia and Hercegovina was eventually granted candidate status on 15 December 2022 – probably faster than some in Brussels and in the EU wanted to.

¹⁶ Finland became NATO's 31st member state on 4 April 2023, while Sweden, due to the prolonged resistance of both Turkey and Hungary, finds itself still in the waiting room.

Western Balkans summit in Brussels on 23 June 2022),¹⁷ others refused to see in the Ukraine war an extraordinary acceleration factor – a game changer that could not be neglected.

The white elephant, however, remains in the WB 6 EU waiting room: why could Ukraine’s and Moldova’s threat situation, both countries up to then without any concrete “merits” as foreseen in the classic EU’s accession dogmatics, bypass all these hurdles the WB 6 still are meant to overcome to get their membership in the club? Nothing against Ukraine¹⁸ and Moldova, they have been arguing – from Kyiv’s and Chisinau’s point of view, they are welcome to join. But why can the EU override the accession rules for Ukraine and Moldova, but not for the WB 6, which have been waiting so much longer? Timothy Garton Ash writes:

Just a few days before the invasion of Ukraine last year, a senior advisor to German chancellor Olaf Scholz told me that Scholz’s position was crystal clear: the EU should enlarge to include the Western Balkans, but no further. French president Emmanuel Macron wasn’t so keen even on including the Western Balkans. Four months later, Scholz was standing in Kyiv ... telling Zelensky and the world that they wanted the EU to welcome Ukraine as a candidate for membership. Soon thereafter, the EU did just that; extended the same recognition to Moldova, a small state sandwiched between Ukraine and Romania; and sent an unprecedentedly encouraging signal to Georgia. What a difference a war makes.¹⁹

Should the above mentioned former “Transgressions of the EU”, together with Putin’s war of aggression, serve as a blueprint for a finally accelerated full membership of the WB 6 in the EU? As a “bloc”? Some in the Union (and beyond in the West) have been reasoning if it was of any use to the EU having to uphold its values and the letters of its Acquis, while at the same time Russia’s interferences and concrete security threats (e.g. with a deadly cyber war against European societies and their economies) have already started to strangle if not to bring the Union to a standstill, even without any military invasion (which rightly seems rather unrealistic to all in the EU, last

¹⁷ “I cannot but express my deepest regret to the EU. Not even a war in Europe, that could end in a global catastrophe, was able to establish its unity.” Quote from the German economic magazine *Wirtschaftswoche*: Beitrittsambitionen. EU-Gipfel: Hoffnung für die Ukraine – Enttäuschung für den Westbalkan. 23 June 2022; www.wiwo.de.

¹⁸ Ukraine and Moldova have not yet recognized Kosovo as an independent state.

¹⁹ Timothy Garton Ash: Ukraine in our future. In: The New York Review of Books, New York, NY, Volume LXX, Number 8, 23 February 2023, p. 42; www.nybooks.com.

but not least due to NATO guarantees)? In Brussels, though, dogmatists have been arguing even after 24 February 2022, that it would be wrong to yield to any “external pressures”, not even to Putin’s invasion of Ukraine and the destruction of the European and global order. Geopolitical strategists, however, have been calling on Brussels and the EU member states to shift, at least for some time, its foreign and security policy to the center of the EU’s overall politics – enlargement policies included, putting technical and bureaucratic criteria and requirements last. With one exception: a strong focus on fundamental rights, strengthening democratic institutions and public administration, and substantial reforms in the area of the rule of law.

Radical Upheaval or Only a Game Changer Lite?

It was French President Emmanuel Macron, representing enlargement critical France, who, during the last years, forced the EU to revise both the enlargement process and the hierarchy of the accession criteria. Under pressure from France (and others like the Netherlands and Denmark), the EU Commission²⁰ presented in 2020 an “enhanced” version of its enlargement procedures, adopted by the Council on 25 March 2020. Though in particular the “firm, merit-based” approach remained unchanged, it was decided “to put the political nature of the process front and centre”.²¹ Later, already under the pressure of Russia’s attack against Ukraine, further “Conclusions on enlargement and stabilization and association process” were approved by the EU Council on 13 December 2022.²² However, even Macron had to acknowledge that all of this seemed not to be sufficient to close ranks in Europe to restructure the European security structure, and to finally complete its membership, above all of the WB 6, but also of the, due to the war, new aspirants Ukraine and Moldova – and possibly Georgia. Above and beyond these EU challenges, an answer should also be found to the question of how to include other European countries into a “Europe independent and

²⁰ European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Enhancing the accession process – A credible EU perspective for the Western Balkans. COM (2020) 57 final. Brussels, 05 February 2020.

²¹ *Ibid.*, II b), “A strong political steer”.

²² Council of the European Union: Council conclusions on enlargement and stabilization and association process. ENLARG 106, COWEB 190, COEST 914, Doc. 15935/22, Brussels, 13 December 2022.

free”, which, so far, have not shown concrete interest in eventually joining the EU. On 9 May 2022, President Macron delivered a speech to the European Parliament,²³ proposing a new informal European structure named “European Political Community, EPC”. Obviously intended to remove the increasing steam pressure from the enlargement kettle, Macron has offered a format that would reunite all “European nations that subscribe to our shared core values, (...) to bring our Europe together, respecting its true geography”. This new overarching format would not replace the possibility to sometime become a full member of the EU. That option would remain untouched. The enlargement process, Macron said, was not a short term-project,

unless we decide to lower the standards of this accession and therefore completely rethink the unity of our Europe and even the principles in the name of which we hold some of our own members to a high standard, and to which we are all dedicated.²⁴

In a nutshell: With France and Macron, there would be, even while facing the “new geopolitical realities” caused by Putin’s aggression, no fundamental changes of the EU enlargement requirements and of the accession process. The EPC, however, should not be considered a political consolation prize – rather, in the short term, as a transitional, comprehensive forum that would bring together informally and unite EU member states, candidates for EU membership, aspirants for EU membership, and those countries who at this moment are not yet interested, sharing nonetheless more or less the same values as the first ones mentioned.²⁵ And looking at future NATO memberships (Ukraine; Moldova; Georgia), Macron, at the 2023 GLOBSEC conference in Bratislava, presented his vision also in this regard, based on the assumption that he does not envisage a consensus within NATO on full membership yet: “We need to build something between security guarantees provided to Israel and fully-fledged NATO membership”.²⁶ Ultimately, this

²³ Élysée: Address by the President of the Republic at the Conference on the Future of Europe. Strasbourg, 9 May 2022.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Élysée: Closing speech by the President of the French Republic: From Venus to Mars. Bratislava, 31 May 2023, GLOBSEC Summit in Bratislava; www.elysee.fr; See also: Michaela Wiegel: Frankreichs Drang nach Osten. Der Ukrainekrieg und Macrons neue

would mean: Similar to the WB 6, there will be no NATO collective defense (according to Art. 5 of the North Atlantic Treaty), and not even EU mutual assistance (according to Art. 42.7 of the Treaty on European Union)²⁷ – unless any of the countries listed become a full member to NATO and/or the EU. Is that in times of the “Zeitenwende”, against the backdrop of Putin’s anti-Western bloody aggression the geopolitically correct and sustainable answer?

Recent developments have shown that already, in the course of the last months of 2022 and the beginning of 2023, both Brussels and major European capitals governments and parliaments, similarly to Paris, have been considering feverishly whether the previously applicable rules and procedures for enlargement, meaning for full membership, were still to be maintained. The central argument of the enlargement sceptics has always been: Before we accept new members, the Union needs increased “integration” (strengthening of the EU inside). Yet, EU member states have never found a compromise describing how this “finality” of the EU could look like.²⁸ The renowned political scientist Herfried Münkler argues that not the inner regulatory density, which up to now has been the central indicator for the maturity, efficiency and finality of the Union, will be the decisive strength and tool of the EU in the global concert, but the foreign and security power to act in the outside world.²⁹ In the context of the “Zeitenwende” and enlargement policy, this approach favors the accelerated accession in particular of the WB 6 – not much time anymore for fruitless and endless debates about “inner reforms”.

Sicht auf die EU-Erweiterung. Frankfurter Allgemeine Zeitung, 30 May 2023, p. 10; Stephan Löwenstein: Macron fordert Garantien für Kiew. Frankfurter Allgemeine Zeitung, 1 June 2023, p. 6.

