

Safeguarding EU's interests

- The predicament of the EU between the ideal and the pragmatic approach towards Serbia



Jens Adler Christensen

MASTER THESIS

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the pragmatic approach
towards Serbia**

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STATEMENT OF AUTHENTICITY

This master thesis represents my original work. All sources used to prepare the thesis are properly cited.

Jens Adler Christensen

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1 Introduction

In contemporary Europe, the political system is generally interdependent with the decisions and policies stemming from the European Union (EU). Ever since the very beginning of the EU, the European Coal and Steel Community in 1951, the European countries have sought more and closer cooperation with the neighbour countries. This has been done in order to promote the security in the region through deeper cooperation and common standards on certain fields. Concurrently with the enlargements of new member states of the EU, the complexity of corporation increases. As a consequence of this, the changing regional geo-political features of the EU influence the overall interests of the union.

The recent enlargements of the EU have shown that the conduct of the fine balance between EU's accession criteria for new member countries and the safeguarding of the interests of the EU is rather complicated. One of the countries that are striving towards EU-membership is Serbia. The pre-accession talks between Serbia and the EU have been proceeding since the end of wars on Balkan. The EU has shown great interests in closer cooperation. However, Serbia did not comply with the accession criteria, which has led to several problems in the enlargement process. As a consequence, the EU closed the negotiations, however these were re-opened following the nomination of nationalist Tomislav Nikolic in the presidential elections. This has caused speculation about the enlargement policies of the EU because of the change of policy since the EU has seemed willing to compromise on its policy of conditionality by re-opening the negotiations.

At the time of the re-opening of the negotiations, Kosovo expressed strong demands of independence from Serbia which seems to have boosted the nationalist parties on the political scene in Serbia. Russia has officially supported the Serbian standpoints towards Kosovo, which, in the Kosovo issue, contrast the opinions of the pro-EU politicians in Serbia. This seems to have tempted Serbia to seek to Russia instead of to the EU. Therefore the EU has initiated a more active policy towards Serbia in order to secure the overall interests of the EU. This represents a predicament of the EU between the ideal and the

pragmatic approach to Serbia due to the domestic political situation in Serbia with nationalist parties, the Kosovo issue and Russia wooing Serbia.

1.1 Problem formulation and hypothesis

The starting point of the investigations of this thesis is the pre-accession negotiations between the EU and Serbia. As it is the case with previous enlargements of the EU, there have been action plans and strategies in order to reach common ground between the EU and Serbia.

Serbia has developed into a country that could be seriously regarded as a candidate country. According to the Commission staff working document *Serbia 2007 Progress Report*¹, Serbia has shown improvement in many problem areas, identified by the EU in the Stabilisation and Association Process (SAP). Serbia has initiated accession talks and has pursued to live up the accession criteria of the EU. However, the accession talks were suspended by the EU due to Serbia's failure to comply with the conditionality policy of the EU, which in this case, was the cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). This created a vacuum in the process of enlargement.

During the pre-accession talks, the EU at first held on to the policy of conditionality. Serbia then surprised most observers when Tomislav Nikolić from the nationalist pro-Russia party, the Serbian Radical Party, was close to winning a presidential election. The EU now faced the fear of becoming the neighbouring region to a Serbia that was drifting towards a more Russian-orientated policy and society. The EU expressed great dissatisfaction with the candidate, and the EU-orientated candidate, Boris Tadić, was officially supported by the EU. The dilemma has been whether the EU should resume the accession talks with Serbia as a boost for Boris Tadić in the presidential election and thereby give Serbia the prosperity of a forthcoming EU membership, or hold on the policy of conditionality until Serbia complies with the accession criteria.

Due to the situation in Serbia, one could argue that one of the interests of integrating Serbia is the fear that Serbia will turn to Russia. Seen from the outside, Russia would be

¹ European Commission 2007c [online]

strategically interested in being able to influence the political agenda in Serbia, and has expressed big interests getting market shares by supplying future Serbian customers with gas and getting control of the energy resources situated in Serbia. Russia and the EU are already pursuing an energy struggle, where Russia exploits the European, especially the Eastern European, dependency of energy resources from the Russian state owned Gazprom. As a result, both the EU and Russia have great interests in getting Serbia as a closer ally, and the EU is therefore prioritising its wish of getting Serbia integrated in the EU instead of pursuing a consistent policy of conditionality.

Another factor that might make Serbia turn to Russia, has been the domestic political situation where nationalist parties are seemingly gaining ground. Some people and politicians are against the Serbian cooperation with the ICTY, because the accused war criminals are not regarded as criminals. As a result it might be very difficult for any prime minister of Serbia to obtain political and popular support to cooperate fully with the ICTY.