²⁷ See European Parliamentary Research Service: A comparative analysis of article 5 Washington Treaty (NATO) and article 42 (7) TEU (EU), Brussels, December 2022; [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/739250/EPRS_ATA\(2022\)739250_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/739250/EPRS_ATA(2022)739250_EN.pdf).

²⁸ See Herfried Münkler: Sicherheitspolitische Modelle für ein Europa der Zukunft. In: Johann Frank/Johannes Berchtold (Eds.): Fundamente von Freiheit und Sicherheit in Europa. Landesverteidigungsakademie. Institut für Friedenssicherung und Konfliktmanagement (Wien), Berlin, 2023, p. 371.

²⁹ Ibid., p. 381.

As mentioned above, the first indicator of a change of mind in the light of the war against Ukraine was the granting of the EU candidate status to Bosnia and Hercegovina (BiH) on 15 December 2022, though this has been long overdue, given the politically complicated situation in the ethnically divided country. Later, France lifted its veto on Albania's and North Macedonia's EU membership applications, indicating that Russia's revanchism and imperialism demanded clear answers eventually.

Even more surprising, President Macron, in his Bratislava keynote speech on 31 May 2023, seemed to have suddenly fully changed from Saul to Paul, when it comes to EU expansion. Aware that his initiative to create a European Political Community, though obviously successful as the summit of the 47 in Chisinau has shown, had raised considerable suspicion that the project was mainly “a ploy to stall EU expansion”,³⁰ Macron underlined his new commitment to enlargement. In his 2022 Strasbourg speech, he had still insisted that “the European Union (...) cannot, in the short term, be the only way to structure the European continent.” The German Chancellor, also taken by surprise, had a hard time to speedily rush to Macrons assistance. Comment of the Economist: “The pair are now aligned on enlargement”.³¹

As much as all of this seems to be excellent news especially for the WB 6, on the ground not much has changed yet – and everybody aware of the EU's inner decision mechanisms and “speed” knows that Rome was not built in a day. Not to forget that in particular some EU, but even NATO member states have been harboring political reservations when it comes to the admission of new members to the respective organizations.

Membership Lite?

Creative and Bold Interim Solutions Needed

Now that the war against Ukraine has proven to be *the* game changer regarding EU and NATO-enlargement, with a clear ‘yes’ of the EU tandem France

³⁰ The Economist: Russia's war on Ukraine is changing Europe. It is prompting a big shift in France and Germany. Paris, 7 June 2023; <https://www.economist.com/europe/2023/06/07/russias-war-on-ukraine-is-changing-europe>.

³¹ Ibid.

and Germany, and with seemingly lesser constraints than ever before,³² the question remains unanswered: What to do meanwhile, until geopolitically accelerated enlargement becomes concrete?

Already before the war against Ukraine, numerous think tankers and practitioners, including some EU politicians, had made proposals for what could be done to improve the overall situation of the WB 6 membership candidates, to enable them as much as possible to benefit from their rapprochement to EU markets, procedures and instruments just until the so-called “red line” of full membership (above all characterized by the acquirement of also full political rights) is reached. Indeed, if not now, then when?

- The EU expert of the German Institute for International and Security Affairs, SWP (Berlin), Barbara Lippert, has recently proposed the creation of a European Politics and Economic Area (WB 6; Eastern European non-member states), to develop effective forms of “integration and community building,” in light of the new geopolitical conditions, while still monitoring the progress of accession candidates.³³
- At the above mentioned 2023 GLOBSEC conference in Bratislava on 31 May 2023, European Commission President Ursula von der Leyen also announced a new initiative³⁴ for the WB 6 (“New growth plan”):
 1. Bringing the region closer to the EU single market,
 2. deepening regional economic integration,
 3. accelerating fundamental reforms,
 4. boosting pre-accession funds.

³² Die-hard sceptics, however, still see the politically not yet buried Copenhagen (rather bureaucratic) criteria of 22 June 1993 as the remaining ultimate for any accession (“continuity despite geopolitical caesura?”).

³³ Barbara Lippert: EU-Erweiterungspolitik in der Zeitenwende: Zäsur oder business as usual? *Zeitschrift für Politikwissenschaft*, 20 April 2023; https://www.researchgate.net/publication/370165378_EU-Erweiterungspolitik_in_der_Zeitenwende_Zasur_oder_business_as_usualEU_enlargement_policy_in_times_of_Zeitenwende_caesura_or_business_as_usual.

³⁴ See Ursula von der Leyen: A new initiative for the Western Balkans; <https://forum2023.globsec.org/globsec-2023-new-eus-western-balkans-initiative-announced/>.

- Von der Leyen: “We stand ready to support the Western Balkans with increased pre-accession funding. There is a dire need for investment in the Western Balkans. These investments will make people’s lives better. And they will also smooth the way into our Union”.³⁵ The EU Commission President, however, again reiterated that the condition to fully benefit from the EU’s new initiative would be the fulfillment of the key conditionality: independent judiciary; public procurement and the fight against corruption, what meaning: still no undermining of the main Copenhagen accession criteria.
- Both political parties in Europe and Balkan experts have rightly proposed to immediately fully integrate the WB 6 into the EU single market, providing them with key benefits that are not necessarily linked to sensitive political rights (yet).³⁶
- Brussels, in close cooperation with the member states (France and Germany!), should pull itself together, creating a new general accession approach somewhere between the “regatta principle” and accession “as a bloc” (all six at once, as soon as all of them have proven that they meet sufficiently the three conditions *sine qua non*: rule of law, human rights, democracy).
- On the more political side, not many proposals have been made yet to let the accession candidates benefit already now from their getting closer to the Union. But there seems to be nothing standing in the way of immediately including the WB 6 into all EU summits, fora, committees, Council working groups, roundtables, etc., as observers.
- The OSCE, for example, has made this a longstanding practice. Its eleven “Partners for Co-operation” from Asia and the Mediterranean have been taking part in Vienna’s regular weekly Permanent Council meetings and committees (as observers), and in fora especially

³⁵ Ibid.

³⁶ See, for example, the proposals of the German political parties CDU and CSU: Deutscher Bundestag, Antrag der Fraktion der CDU/CSU: Mit einer engagierten Politik die EU-Perspektive für die Staaten des westlichen Balkans erneuern. Drucksache 20/2339, 21 June 2022; <https://dserver.bundestag.de/btd/20/023/2002339.pdf>.

designed for them. They are permitted to even take the floor, but have no voting rights.

- The EU membership aspirants would profit enormously from such an inclusion – and probably the EU and its member states as well. The candidates could learn the EU this way – better than in the course of the existing, sometimes seemingly “neo-colonial” processes and procedures.
- In this context, the chairman of the German Bundestag’s Foreign Affairs Committee, a former Minister of State in the German Foreign Office, Michael Roth, has proposed that EU member states should take over individual sponsorships – to better prepare and coach membership aspirants.³⁷

Such a transitional package of improvements for the WB 6 could also benefit aspirants like Ukraine, Moldova and Georgia, and open the way for a new, also geopolitically positioned Europe, the new Europe from Lisbon to Kyiv.

³⁷ See Michael Roth: Die Zukunft des westlichen Balkans steht auf dem Spiel. Die ZEIT, 18 September 2022; <https://www.zeit.de/politik/ausland/2022-09/westbalkan-eu-erweiterungspolitik-beitrittsprozess-russland-china>.

Back on Track? The Impact of War in Ukraine on EU Integration of the Western Balkans¹

Matteo Bonomi

The return of war to Europe and the ensuing offer of European Union (EU) candidate status to Ukraine and Moldova (and potentially Georgia) represent dramatic turning points of recent European history, which have upset consolidated expectations on the future of Europe. In particular, one can observe an almost complete revolution in the prospects for EU relations with third countries in its immediate surroundings, including far-reaching consequences for the Western Balkans.

Indeed, Brexit together with rising Euroscepticism and perduring of the so-called “enlargement fatigue” had stimulated, in recent years, the search for manifold modes of differentiated integration and cooperation to accommodate the EU’s variegated relations with third countries. Today, as a direct consequence of the war, Europeans are confronted with a completely new reality. In this new world – which appears dominated by the basic political dichotomy between friends and foes – a much smaller space seems to be left for ambiguous stances in the EU relations with countries in its proximity (and vice versa). In particular, war has triggered strong demands across Europe for de-differentiation in the EU’s external dimension and has provided a new impetus to the EU’s enlargement policy. As a result, EU enlargement as a formal process of accession to the Union as a full member, seems to be back on track.

Against this background, the central issue for the Western Balkans is, however, not simply to establish for how long this momentum could last, but whether EU enlargement as a formal process of accession to the Union could remain on track beyond the current exceptional conditions. The crucial question here is about what kind of an enlargement policy might come out of war

¹ The chapter was first published in Džankić, Jelena, Simonida Kacarska and Soeren Keil (2023): “A Year Later: War in Ukraine and Western Balkan (Geo) Politics”. Florence, European University Institute (EUI). <https://hdl.handle.net/1814/75524>.

and which characteristics it ought to have in order to overcome the significant shortcomings that emerged in the EU accession of the Western Balkans; a region that has been on the path from post-conflict reconstruction to EU membership for more than 20 years already.

Off-Track: EU Integration of the Western Balkans

There is a widespread misperception that associates the continuous stalemates in the formal process of EU enlargement to an effective suspension of the Western Balkans' integration into the EU. Indeed, after the successful closure of accession negotiations with Croatia in 2011 (formally a member since 2013), the EU enlargement process went into crisis due to scepticism towards the entry of new members in some European capitals. This situation was certified by the keynote speech at the European Parliament of the then new president of the European Commission, Jean-Claude Juncker, who – according to many observers – seemed to have suspended the enlargement process in 2014 (Juncker 2014). Yet, this has not stopped the process of integration between the EU and the Western Balkans; in its substance, this process has continued beyond the formal track of EU accession.

Indeed, if we look at the Western Balkans today, they appear much more integrated with the EU than ten years ago. This applies to all sectors of their economies – goods, services, investments and people – but it goes far beyond the integration of markets. After more than a decade of multiple crises involving the entire European continent, the Western Balkans and the EU appear strongly linked not only economically but also in the coordination of those policies that have guided the European responses to the crises of these years. The response to the global financial and economic crisis (2007–2013) saw a joint adjustment of fiscal policies and public finances in the name of austerity and the reconquest of external competitiveness, then being followed by joint investment plans (the so-called “Connectivity Agenda” for the Western Balkans). The response to the crisis of migration governance (2015–2016) led to strong coordination among interior ministries and accelerated the integration of the Balkan countries into the EU's security agencies, such as Frontex and Europol. The response to the health crisis (2020–ongoing), after some initial hesitation and delays in the distribution of vaccines and medical equipment, has led to the inclusion of the Western Balkans in the European response to the pandemic.

Today, the EU-Western Balkan cooperation is put to a test once again by the current energy crisis related to Russia's war in Ukraine, which risks to further delay the implementation of the new-born Green Agenda for the Western Balkans (Regional Cooperation Council 2020). Although Serbia, Bosnia and Herzegovina and North Macedonia are largely dependent on Russia for natural gas (and Belgrade even recently renewed its gas supply contracts with Moscow), this represents only a small part of their energy mix. Rather, the crisis is affecting the region through rising prices for electricity imports and risks. On the one hand, these jeopardise the adequacy of domestic energy supply and, on the other hand, aggravate the already precarious situation regarding the environment of these countries, pushing them even further towards the use of coal-fired power plants (almost all countries derive a large part of their energy needs from such plants to this date). Defusing this complex situation and reconciling the current price increase, energy security and environmental protection is thinkable and feasible only through an even stronger and more coordinated action by the governments of the region and the EU. Promoting energy efficiency and accelerating the green transition will require, in the coming years, to move towards an even greater integration of energy networks and strengthening the coordination of integrated policies for all Southeastern Europe.

In other words, what one can observe is how, during recent years, the loss of immediate prospects of membership has been matched by a substantial reorientation of EU enlargement policy towards a less teleological framework which, instead of aiming at full Union membership, is more open and pragmatic, aimed at fostering cooperation in many key areas. Building on the pre-accession framework and through new governance practices that are often informal and predominantly intergovernmental, the EU has developed models of differentiated external cooperation aimed at transferring its practices and policies to candidate countries and potential candidates for accession to the EU.

"New Intergovernmentalism" Reaches EU Enlargement Policy

Today EU enlargement policy appears populated by variegated practices of external cooperation, which present an exceptional, probably unique, degree of intensity, and these take place in an unprecedented number of policy areas.

These are examples of EU external cooperation, often informal and differentiated, built on the formal framework of the EU's enlargement policy and aimed at involving the Western Balkan countries in the management of most EU policies, which go well beyond market integration and touch upon more crucial aspects of national sovereignty.

However, this type of integration is taking place in a very different way from what we read in textbooks on the history of European integration. We can notice at least three differences. This type of integration is not taking place through laws and a common legal order (the so-called "integration through law"), but predominantly through forms of coordination of national policies and intergovernmental cooperation, whereas the adoption (and implementation) of the EU *acquis* has proceeded extremely slowly. Furthermore, it has not had a teleological focus towards accession to the EU (and on the urgency of fulfilling the Copenhagen accession criteria), but has been driven primarily by a pragmatic spirit and aimed at the need to find immediate answers to the challenges posed by interdependence. Finally, coordination took place above all in those areas affected by the crises of recent years; therefore in areas that are not traditionally associated with EU integration, such as security and the use of coercive force, public finance and public administration (the so-called "core state powers").

Furthermore, one should notice that this type of phenomenon is not unique to the Balkans, but has also been observed within the EU, where it has been described by some political scientists as "integration without supranationalisation" (Fabbrini & Puetter 2016). It is a new intergovernmental form of integration (according to the dictates of the so-called "new intergovernmentalism") that has characterised the EU internal responses to the crises of recent years, born from the failure to meet the (functional) demand for greater integration, triggered by the crises, and the scarcity of the political offer for it. The crisis management methods that have ensued have therefore seen the predominance of national political executives who have made it possible to save the most important results of integration (such as the freedom of movement of people or the single currency), while nonetheless demonstrating at least three important limitations of the process. Above all, these crisis management methods have proven to be inefficient, giving rise to suboptimal responses, such as in the management of the sovereign debt crisis in the Eurozone. They have also shown that they lack accountability, being policies

decided behind closed doors by the heads of states and governments. Finally, they have triggered a crisis of democratic legitimacy in the Union, having been perceived by large segments of the European populations as forms of domination of one nation over another.

All these limits of an integration through policy coordination not only persist in the EU external dimension, but appear to be particularly aggravated in this context. Indeed, this type of integration with the Western Balkans has proved to be inefficient, as it has not stimulated an adequate distribution of resources and therefore a process of economic convergence (Bonomi & Reljić 2017; Bartlett, Bonomi, & Uvalić 2022). It has failed to foster accountability, reinforcing the role and powers of national executive vis-à-vis all other domestic actors (Richter & Wunsch 2020) – something particularly problematic in the context of fragile democracies in search of consolidation such as the Balkan ones. And finally, it has proved to be illegitimate to the extent that it has placed the countries of the region on a level of inequality with respect to neighbouring countries already belonging to the Union. This has favoured, on the one hand, the interference of third parties in the affairs of the region, well-illustrated by the case of Chinese mask diplomacy (Schmidt & Džihić 2021). On the other hand, it has allowed abuse of the European framework by the member states themselves, apparent in the more frequent imposition of arbitrary preferences on the candidate countries. The latest example of this was Bulgaria's refusal to approve the adoption of an EU negotiating framework for North Macedonia on grounds of different interpretation of the origins of the Macedonian language and questions about shared history.

Back on Track?

Against this backdrop, the opening of an accession perspective for the “Associated Trio” represents good news for the Western Balkans as well, since it testifies not simply a new momentum for EU enlargement but the fact that enlargement policy might be back on track as a formal process of accession to the EU. It is not a coincidence that the offer of candidate status to Ukraine and Moldova in June 2022 has been followed by the opening of accession negotiations with Albania and North Macedonia and the unanimous decision by the EU leaders to grant EU candidate status to Bosnia and Herzegovina on 15 December 2022. In one year of war, the European Council has affirmatively replied to third countries' demands for integration, and has supplied

the EU's enlargement policy with positive decisions in a way that is unprecedented in the recent history. And yet, these exceptional conditions cannot be expected to last indefinitely, and the question of how to make this new process of accession work in the long run still remains open.