Another comprehensive issue on the political scene in Serbia has been the problem regarding the status of Kosovo. Having been forced to relinquish Montenegro in 2006, losing Kosovo would make drastic inroads on the national pride of Serbia, and many Serbian politicians are against the secession of Kosovo, which is supported by the majority of the EU countries. Therefore it was met with great satisfaction when Russia was supporting Serbia by being strongly against the independence of Kosovo. In other words, Serbia is in the middle of the two economic and political powers of Russia and the EU.

The question is how the EU is dealing with the possibility that Serbia uses the possible turning towards Russia as a political tool to encourage the EU to compromise on the policy of conditionality.

The problem formulation and hypothesis in this thesis build on the questions whether the EU has safeguarded the interests of Serbia by compromising on its principles of conditionality during the accession talks with Serbia and how this approach corresponds with EU's own policy and the situation in Serbia.

Problem formulation:

To what extent does the policy of conditionality towards Serbia reflect the interests of the EU?

Hypothesis:

Serbia is using its possible turning towards Russia as a political tool in the negotiation process with the EU to make the EU compromise on Serbia's obligations in the SAP.

2 Methodology

In this chapter the methodological considerations are presented. The theoretical approaches and the empirical investigations are elaborated, as well as the considerations in the analysis of the thesis.

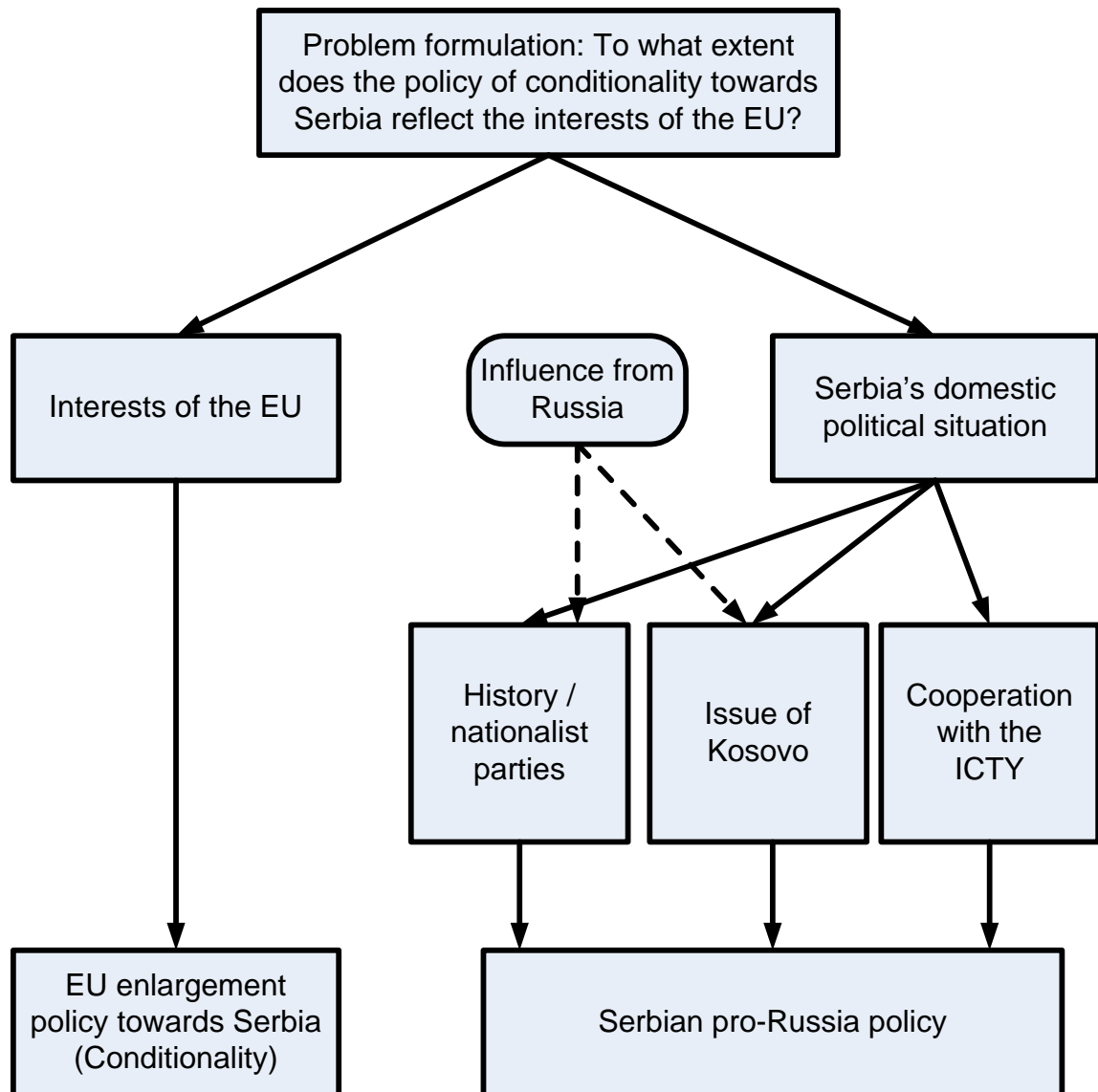
2.1 Approach to problems and discussions