In this respect, the recent experience of EU integration of the Western Balkans offers both a warning and a guide for action. Indeed, the recent years' experiments in EU external differentiation with the Western Balkans, with its achievements and clear limits, can be precious for designing a more effective, sustainable and legitimate enlargement process. In particular, if properly devised, forms of external differentiation could be key tools of a reformed enlargement policy as far as they could guide this process of external differentiation rather than offering alternatives to accession.

To this end, it seems pivotal to correct some of the shortcomings of the current enlargement policy toward the Western Balkans and offer candidate countries several elements even before formal accession. These include: (1) provision of enough resources to strengthen economic convergence, for instance through the gradual access to EU structural funds; (2) bring them closer to EU decision-making structures and institutions early on, in order to strengthen their institutional participation and their citizens' involvement; and (3) find ways to raise peer pressure among EU member states to keep everyone in line, eventually even considering the possibility to reform the decision making rules, in order to limit the possibilities for vetoes and abuses of the enlargement process through bilateral issues or other domestic problems.

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NATO and Southeast Europe

Matthew Rhodes¹

Three decades after the collapse of Yugoslavia, the futures of NATO and Southeast Europe remain closely intertwined. Russia's war against Ukraine, spikes in regional tensions, and stalemates in further EU enlargement and Schengen accessions beyond Croatia have even triggered a quiet renaissance in the Alliance's role within the region. The extent of NATO's ability to meet resulting hopes and expectations will again importantly shape security trajectories for itself and its regional members and partners.

The current moment recalls Southeast Europe's pivotal impact on the Alliance's post-Cold War development. In August 1993, U.S. Senator Richard Lugar delivered an influential speech entitled "NATO: Out of Area or Out of Business." Lugar's not-so-subtle starting point was that territorial defense and "keeping the Russians out" no longer offered the Alliance a *raison d'être*. At the same time, no other international organization (neither the United Nations, nor the Organization for Security and Cooperation in Europe, nor the post-Maastricht European Union) had effectively risen to the task of addressing rising instability beyond NATO's borders. Geographic proximity and intensity of violence made the Balkans the logical place for NATO to pick up this mission.

Much has changed since Lugar's speech. Southeast Europe has been free of large-scale conflict for more than two decades. All but three regional states (Bosnia-Herzegovina, Kosovo, and Serbia) have themselves joined NATO. The EU has added structures and capacity for Common Security and Defense Policy, including by assuming NATO's peacekeeping responsibilities in Bosnia-Herzegovina since 2004. Meanwhile, Russia's war of aggression against Ukraine and the dissatisfying end of NATO's involvement in Afghanistan have restored the primacy of collective defense.

Nonetheless, NATO's 2022 Strategic Concept notably stressed that "[t]he Western Balkans ... are of strategic importance for the Alliance." NATO's

¹ Views expressed are solely those of the author.

top military commander, General Christopher Cavoli, reinforced that message in his April 2023 posture statement to the U.S. Congress by emphasizing that the region “will require our continued commitment to address...vulnerabilities to Russian and PRC [(Chinese)] malign influence.” These rhetorical signals have in turn translated into tangible measures across the 3 + 1 core tasks set out in the Strategic Concept, with resilience as the added element cutting across the other three.

Recent actions concerning NATO’s first core task, deterrence and defense, have involved Southeast Europe in a number of ways. As one highly visible example, the Alliance’s 2022 summit in Madrid established additional Enhanced Forward Presence (EFP) units in countries including Romania and Bulgaria. Member states within the region including Albania, Croatia, Montenegro, North Macedonia, Romania, and Slovenia contribute EFP forces there or further north. Although also part of the cooperative security task, some of the Alliance’s largest military exercises since the Cold War, including the “Immediate Response” portions of Defender ‘21 and ‘23, have included members and partners from the region and focused on preparation for deployment of Allied troops from west to east through the region to the Black Sea.

NATO’s second task, crisis management and prevention, has also gained renewed prominence. Most directly, the Alliance’s residual stabilization mandates have been leveraged to maintain a cap on intra-regional tensions. Following acts of violence and martial posturing between Kosovo and Serbia over automobile license plate requirements in summer 2022, NATO Secretary General Jens Stoltenberg pointedly reminded Serbian President Aleksandar Vučić and Kosovo Prime Minister Albin Kurti in separate meetings in Brussels that KFOR (NATO’s approximately 4000-troop-strong Kosovo Force, to which most Southeast European states contribute forces) “stands ready to intervene” should stability be further threatened. After injuries to 30 Hungarian and Italian KFOR soldiers in protests in northern Kosovo following Serb-boycotted local elections in spring 2023, the Alliance added 700 troops to its presence and placed another reserve battalion on alert. Meanwhile, the prospect of reversion to NATO’s original peacekeeping mandate in Bosnia-Herzegovina seemingly dissuaded Russia from blocking United Nations Security Council renewal of the mandate for the European Union’s successor Operation Althea (EUFOR-Althea) in November 2022.

Crisis management has also touched other areas. During the peak of the COVID-19 pandemic, NATO's Euro-Atlantic Disaster Response Coordination Center served as a clearing mechanism for resources including medical personnel, face-masks, and field hospitals to and from multiple members and partners in Southeast Europe. NATO as well as individual Allies such as the United States and France issued statements and sent expert support teams to countries including Albania and Montenegro in the wake of major cyber attacks attributed to Iran and Russian criminal groups in summer and fall 2022. In broader terms of crisis prevention, some observers have credited NATO membership with moderating political tension within newer Allies such as Montenegro and North Macedonia.

Finally, NATO's third core task, cooperative security, encompasses aspirant preparation for accession and other relations with partners. The agreement in Madrid to extend a Defense Capacity Building package to Bosnia-Herzegovina for modernization and integrity in the defense and security sectors is a leading example. Partnership for Peace member Serbia's hosting of the Platinum Wolf '23 peacekeeping training with eight NATO states in early summer 2023 is another. Some interpreted the latter, the first exception to the country's suspension of international exercises after February 2022, as a sign of Euroatlantic diplomatic tilt.

NATO's growing suite of activities involving Southeast Europe merits note. On its own it may fall short of game-changing impact. Nonetheless, cumulatively it advances the region's integration and development and helps hold worst-case scenarios at bay. In conjunction with other engagement, it has potential to do more.

The Role of the OSCE in Strengthening Resilience in Southeast Europe

*Stefan Wolff*¹

Introduction

The region of Southeast Europe continues to be affected by protracted challenges to its security, dating back to the violent disintegration of Yugoslavia in the 1990s but intertwined with new problems that have emerged since, including the intensifying rivalry between the great powers in today's international system. These challenges may not as such have grown since Russia's invasion of Ukraine, but their significance for the stability of the region and beyond has.

The question that this contribution seeks to address is whether there is a role for the Organization for Security and Co-operation in Europe (OSCE) in managing the multiple challenges that the region faces. With long-established field presences in Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia, and with a comprehensive and cooperative security concept, the OSCE should be well-placed to assist the states and societies of the region in addressing current security challenges and building a higher degree of resilience for the future.

Yet, the OSCE itself grapples with serious problems. In danger of being consumed and paralysed by the war in Ukraine, its capacity to fulfil its mandate has been eroded further, including budgetary pressures that have also particularly affected the work of its field missions and institutions. Moreover, in the traditionally crowded space for international organisations that Southeast Europe represents, the role of, and expectations towards, the OSCE have declined relative to other organisations, such as the EU and NATO, and at a time when the footprint of China in the region has also increased.

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Against this background, I offer an argument for a continued role of the OSCE in the region, but one that focuses on an area where the OSCE can offer unique added value, namely the integration of diverse societies. This is not meant as a case against continuing or new OSCE activities in other areas but rather one of prioritisation both within the OSCE and of the OSCE in relation to a very specific yet fundamental area of security and stability for the region.

Developing this argument, I proceed in three steps. First, I offer an overview of the current level of presence and activities of the OSCE in the region. Second, I provide a short analysis of the current challenges related to the integration of the diverse societies in the region and how they impact resilience. Third, I outline how and why an increased focus on integration presents a viable path for continued OSCE engagement that complements, and is complemented by, other activities of the Organization, as well as potentially other international actors in the region, notably the EU and NATO.

The OSCE in Southeast Europe

What was then the Socialist Federated Republic of Yugoslavia was a signatory of the Helsinki Final Act in 1975 and thus a founding member of the Conference on Security and Co-operation in Europe (CSCE), the forerunner of today's OSCE. One of Socialist Yugoslavia's successor states, the Federal Republic of Yugoslavia (FRY, consisting of Serbia and Montenegro) was suspended from the CSCE in 1992. This was the only time that a participating State has been suspended and the only time, to date, that the so-called consensus-minus-one mechanism has been used. After the ouster of Slobodan Milosevic, the FRY joined the OSCE as its 55th participating State in 2000.

During these eight years, both the region and the CSCE underwent a fundamental transformation that cannot be detailed here. Suffice to say, by 2000 five new states had emerged in the region, approximately 100,000 people had been killed in armed conflict and many more displaced, and the region as a whole, as well as the countries within it, were deeply fractured. In the meantime, the CSCE had become the OSCE, the number of its participating States had increased to 54, and new institutions had been created, including the High Commissioner on National Minorities (HCNM).

Driven by concerns about security and stability, CSCE and OSCE involvement in the region began with the 1992 Missions of Long Duration for Kosovo, Sandjak and Vojvodina, and later included the Kosovo Verification Mission in 1998 and today's OSCE Mission in Kosovo, which was established in 2000. Today the OSCE has field presences in all of Southeast Europe with almost 900 staff and a total annual budget of almost €50m (see Table 1).

	Est.	Staff	Budget	Mandate
Albania	1997	83.5 (19 int.)	€2.98m	<ul style="list-style-type: none"> • Legislative and judicial reform, including property reform • Regional administrative reform • Electoral reform • Parliamentary capacity-building • Anti-trafficking and anti-corruption, including supporting the implementation of relevant national strategies • Development of effective laws and regulations on the independent media and its Code of Conduct • Promotion of good governance and targeted projects for strengthening of civil society • Police assistance, in particular training for border police, within a co-ordinated framework with other international actors in the field

Bosnia & Herzegovina	1994	314.5 (34)	€11.68m	<ul style="list-style-type: none"> • Democracy building and human rights promotion and monitoring • Assisting the Parties in implementation of regional stabilization measures
Kosovo	1999	490.5 (115)	€17.46m	<ul style="list-style-type: none"> • Human and community rights monitoring and promotion • Support to democratic institutions and good governance • Public safety and security
Montenegro	2006	32 (9)	€2.15m	<ul style="list-style-type: none"> • Assist and promote the implementation of OSCE principles and commitments as well as the co-operation of the Republic of Montenegro with the OSCE, in all dimensions, including the politico-military, economic and environmental and human aspects of security and stability • Facilitate contacts, coordinate activities and promote information exchange with the Chairperson-in-Office, OSCE institutions, and as appropriate, OSCE field operations particularly with those in South-Eastern Europe, as well as co-operation with international

				<p>organizations and institutions</p> <ul style="list-style-type: none"> • Establish and maintain contacts with local authorities, universities, research institutions and non-governmental organizations and assist in arranging events with OSCE participation
North Macedonia	1992	153.5 (38)	€6.5m	<ul style="list-style-type: none"> • Dialogue with the Governmental Authorities of the Host Party • Establishment of contacts with representatives of political parties and other organizations, and with ordinary citizens • Undertaking trips to assess the level of stability and the possibility of conflict and unrest • Engaging in other activities compatible with the CSCE goals of the Mission • Maintaining a high profile in the country • In case of incidents, assisting in establishing the facts
Serbia	2001	118.5 (21)	€6.26m	<ul style="list-style-type: none"> • Assist and advise on the full implementation of legislation in areas covered by the mandate • Monitor the proper functioning and development

				<p>of democratic institutions, processes and mechanisms</p> <ul style="list-style-type: none"> • Assist in the restructuring and training of law enforcement agencies and the judiciary • Provide assistance and advice in the field of the media • In close co-operation with the Office of the United Nations High Commissioner for Refugees, provide advice and support in order to facilitate the return of refugees to and from neighbouring countries and from other countries of residence as well as of internally displaced persons to their homes within the territory of Serbia
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Table 1: OSCE Field Operations in Southeast Europe
Source: OSCE Conflict Prevention Centre (2021), data accurate as of September 2021

The Challenge of Integration in Diverse Societies and Its Impact on Resilience

By and large, the mandates of the various OSCE missions in Southeast Europe have not changed since their inception. While projects and activities are of course not the same today as they were in the 1990s or early 2000s when the missions were established, the endurance of their mandates is a reflection of the similar persistence of the challenges that participating States in the region have been facing.

Across the southeast European region and the individual countries within it, many of these challenges arise from the incompatibility of political and ethno-national boundaries that are one of the legacies not only of the violent disintegration of the former Yugoslavia but also the much longer history of state-building and nation-formation in the Western Balkans. Although the intensity of these contestations may vary across space and time, it has remained a constant source of tensions and conflict for the past three decades. Internally, for example, state and nation are intensely contested in Bosnia and Herzegovina and North Macedonia. The resulting fragility of both states and the continuing ethno-national polarisation of societies is deeply problematic. (cf., in more detail, Kartsonaki & Wolff, 2023)

At the same time, irredentist claims persist, often overlapping with secessionist aspirations, as part of greater nationalist agendas. To varying degrees, elements within the politically organised Albanian, Serb, and Croat communities continue to challenge the legitimacy of their neighbouring states. The most challenging ethno-nationalist projects in the Western Balkans include visions of Greater Serbia, which continue to destabilise Bosnia and Herzegovina and Kosovo, and of Greater Albania/Kosovo which challenge the territorial integrity of North Macedonia, Serbia, and Montenegro. These transboundary contestations have created a web of interconnected potential triggers for violent conflict that would not only destabilise the immediate region but also have a detrimental impact on European/EU security. (cf., *ibid.*)

This diagnosis is also evident from some of the analysis and recommendations of the Study Group Regional Stability in Southeast Europe over the past five years. In 2018, “intra-state consolidation” was identified as a problem in Bosnia and Herzegovina and Kosovo, and “insurmountable animosities” were found to be present in the post-Dayton triangle and in the Belgrade-Prishtina-Tirana “triangle of regional (in)stability”. In 2021, the assessment regarding Bosnia and Herzegovina and Kosovo was that “in both countries, the democratic consolidation of multi-ethnic state institutions – to which there is no meaningful alternative – is proving difficult.” And in 2022, the Study Group’s situation analysis noted that for the Western Balkans to become a “role model for multi-ethnic co-existence”, “shared positive narratives instead of the currently dominant political exploitation of nationalisms” would be required.

Integration with Respect for Diversity: A Viable Path for Continued OSCE Engagement in Southeast Europe

The potential for tensions in inter-ethnic relations remains high across the region. Not only does this pose a threat to stability within countries but there is also abundant evidence, including from the region, that unresolved issues concerning inter-ethnic relations in one state negatively affect the relations between states. Such negative spill-over effects are particularly likely when states and societies lack social cohesion, which, in turn, cannot be achieved without the institutional, legal, and policy mechanisms to promote integration of diverse population groups.

The Logic of Integration

Integration, thus, provides a solution to the potential security challenges arising from inter-ethnic relations in diverse societies precisely because it fosters social cohesion which, in turn, gives societies the resilience to deal with the challenges that inevitably arise in diverse societies. Consequently, “the stability imperative makes the interest in integration such a fundamental element of the whole process of majority-minority relations” (Packer and Siemienski 1997, 190).

Integration, therefore, is essential to conflict prevention. Conflict prevention, in turn, is at the heart of the mandate of the OSCE High Commissioner on National Minorities (HCNM), created by the organisation’s participating States in 1992. Unsurprisingly, therefore, “integration with respect for diversity is the guiding principle of the HCNM’s work” (OSCE High Commissioner on National Minorities, 2012, para. 10).