To approach the problem formulation, it is necessary to identify and investigate the interests of the EU. To approach these interests, the “Regional Security Complex Theory” is used. This is the main theory of the thesis, and it is supported by the two international relations theories; neorealism and neoliberalism.

Since the framework of the problem is whether the EU’s policy of conditionality reflects the interests of the EU, the enlargement policy of the EU towards Serbia is presented. This is illustrated in figure 1 *Explanation of problem*. According to my hypothesis that Serbia has been able to use its possible turning to Russia as a political tool in the negotiation process with the EU during the pre-accession talks, it is necessary to look closer into the factors that could cause this political change. There are numerous factors coming into play in the troublesome integration process between Serbia and the EU, and thus the area of focus is narrowed down. According to the empirical part of this thesis, there seem to be certain main factors in the domestic political situation of Serbia that have slowed down the integration process and have resulted in the current situation in Serbia. The three main factors dealt with are, as shown in figure 1: Serbia’s history and nationalist parties, the issue of Kosovo and the cooperation with the ICTY. As illustrated in figure 1, the political situation in Serbia is influenced by Russia.

The main focus of the thesis is the ambiguous approach of the conditionality policy of the EU to the situation in Serbia, and how this approach corresponds with EU’s own policy and to the actual situation in Serbia. The ambiguous approach of the EU is presented in sub-chapter 2.4 *Analysis*.

Figure 1: Explanation of problem²



² This figure is a model serving as a tool of explaining the problem areas of concern according to the hypothesis in this specific thesis. Thereby it is a hypothetical model and does not necessarily reflect reality.

2.2 Theories

The main theory is the “Regional Security Complex Theory” (RSCT). To support and challenge the theory, neorealism and neoliberalism are applied. These theories serve as a tool to help identify the interests of the EU and the different policy options of the EU. The RSCT is relevant in approaching the problem formulation due to the argument that the main game of security is defined by the close neighbours, which corresponds to the Serbia-EU relation. Moreover, the theory argues that external actors have been crucial for the development of the Balkan region due to the power differentials and geography allowing external actors to shape the development of the region. The theory argues that the Balkan region is a “sub-regional-security-complex” (sub-RSC) of the EU-Europe RSC, which elucidates that Balkan is seen as a part of us (the Europeans) which makes it unacceptable to let the region down and to let it fail. However, it raises the question whether the Balkan region could be a sub-RSC of Russia. These considerations seem to go hand in hand with the hypothesis, and discuss the interests of the EU. Lastly, the theory is used to enable a discussion of the relationship between the EU, Serbia and Russia and the different interests of the three actors.

Neorealism is in itself a relevant theory to apply in the discussion of the interests of great powers. The RSCT uses the ideas of bounded territoriality and the distribution of power, which is seen in neorealist approaches. Furthermore the focus of the RSCT on the regional level is supported by the structural schemes of neorealism. However, the RSCT contrasts the common neorealist view which concentrates heavily on the global level structure. Thus, the neorealist theory can supplement the RSCT and bring additional thoughts and approaches.

The neoliberal theory is relevant because it represents the policy currently pursued by the EU in many areas. In addition, it contrasts the neorealist theory and contributes with a different angle for discussion in the thesis. Neoliberalism serves to explain that great powers use the building of institutions as a tool to gain power and influence, and moreover, that these institutions will result in integration. Lastly, neoliberalism is included because it explains the conditionality set by great powers in exchange for economic and political integration. Some of the common critique of neoliberalism is the fact the great powers are

often linking economy with democracy and that many scholars argue that neoliberalism do not take into account the side-effects and the actual outcome of the conditionality. However, the RSCT and neorealism challenge the theory and all three theories are handled critically.