The HCNM was at the time, and to some extent remains, a unique institution, which “continues to perform one of the OSCE’s most important early warning functions” (Raith, 2020, p. 43). The original mandate of the HCNM was clearly defined in terms of conflict prevention:

The High Commissioner will provide “early warning” and, as appropriate, “early action” at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage, but, in the judgement of the High Commissioner, have the potential to develop into a conflict within the CSCE area, affecting peace, stability or relations between participating States,

requiring the attention of and action by the Council or the CSO. (Conference for Security and Co-operation in Europe, 1992, para. II/3)

There is nothing in the original mandate of the HCNM to suggest that achieving integration would become the focus of the work of subsequent holders of the office, who all subscribed to the idea that integration provides a solution to the potential security challenges arising from inter-ethnic relations in diverse societies. Significantly, they did so by framing integration as within the parameters set by both relevant OSCE principles and commitments and existing international and human rights standards,² thus emphasising the importance of the balance between promoting social cohesion while protecting individual human and minority rights, encapsulated in the notion of integration with respect for diversity.

The underlying logic of this approach is that integration, based on the protection of minority rights and combined with opportunities for members of minorities to participate in public life, provides a framework in which inter-ethnic tensions and conflict can be avoided because disputes between minorities and majorities can either be prevented altogether or resolved within the (democratic) institutions established and consolidated through the process of integration. This connection between integration and security is forcefully expressed in the 2012 Ljubljana Guidelines on Integration of Diverse Societies, which state that “lasting peace, stability, internal and external security, and prosperity are linked to enabling the process of integrating all the constituent parts of society” (OSCE High Commissioner on National Minorities, 2012, p. 8).

Issues of social cohesion that are addressed in the Ljubljana Guidelines go to the core of minority rights, particularly concerning language and education and especially the balance between the use, teaching, and learning of state and minority languages. Yet, these are simultaneously issues that are often of key concern not only to the affected minority communities but also their kin-

² These principles, commitments, and standards are a frequent reference point in the work of the HCNM and in the thematic recommendations and guidelines and their origins can be traced back to the Helsinki Decalogue, especially principles VII (Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief) and X (Fulfilment in good faith of obligations under international law) (see also Babbitt, 2012; Conference on Security and Co-operation in Europe, 1975; Kemp, 2001).

states. In this sense, there is a clear link between the substantive policy areas covered in the 2008 Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and the Ljubljana Guidelines. Promoting social cohesion has been more often and openly recognised as a legitimate goal for host-states to pursue, however, one that must be balanced against equally legitimate minority concerns (Thors, 2015, p. 8; see, for example, Vollebaek, 2011b, p. 9; Zannier, 2018, pp. 2–3). Where there is a perception – grounded in reality or not – that this balance tilts towards social cohesion at the expense of minority rights, bilateral tensions are likely, if not inevitable. Their destabilising consequences can be clearly seen, for example, in the relations between Belgrade and Prishtina, Sofia and Skopje, Tirana and Athens, and Belgrade and Podgorica.

Why the OSCE? Why the HCNM?

A singular focus on integration by a chronically under-resourced institution within an organisation that finds itself in a profound crisis is, of course, not going to “fix” the fundamental challenges that have beset the countries and region of southeast Europe for decades. However, a focus on integration is both useful and possible. It is useful in terms of its intended outcomes and because it complements, and is complemented by, the wide range of activities that the OSCE’s existing missions in the region have been mandated to undertake. As early as 1990, in the so-called Copenhagen Document, the participating States of the then CSCE noted that “questions relating to national minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law, with a functioning independent judiciary” (Conference on Security and Co-operation in Europe 1990, para. 30). Such respect for human and minority rights, and the establishment of the requisite institutional and legal frameworks, are hardly self-executing and self-implementing assumptions, but they are clearly reflected in the existing mandates and activities of OSCE missions across the region. This includes work on preventing violent extremism, such as sensitivity trainings that have also helped to establish early warning signs and raise awareness of the challenge of extremism and, crucially, not only of the Islamic fundamentalist kind but, for example, also Serbian and Albanian extremist nationalism in Serbia and Kosovo.

This complementarity between the mandate and activities of the HCNM and the field missions is also part of what makes a focus on integration possible. The other part is related to the tools that the HCNM has available. The original mandate of the HCNM identified several working practices for the HCNM, including in-country fact-finding missions, providing an assessment of the tensions and their conflict potential, and “where appropriate promote dialogue, confidence and co-operation” and engage in “further contact and closer consultations with the parties concerned with a view to possible solutions” (Conference for Security and Co-operation in Europe, 1992, para. II/12, 16).

Specifically on integration, the Ljubljana Guidelines provide further operational recommendations on how it can be achieved. These are useful to consider from the perspective not only of the states and societies concerned but also in terms of the tools that they provide to the HCNM for assisting government and minority representatives in their efforts to manage integration as a two-way process with the ultimate aim that “all members of a given society accept common public institutions and have a shared sense of belonging to a common State and an inclusive society” (OSCE High Commissioner on National Minorities 2012, 18).

Key among these operational recommendations is that the state “needs to provide policies, legislation and mechanisms that enable and support the expression and negotiation of diversity within a shared institutional and legislative framework” and that “individuals and groups have to accept such instruments and contribute to their functioning” (OSCE High Commissioner on National Minorities 2012, 18). Put differently, integration requires both the right institutional, legal, and policy framework to be in place and individuals and groups to participate in it.

The mandate of the HCNM offers a basis for assisting states in establishing mechanisms, drafting legislation, and formulating policies conducive to enabling integration. It is less clear, however, what the HCNM can do to facilitate individuals’ and groups’ participation, let alone get them to accept that “all members of society share the duties of obeying the laws and the responsibilities of contributing to society and to the integration of society” (OSCE High Commissioner on National Minorities 2012, 20).

Ultimately, therefore, the HCNM's tools of change-making are limited to assisting states in putting in place better frameworks for integration. This, however, does not imply working only with state representatives. Rather, the mandate, and the existing practice, of the HCNM both demonstrate the HCNM's focus on working with majorities and minorities alike in negotiating, implementing, and operating such frameworks. This, in turn, means that HCNM tools of change-making fall into three broad categories: mediation and facilitation, advising on legislation and policy making, and capacity building.

Mediation and facilitation are fundamental to the approach taken by successive HCNMs to achieve meaningful and sustainable integration. Whether this happens by talking to government and minority representatives separately or by bringing them together, mediation and facilitation reflect a consensus-focused approach, which, in turn, is essential if the aim of integration is that "all members of a given society accept common public institutions and have a shared sense of belonging to a common State and an inclusive society" (OSCE High Commissioner on National Minorities, 2012, p. 18). As a form of operational conflict prevention to mitigate an impending crisis, mediation and facilitation supplement long-term structural prevention (Vollbaek, 2011a, p. 3), but they also complement it, for example in the HCNM's practice in assisting states in developing national integration strategies in an inclusive process involving representatives of majorities and minorities alike.

Mediation and facilitation are primarily process or instrumental tools. That is, they serve the purpose of accomplishing more specific substantive goals, such as changes in the legal and policy frameworks of the states and societies with which the HCNM engages. However, as noted by several HCNMs and observers, the process itself often has substantive benefits in improving relations between the sides, increasing their confidence in each other, and building a reservoir of goodwill that can be drawn upon in the future (Van der Stoep, 1999, pp. 433–434).

Given that there is often at best limited contact between members of different communities on the local level, especially in deeply divided places like Kosovo, the OSCE, including the HCNM, could add real value by facilitating dialogue at the most local level. This would also enable the organisation to continue to give voice to "forgotten" minorities (e.g., Vlachs in North Macedonia, Roma in Bosnia and Herzegovina, etc.), which frequently fall off the

radar of most other actors who focus on constitutional adjustments evolving around the main ethno-national parties and actors. While this is important, integration as a conflict prevention strategy can only succeed if it is fully inclusive. A positive example of this is the work the HCNM has done on the Strategy for One Society for All in North Macedonia. This is one of several national integration strategies that the HCNM has been involved in over the years (others include Georgia, Kyrgyzstan, and Moldova), which tries to build a more inclusive society by protecting distinct communities and allowing their members to take part in social, economic and political life, while also looking for commonalities and aiming for joint story-telling and intercultural dialogue. The development of similar strategies elsewhere could be another promising way to address polarisation, radicalisation and contribute positively to social cohesion, which, in turn, is vital for strengthening democracy and pushing through major reforms needed on the road to EU accession across the remaining candidate countries in the region.