In the framework of this thesis all aspects of the theories are not being dealt with. To enable the discussions in the analysis, the specific parts of the theories that are relevant to use in this thesis are presented, though being aware of the fact that these parts of the theories are fragments of three wide-scale and well-elaborated theories. A theoretical discussion is included in sub-chapter 3.2.1 *Conclusion and theoretical discussion*, which challenges the RSCT.

2.3 Empirical part

With the starting point in the problem formulation and in the hypothesis, the historical and political situation is presented. Furthermore the empirical facts of the EU's policy towards Serbia are presented.

To give an overview of the situation in present Serbia, the historical facts about the country are presented. This is done in order to understand and discuss the political development, and to seek explanations Serbia's difficulties fulfilling the accession criteria. As explained in sub-chapter 2.1 *Approach to problems and discussions* and in figure 1 *Explanation of problem*, the thesis approaches three factors leading to a possible turning of Serbia towards Russia. Sub-chapter 6.1 *The domestic political situation in Serbia* explains the factor of the nationalists' influence in Serbian politics. Moreover it suggests explanations of the two remaining factors.

The empirical part includes an overview of the political development and the current situation in Serbia. It includes the negotiations and dialogue between the EU and Serbia with special emphasis on how the two actors have dealt with the issue of conditionality, the cooperation with the ICTY and the status of Kosovo.

To investigate the possible turning of Serbia to Russia as a tool, a description of overall relations and interests between Serbia and Russia in overall terms is conducted. Furthermore, the issue of the status of Kosovo is an important issue, which is connected to Serbia's connections to the EU and Russia.

The enlargement procedures of the European Union is presented. Given that one of the tools used by the EU during the accession talks is conditionality, an investigation of the procedures and the different steps of integration of new member states are included. In this chapter it is relevant to shortly touch upon previous examples of accessions procedures with other candidate and potential candidate countries. In addition, the chapter approaches the different interests of the EU and Serbia for use in the discussion in the analysis about the interests of the EU vs. the policy of conditionality.

2.4 Analysis

The first discussion in the analysis is concerning the interests of the EU using the three theories as a tool. The link between the three factors (see figure 1: *Explanation of problem*): The history of Serbia and the political situation, the unsolved issue of the ICTY and the status of Kosovo are approached. Furthermore, the influence of Russia on the nationalist parties and the Kosovo issue is discussed.

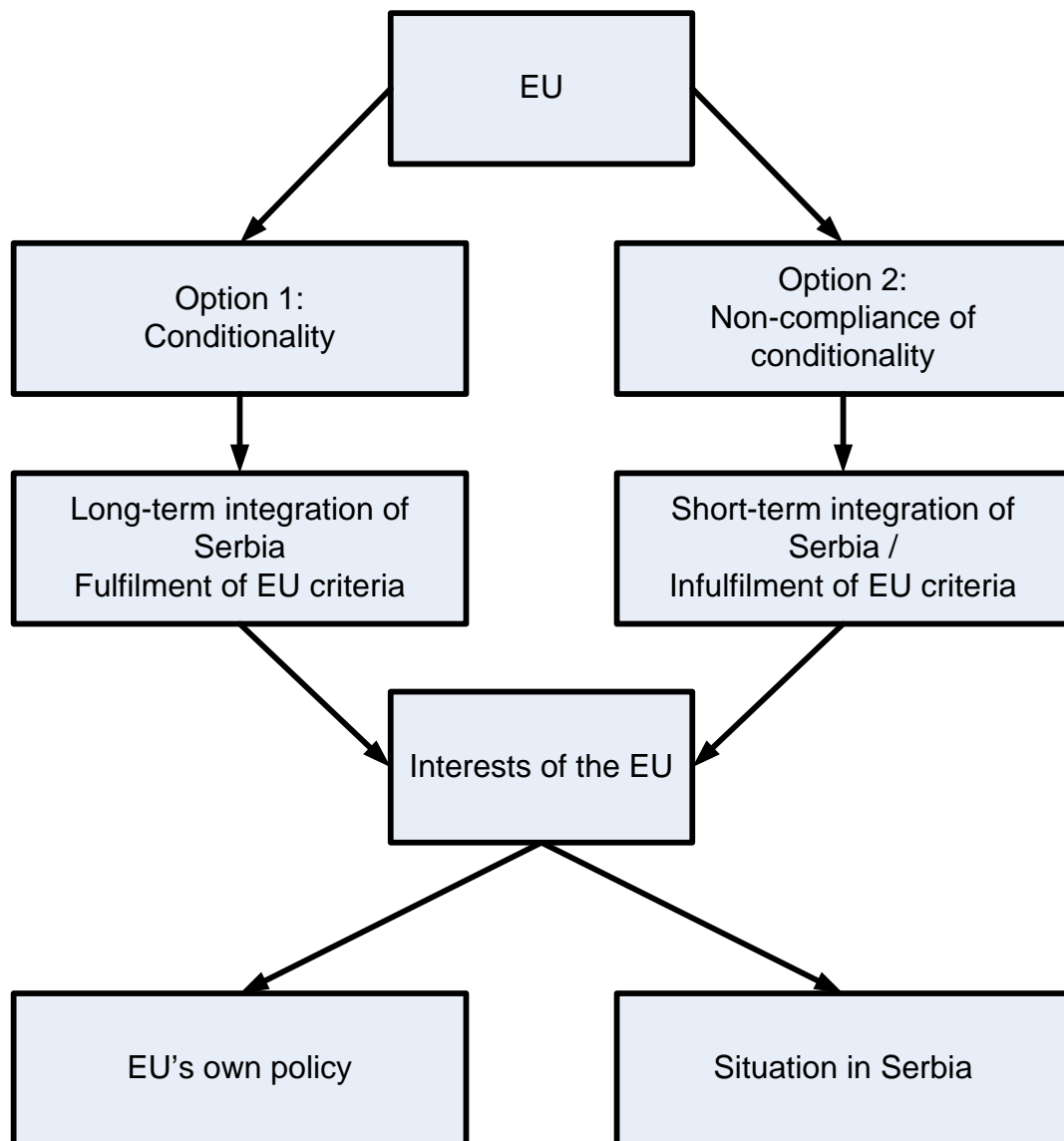
The second discussion is a comparison between the interests of the EU and EU's policy of conditionality. Having discussed the interests of the EU in correlation with the political situation in Serbia, the analysis continues to the ambiguous approach of the EU towards Serbia where the policy options of the EU are established. Though the EU have officially been reluctant to resume the accession talks with Serbia until the criteria set by the EU has been fulfilled, the EU have wavered between sticking to the conditionality and re-opening the negotiations with Serbia. Even though this discussion has been going on between the two actors of the negotiations and is still not fully settled, the EU has two possible options.