In most cases in which the HCNM has been involved over the years, the outcomes have been changes to countries' institutional, legal, and policy frameworks. In this sense, the advice that the HCNM provides constitutes a substantive tool of change-making that can be applied in context-sensitive ways. In providing such advice, successive HCNMs have relied on their own expertise and that of their staff and also drawn in outside experts.

While the HCNM can facilitate dialogue between the sides, mediate negotiations between them, and assist in drafting laws and formulating policies, responsibility for their implementation ultimately rests with the parties concerned. In many of the contexts in which the HCNM has been active, this raises a question about the necessary capacities to do so, which is often insufficient or missing. Leaving aside the issue of financial resources, this is also an issue of technical capacity at a human level and importantly goes beyond legal and policy implementation, involving also capacity to monitor and evaluate.

In this sense, capacity building is an important tool of sustaining change and enabling subsequent change-making by local actors. Crucially, “integration of society ... is a long-term process that cannot be driven by international actors alone”, meaning that governments “as a whole ha[ve] to take the lead

and involve all stakeholders” (Vollebaek, 2012b, p. 11). This has been recognised as important in the work of successive HCNMs, including the fact that “capacity-building... should be understood as a fundamental aspect of prevention” (Vollebaek, 2012a, p. 5).

Perhaps most importantly in all of this is the fact that HCNM operates through quiet diplomacy – the mediation efforts undertaken, the advice provided, and the capacity building supported all happens in confidence. In a context like that of southeast Europe where issues related to inter-ethnic relations are as much exploited rationally for political gain as they are invested with emotions, quiet diplomacy cannot but be an advantage that increases the potential for success.

A final point worth making is that integration with respect for diversity is also a policy that dovetails with elements of the EU and NATO accession processes. While this is not an argument to turn the OSCE into an executive agency of the European Commission or the North Atlantic Council, it is helpful to consider the alignment of EU and NATO accession objectives and the mandates of OSCE field missions and of the HCNM in the context of closer cooperation between these organisations, including in terms of the financing of relevant projects and activities through extra-budgetary contributions from the EU and NATO or its individual member states. For a small and comparatively poorly resourced institution like the HCNM to gain any significant traction, it needs allies. Stronger cooperation with like-minded organisations, especially the EU and NATO and their member states would be particularly useful, especially in the countries of southeast Europe where actors such as Russia and China offer a clear and tangible alternative and challenge to the promotion of liberal democracy and the protection of minority rights.

Conclusion

The southeast European region and the individual states and societies there continue to face profound challenges. Most of these challenges are not new, and many of them arise from the deeply contested nature of incompatible ethno-national and political boundaries. Clearly, it will not be easy or quick to address these challenges sustainably. One necessary, but on its own not sufficient, approach to begin tackling this dimension of enhancing state and

societal resilience would be to devote more attention and resources to the fostering of social cohesion by promoting institutions, legal frameworks, and policies associated with the notion of integration with respect for diversity.

This approach has been the focus of the work of the OSCE HCNM for almost three decades now, including in southeast Europe. Across the region, the OSCE also has a long-established presence of field missions whose mandates complement that of the HCNM in their focus on supporting democratic institution building. Combined with the HCNM's tools of change making and the quiet diplomacy approach through which they are employed, this offers significant opportunities to contribute to increasing state and societal resilience to the challenges regularly arising from inter-ethnic tensions within and between the countries of southeast Europe.

By focusing more of its activities on integration, the OSCE, possibly with support from the EU, NATO, and other international organisations and their individual member states, therefore, is highly relevant, if often under-appreciated, to the security and stability of the region as a whole and the individual states and societies within it.

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PART IV: Policy Recommendations

Policy Recommendations

Regional Stability in South East Europe Study Group

Executive Summary of Recommendations

With Regard to Strategic Goals

- **EU:** Extending programs that diminish the region's dependence on Russia's supply of oil and gas.
- **EU:** Mitigating WB dependency on Chinese loans.
- **EU/NATO/OSCE:** Assisting the WB states in updating their cybersecurity strategies and increasing their capabilities to implement them.
- **EU/NATO:** Holding civil-military crisis response exercises with WB partners.
- **EU/NATO:** Preventing a security vacuum in BiH in the event of a blockade of EUFOR Althea in the UN Security Council (UNSC).
- **EU/U.S.:** Increasing the pressure on Belgrade and Prishtina/Priština to implement the EU plan for the normalization of their relations.
- **EU:** Ramping up EU's strategic communication to fight disinformation campaigns in the WB.
- **EU:** Rewarding full compliance of WB candidates with EU's CFSP in the integration process.
- **EU/NATO:** Providing maximum inclusion of WB candidates in fora, processes and access to funds even before full membership.

Situation Analysis

The geopolitical "Zeitenwende" (sea change) brought about by Russia's aggression against Ukraine is creating new political and security parameters in the Western Balkans (WB) which, similar to the Black Sea region, has become a geopolitical front region. Against this backdrop, the only semi-consolidated state of the WB increases the pressure on the Western side to provide much more concrete support to this region on conflict issues previously neglected by Brussels and Washington. This relates primarily to the consolidation of the multiethnic state of Bosnia and Herzegovina (BiH) and the

normalization of relations between Serbia and Kosovo. The continuing fragility of this part of South East Europe also provides a good opportunity for Russia to fuel conflicts, especially by diplomatic and security means, and thereby also to harm its Western adversaries in their geopolitical confrontation in the immediate neighbourhood of the EU.

Due to a worse starting position, key economic parameters in the WB (such as inflation and GDP) are developing less critically than in comparison with the EU. Nevertheless, regional resilience in the context of the geopolitical crisis must generally be classified as weak. Political rifts in the WB have thus widened in the context of geopolitical conflicts. On the one hand, the majority of the WB states have joined Western sanctions against Russia and clearly condemn the military aggression against Ukraine. On the other hand, Serbia, an EU candidate country, pursues a two-chair foreign policy even in this dramatic situation, condemning the Russian invasion only half-heartedly and – up to now – not joining the Western sanctions. Besides Serbia, which is in self-imposed political and energy dependence on Russia, the BiH entity Republika Srpska, which is even more clearly pro-Putin, is the preferred area for Russian agitation in South East Europe.

Other target areas of Russian propaganda activities include the NATO members North Macedonia and Montenegro, which have a Christian-Orthodox majority population.

Political propaganda and the fuelling of conflicts challenge the resilience of South East European states, which have major problems with democratizing their societies. Furthermore, in the security sector, there has been an increase in cyberattacks against targets in South East Europe. Despite the support provided by the EU and NATO, protection against attacks in the digital space is not at a high level. The origin of the attackers often remains unclear. In some cases, such as the Iranian cyberattacks against Albania, the origin does not necessarily correspond with the expected geopolitical conflict pattern.

It should be noted that in the shadow of Russian activities, other geopolitical players continue their efforts to strengthen their political and economic influence in the WB. This concerns in particular China and Türkiye, but also the Gulf states. China, in particular, has been very successful in consolidating

its geo-economic influence in this part of South East Europe. Beijing achieves this primarily by making the WB states increasingly dependent on loans in the context of largescale projects, some of which are not transparent. According to estimates from the Balkan Investigative Reporting Network (BIRN) in 2022, China was involved in 136 major projects in the region between 2009 and 2021, with a total value of 32 billion euros (see Politico, 6 December 2022).

NATO's strong presence in the region, as well as the NATO membership of most South East European countries, is a key resilience-building factor in the geopolitical upheaval. Without NATO's presence, the risk of violent conflict spilling over into the WB, especially Kosovo, would be greatly increased. Security cooperation between NATO and the EU is also absolutely essential in view of a possible Russian veto in the UN Security Council for the extension of future EUFOR missions.

However, in the medium term, strengthening South East Europe's resilience to negative geopolitical influences seems possible only through the completion of European integration. According to the Study Group Regional Stability in South East Europe, the EU candidate status of Moldova and Ukraine should not be perceived as unwelcome competition by the candidate countries in the WB, but rather as a possible catalyst for the integration process, which has recently become increasingly bureaucratic and untrustworthy.

Since full EU memberships will take time, it is necessary to consider what can be done relatively quickly and practically to provide EU candidates with certain advantages and privileges already at this stage. Depending on the progress of implementing negotiation results, this could go as far as obtaining privileges close to a full membership (while keeping open the decision on later full membership for all candidates).