The two possible options are shown on figure 2 *The ambiguous approach of the EU*, and from these, the analysis of the EU's approach takes its point of departure. The first column (from the left) represents the option of not compromising on the conditionality, and where

the prospect of Serbian integration is on a long-term-basis. The second option represents the standpoint of the EU where a compromise on the conditionality is accepted, which could enable a short-term integration. Both ways, expressed by the EU, are compared with the interests of the EU identified in the first sub-chapter of the analysis. The two options are discussed and compared with EU's own policy and with the actual situation in Serbia.

The last discussion is a comparison between the findings of the two columns and EU's own policy in figure 2: *The ambiguous approach of the EU towards Serbia* and how this policy deals with the three factors influencing Serbia's domestic political situation according to the hypothesis. This leads to the discussion and analysis approaching the problem formulation.

Figure 2: The ambiguous approach of the EU towards Serbia³



³ This figure is a model serving as a tool of explaining the ambiguous approach of the EU towards Serbia according to the findings of this specific thesis. Thereby it is a hypothetical model and does not necessarily reflect reality.

2.5 Clarification of terms

The main term to be clarified is the use of the EU as a unity vs. EU consisting of 27 different member countries. In the empirical chapters, the term “EU” will be dealt with as one actor. This is because the EU-legislation, concerning enlargement as in cases of the foreign policy, is the product of agreements among the member states. One could argue in favour of describing the EU as one single actor because the EU in reality often acts like one. On the other hand, the standpoints, made from certain member states, seem to be so strong that it definitely puts crucial issues on the agenda and the dialogue between the EU and Serbia, even though these standpoints come from individual member states. Furthermore, there are cases where the individual member states can veto EU decisions, and thereby the individual member states can be the agenda-setting actors. However, only decisions and standpoints made by the EU as a whole are used in the analysis of this thesis.

2.6 Limitations

Owing to the framework of this thesis, there will be certain limitations. As shown on figure 1 *Explanation of problem*, the thesis includes three main factors leading Serbia to turn to Russia. This could represent the risk of a pre-accessed assumption. However, these factors should be seen as the variables of this specific thesis, and furthermore, the factors are investigated critically in the analysis.

Another limitation is the time span used in this thesis. Serbia stems from a very turbulent history, and the country is the product of a very complex historical and political development through time. Even though a historical review is included, only the recent history and occurrences are taken into consideration. However, the thesis takes note of the fact that the current history has its background far back in time.

2.7 Source criticism

The main criticism of the used sources for this thesis is in the theoretical chapter, where only one source contributes to the presentation of the main theory: Buzan and Wæver’s “Regions and Powers”. However, the use of the two supporting and opposing theories gives the theoretical chapter an all-round and critical angle. In addition, a theoretical discussion is included challenging the RSCT.

As far as possible the literature represents neutral views. However, when using data from governments, NGOs, newspapers etc. a critical approach is made, in order to secure the neutrality of the presented fact as far as possible. When describing the progress of Serbia, data from the *Commission Staff Working Document – Serbia 2007 Progress Report* is used. The use of this data, along with other EU documents, constitutes a risk that it may be politically biased, due to the possible balance of the situation in Serbia and the EU's interests of what is communicated publicly about Serbia's progress. All sources are approached critically in the analysis of the main findings.

Some of the sources represent very recent information. This is because the political situation, at the time of writing, is very unclear due to the parliamentary election in May 2008. In the thesis it is attempted to use the most up-to-date sources, in order to make it as applicable as possible.

3 Theories

As mentioned in the methodology, this thesis contains one main theory and two supportive and challenging theories. In this chapter these theories are presented, followed by a discussion of how these challenge each other.

3.1 Regional Security Complex Theory

The RSCT is developed by Barry Buzan, Professor of International Relations at the London School of Economics, and Ole Wæver, Professor of International Relations at the Department of Political Science at the University of Copenhagen. The main idea of the theory stems from the situation after the Cold War, which put an end to the superpower rivalry and the direct and indirect intervention into regions. This left the regions with the ability to manoeuvre in their own. Even though the terrorist attacks on the United States of America (US) in 2001 has caused some re-emergence of great power interventionism, this situation is likely to be rather specific, making the reassertion of intervention in security affairs unlikely. The new security structure and the increased autonomy of the regional security represent an international system structure that can neither be called bipolarity nor multipolarity. The RSCT serves as a tool to understand the new structure as well as the balance between the globalising and regionalising trends.⁴

There are three main theoretical perspectives to view the post-Cold War international security. The *neorealist perspective* explains the structure of international security as very state-centric and the structure of power polarity as dominant, i.e. either unipolarity, bipolarity or multipolarity. It stems from the perception that the distribution of material power in the international world system determines the political and security structure as well as the interplay of this. It explains the post-Cold War security structure as the result of a change of the global power structure - the end of bipolarity - and seeks to explain the features of this change, identifying the security outcome and consequences.⁵

The *globalist perspective* is contrasting the neorealist view of a very statist understanding of the international system structure with the focus on power-political ideas. Globalisation

⁴ Buzan and Wæver 2003; 3-4

⁵ Buzan and Wæver 2003; 6-7

stems from “(...)cultural, transnational, and international political economy approaches”⁶, focussing especially on the deterritorialisation of world politics. Some scholars argue that this deterritorialisation takes the state and state system off the main arena of world politics. The milder versions of globalisation do not take all the focus away from the state and state system, but explain that there are several non-state actors and systems influencing across and even outside of the state borders. A main feature of globalisation is that it acknowledges non-governmental social political organisations, intergovernmental organisations, transnational entities and regimes as having independent roles and having influenced the territorial sovereignty significantly. Moreover, how the state interacts in these networks. Furthermore, it acknowledges the state as an active player in the networks, but the state does not control these. The RSCT does not intent to explain globalisation and its positive and negative features, but is rather a tool as to investigate how the globalisation and the elements of it (trade liberalisation, financial flows, terrorism and migration) are handled and securitised by the different actors of the international system. In the discussion whether the global level is a significant player, Buzan and Wæver argue that “*If globalisation is seen and acted on as a threat by states and other actors in the system, then it plays alongside, and competes with, more traditional securitisations of neighbours or great powers or internal rivals. Then the global level is directly – not indirectly – present in a constellation of securisation.*”⁷

The chosen approach of the RSCT is the *regionalist perspective*. It is argued that the regional and not the global level, stands more on its own as a place of tensions and cooperation between states. It is important to be critical to this standpoint and put into question whether the regional level, as argued by Buzan and Wæver, in reality can be separated from the global discussion and occurrences. However, the RSCT argues that the regionalist level should be separated only *analytically* from the global level on security issues, which leaves the discussion open to have the global level in mind. The post-Cold War focus of the regionalist approach has two main assumptions: 1) That the penetrative quality of global power interest in the rest of the world is reduced by the decline of bipolarity and rivalry between the superpowers. This claim might need reconsideration, because looking at economic aspects and interactions, the situation may seem different. 2) In the aftermath of

⁶ Buzan and Wæver 2003; 7

⁷ Buzan and Wæver 2003; 8

the Cold War the former great powers are now “lite powers”⁸. This means that the domestic situation and dynamics of these great powers move their focus away from military intervention and the strategic competition in the problem regions of the world, resulting in a situation where local societies and states must themselves handle their political and military relationships⁹. The argument of choosing the regionalist approach in the RSCT is moreover that the regional level of security was not only significant after but also during the Cold War. Also the regional security dynamics are usually a significant part of the main composition of security in the international system, except when the global powers have been very dominant as it was the case in the imperial era.