The – from a geopolitical point of view – necessary integration of the WB states into the EU by innovative and proactive ways requires the unconditional respect of democratic rules and the rejection of authoritarian models. Despite its institutional crisis, the OSCE can provide good service in this area through its field missions in the WB. Furthermore, the Council of Europe (CoE) can also play a central role in the pre-accession process, especially in the protection of human and civil rights.

Policy Recommendations to Increase Western Balkan Countries Resilience

With Reference to the Entire WB

- **EU:** The WBs should be further included into programs which aim to diminish the region's dependence on Russia's supply with oil and gas.
- **EU, NATO and OSCE:** All countries in the region should be assisted in drafting and updating their cyber-security strategies and action plans as well as increasing their capabilities to implement them.
- **EU, NATO and OSCE:** This support should build upon all appropriate assistance mechanisms available to the WB partner countries, e.g. the EU Instrument for Pre-Accession mechanism and European Peace Facility, EU's Horizon Europe Program and expertise from EU's Agency for Cybersecurity (ENISA), NATO's partnership tools including the Defence and Related Security Capacity Building (DCB) Initiative, and related OSCE projects.
- **EU and NATO:** Combined civil-military crisis response exercises should be conducted with WB partners in line with the EU Strategic Compass and the NATO Strategic Concept.
- **EU:** In coordination with regional partners, the EU's strategic communication has to be ramped up in order to fight disinformation campaigns in the WB, especially from third party actors.
- **WB governments:** Media literacy programs should be integrated in the education systems to counter disinformation.
- **EU:** In order to mitigate WB dependency on Chinese loans for infrastructure projects, more specific financial actions are needed from the EU side for single country projects or joint projects, e.g. from the Berlin Process and its Connectivity Agenda.
- **WB governments:** The WB countries should not a priori renounce investments and capital from non-EU states, but should increase their negotiation capacity by strengthening the rule of law and thus prevent the abuse and potential negative influence of such investments.
- **EU Commission:** Full alignment of candidate countries with the EU's Common Foreign and Security Policy (CFSP) must be valued in the context of early integration measures and faster advancement at the technical level in negotiating chapters.

- **EU and NATO:** Membership candidates should be included as observers into all regular formats and only barred from sensitive security and intelligence-related fora. This would create a sense of belonging and enable the candidate countries to learn in practice about the organization they aim to join.
- **EU:** WB candidate countries should be given full access to EU's structural funds.

With Reference to Albania

- **Government and justice system:** The climate of safety for reporters must be improved and thereby the freedom of media increased.

With Reference to BiH

- **EU:** With regard to financial and political support for BiH, a distinction should be made between the Federation of BiH, which supports the EU's policy towards Russia, and Republika Srpska, which maintains close relations with Putin's regime.
- **Office of the High Representative:** The High Representative should use his competences in order to counter Russian false information and Banja Luka's open political support for the Russian aggression.
- **EU and NATO:** Through timely planning prior to the annual renewal of the EUFOR mandate it has to be ensured that a veto in the UNSC cannot result in a security vacuum in BiH.
- **Serbian government:** Activities and projects with the BiH entity Republika Srpska which undermine the constitutionally defined competencies and functional integrity of BiH should be omitted.

With Reference to Kosovo-Serbia

- **NATO:** Kosovo should be offered membership in the Partnership for Peace.
- **EU and U.S.:** Additional pressure should be exerted both on Belgrade and Prishtina/Priština to implement the EU proposal, which was allegedly accepted verbally in Brussels, as well as the road map which was also accepted verbally in Ohrid.

- **Kosovo government:** A substantial confidence-building dialogue should be started with the Kosovo-Serbs, especially with those from Northern Kosovo.
- **EU Special Representative for the Belgrade-Prishtina/Priština dialogue:** Full transparency on the agreement as well as its implementation has to be ensured.
- **CoE:** Kosovo's application for CoE membership should be accelerated.

With Reference to Serbia

- **Serbian government:** Belgrade's swing policy between Russia and the EU must be stopped and Serbia should fully align with the EU's foreign policy. Otherwise, public support for EU accession will decrease in future.
- **EU:** With regard to membership conditions, a special focus should be placed on a particularly critical area, namely the rule of law – especially high-level corruption, organised crime, the unfair electoral process and freedom of media.

With Reference to Montenegro

- **Montenegrin parliament:** Against the backdrop of strong national approval for EU accession, the new parliamentary majority to be formed after the June elections must clearly emphasise its European character and alignment with core EU values through the implementation of the principles of the rule of law. The political parties have to reach an agreement on fulfilling the interim benchmarks within Chapters 23 and 24 within a year and direct all available capacities towards this end.
- **EU:** Montenegro, a small country with just over 600,000 inhabitants, which has been negotiating membership for 11 years, has opened all negotiation chapters, has no bilateral disputes with its neighbours and fully complies with the EU's CFSP, should be granted fast track accession. This could have a positive effect on the reforms in the other countries of the WB and enable the EU to show by example that its transformative power is alive.

With Reference to North Macedonia

- ***Macedonian parliament:*** A dialogue between the government and the opposition should lead to an agreement on the necessary constitutional amendment to remove Bulgarian objections to concrete EU accession negotiations with North Macedonia.

List of Abbreviations

ACSM	Association/Community of Serb Municipalities
ARRRC	Arrangements Regarding Regional Representation and Cooperation
BHS	Bosnian-Croatian-Serbian languages
BiH/BIH	Bosna i Hercegovina / Bosnia and Herzegovina
BIRN	Balkan Investigative Reporting Network
BRI	Belt and Road Initiative
CDU	Christian Democratic Union of Germany
CEEC	Central and Eastern European Countries
CFSP	Common Foreign and Security Policy
CoE	Council of Europe
CRM	Common Regional Market
CSCE	Conference on Security and Co-operation in Europe
CSDP	Common Security and Defence Policy
CSO	Civil Society Organization
CSU	Christian Social Union in Bavaria
DCB	Defence and Related Security Capacity Building
DF	Democratic Front of Montenegro
DPS	Democratic Party of Socialists of Montenegro
EFP	Enhanced Forward Presence
ENISA	European Union Agency for Cybersecurity
EPC	European Political Community
EU	European Union
EUFOR Althea	European Union Force in BiH Operation Althea
FBiH	Federation of Bosnia and Herzegovina
FDI	Foreign direct investment
FRY	Federal Republic of Yugoslavia
GDP	Gross domestic product
GI-TOC	Global Initiative against Transnational Organized Crime
HCNM	High Commissioner on National Minorities
HDZ BiH	Croatian Democratic Union BiH
HR	Croatia
ICJ	International Court of Justice
IPA	Instrument for Pre-Accession Assistance
KFOR	Kosovo Force

KIPRED	Kosovar Institute for Policy Research and Development
KSF	Kosovo Security Force
MPs	Members of Parliament
MVP	Ministry of Foreign Affairs of Montenegro
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
NPT	Non-Proliferation Treaty
OHR	Office of the High Representative in Bosnia and Herzegovina
OSCE	Organization for Security and Co-operation in Europe
PDP	Party of Democratic Progress
PIC	Peace Implementation Council
PRC	People's Republic of China
RS	Republika Srpska
RTRS	Radio Television of Republika Srpska
SDA	Party of Democratic Action
SDS	Serb Democratic Party
SMEs	Small and medium-sized enterprises
SNSD	Alliance of Independent Social Democrats
SPC	Serbian Orthodox Church
START	Strategic Arms Reduction Treaty
UK	United Kingdom
UN	United Nations
UNGA	UN General Assembly
UNPROFOR	United Nations Protection Force
UNSC	UN Security Council
US/U.S./USA	United States of America
USSR	Union of Soviet Socialist Republics
WB(/WB6)	Western Balkans (Six)

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Russia's war against Ukraine has dramatically changed the geopolitical constellation in Europe. Those states that have not fully come to terms with their own war legacy, as in the Western Balkans, appear to be particularly affected by the geopolitical fault lines and challenged in their resilience.

The interesting contributions in this volume address the effects of the geopolitical turning point on the current democratic, economic and security policy development in the still fragile Western Balkans in the context of the ongoing conflict transformation and its EU integration efforts from the authors' regional perspective.

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