The RSCT is keen to focus on the interplay between territoriality and deterritorialisation. An example of this is the perception that many aspects of regionalisation, and particularly the cooperative regional economic groupings should be seen as responses to globalisation. Therefore, the assumption, that “(...)globalisation [is] constructed as a threat”¹⁰, is a fundamental part of the RSCT. Global occurrences and causes can have rather different outcomes and consequences in different regions. An example of this is a financial collapse that in one region can lead to conflict and disintegration while in another region it can lead to increased cooperation. In order to understand the different outcomes of different causes, it is necessary to investigate the regional dynamics, and the RSCT seeks to explore at what level (domestic, regional or system level) the threats, that get securitised, are located.¹¹

3.1.1 Overview of the history of regional security complexes

From 1500 until today the world saw the first international system on a global scale, and the sovereign territorial European-style state becoming the dominant political structure. The RSCs are a result of these two developments. Concurrently with the international system reaching a global scale, the states developed into the main players on the security field. This created the conditions for the different regional security subsystems to arise. The RSCT acknowledges that there is a league of states on top of the power pyramid on global scale giving each other certain privileges and being able to project their power into

⁸ Buzan and Wæver 2003; 11

⁹ Buzan and Wæver 2003; 11

¹⁰ Buzan and Wæver 2003; 11

¹¹ Buzan and Wæver 2003; 13

regions far away. However, it is argued that the principal game of security of the overall majority of the states is defined and settled by the neighbours. One of the approaches of the RSCT is to keep the global level security dynamics separated analytically from the regional level security dynamics. It is not the case that a pattern of global and regional players are well-defined and shaped at once. It is rather the outcome of the development of RSCs over time and with a background of different kinds of power domination. This development has been taken place very slowly from 1500, and after 1945 much faster into two clear stages¹².

The timeframe before 1500 has not been taken into account. Before 1500 the security dynamics were multiple and separate systems. These were not regional systems due to the fact that the global level had not yet been significant enough to create a global world system. As a result of this these separate systems were not regions or subsystems, but different 'worlds'.¹³

The modern era 1500-1945 is characterised by the European international system expanding and becoming the global system. In Europe the national states expanded militarily, politically and economically and thereby created formal and informal empires in the world. This extension of some European powers later resulted in the creation of entirely new states, established along European lines¹⁴.

In the Cold War era 1945-1989 the development of the security dynamics in the world were contradictory. During the decolonisation several new states arose creating space for regional security dynamics to come into play. At that same time the bipolar power battle between the US and the Soviet Union sectionalised and influenced most states in Europe.¹⁵ The core (regional level) got a more dominant role ideologically and economically compared to the periphery (global level). Moreover, a change in the security agenda reinforced also non-military actors and issues to come into play¹⁶.

¹² Buzan and Wæver 2003; 14

¹³ Buzan and Wæver 2003; 14

¹⁴ Buzan and Wæver 2003; 15

¹⁵ Buzan and Wæver 2003; 16

¹⁶ Buzan and Wæver 2003; 17-18

3.1.2 Levels of the Regional Security Complex Theory

It is rather easy to identify and separate the notion 'unit' from 'region'. All kinds of units are defined as *"(...) hav(e)[ing] a fairly high degree of independent actor quality. Regions, almost however defined, must be composed of geographically clustered sets of such units, and these clusters must be embedded in a larger system, which has a structure of its own."*¹⁷ Furthermore, they *"(...) have analytical, and even ontological, standing, but they do not have actor quality."*¹⁸ Only in a few cases, e.g. in the case of the EU, it is difficult to distinguish these two notions. It is much more comprehensive to distinguish the regional level from the global level. In some cases it seems obvious that the US should be defined as a global actor, and that the security dynamics of e.g. South America can be defined as being on the regional level. However, when it comes to categorising particular actors such as e.g. China and Russia, it becomes much more complicated to define whether the security dynamics of these countries are at global or regional level. One of the main ideas of the RSCT is that the security dynamics have a strong territoriality, and therefore it can include non-state actors.

3.1.3 Regional Security Complexes

In the analysis of security there are usually two dominant levels: the national and the global level. Buzan and Wæver reject focussing on the national level, arguing that security dynamics are in general relational, and that *"(...) no nation's security is self-contained"*¹⁹. The global level is not comprehensive enough to investigate countries in a general way; except in the cases of superpowers and great powers. Moreover Buzan and Wæver argue that a region *"(...) refers to the level where states or other units link together sufficiently closely that their securities cannot be considered separate from each other. The regional level is where the extremes of national and global security interplay, and where most of the action occurs."*²⁰ The RSCT investigates the conjunction of two levels: *"The interplay of the global powers at the system level, and clusters of close security interdependence at the regional level."*²¹ The RSC takes shape from the aspirations and fears of the different units. Previously investigations have been made about security in regions by identifying the regions using

¹⁷ Buzan and Wæver 2003; 27

¹⁸ Buzan and Wæver 2003; 27

¹⁹ Buzan and Wæver 2003; 43

²⁰ Buzan and Wæver 2003; 43

²¹ Buzan and Wæver 2003; 43

cultural, economical or historical causes of the region and then investigate the security dynamics. In contrast, the RSCCT seeks to explain security complexes as regions seen “*through the lens of security*”²². The RSCs are not necessarily regions in other ways than of security reasons. However, the idea of security of regions as a result of cultural and economic reasons is not left out, but by making the definition of RSCs only by looking at the security situation and pattern, the causal relationship can be examined.²³ The very definition of a RSC is “*(...) a set of units whose major processes of securisation, desecurisation, or both are so interlinked that their security problems cannot reasonably be analysed or resolved apart from one another.*”²⁴ Moreover, “*RSCs are defined by durable patterns of amity and enmity taking the form of subglobal, geographically coherent patterns of security interdependence.*”²⁵ A local RSC usually affected by historical factors as e.g. historical antagonism and dispute between states or common cultural civilisational historical backgrounds. Moreover, “*(...) the formation of RSCs derives from the interplay between, on the one hand, the anarchic structure and its balance-of-power consequences, and on the other the pressure of local geographical proximity.*”²⁶ Thereby, the adjacency of states plays a significant role within security, creating more security interaction for neighbouring states, than for states located in distinct areas. Moreover, it is easier and more likely for threats to travel over short than long distances.

3.1.4 The Regional Security Complex(es) of Europe

The European continent has experienced numerous types of regions. It has been centralised, over-laid by external powers, fragmented and by itself has it been an overlayer of great parts of the world. Europe has redifferentiated and merged into several RSCs. From the Cold War till today, the global level security system has gone from a 2+3 (two superpowers and three great powers) to the present post-Cold War 1+4 (one superpower and three great powers) system.

The first large-scale European security order was formed by the Roman Empire, which later became greatly challenged by the Byzantine and Ottoman Empire, eventually

²² Buzan and Wæver 2003; 44

²³ Buzan and Wæver 2003; 44

²⁴ Buzan and Wæver 2003; 44

²⁵ Buzan and Wæver 2003; 45

²⁶ Buzan and Wæver 2003; 45

including as far as Vienna. This developed into the first situation in Europe, between 1500 and 1700, where Europe consisted of several RSCs, including Scandinavia, Poland-Lithuania and Russia having formed a RSC on the Baltic Sea. These participated as equals in the broader international system.²⁷ This led to the first period in European security where the connections were strong enough to form an international system beyond regional scale, developing Europe into the most dominant player. Thus, Europe was not a region in the world but the very power centre of the world. After 1700, Europe developed into one single RSC. This happened after the Swedish intervention in the Thirty Years War and the Great Northern War. The Western/Southern RSC, along with Russia, began to intervene, and the two RSCs eventually became one. The complex covered almost the whole space of EU-Europe as well as the former Soviet Union. During this period the same ambiguity existed towards Turkey as today²⁸.

The expansion of Europe had great effects on the security dynamics within Europe. In the 19th century a rather peaceful and cooperational 'common agenda' existed among the European powers about expanding and exploiting the power overseas. This later changed into rivalry over the posses of colonies.²⁹ In sum, the European globalisation did not result in a total change of the European RSC features or the pattern of threats, but rather did it change the boundaries fundamentally because these expanded from including the continent to being almost global. In 1945, Europe became dominated by the global powers during the Cold War and the external dynamics were suppressed.³⁰ After the bipolar power domination, Europe, apart from its former colonies, re-merged with almost the same powers, states and state formats, even though the US got greatly involved. These re-emerged states was later supplemented by the EU, and the pattern of enmity and amity was fundamentally changed. The situation after 1989 is characterised by a reduced Russia losing its status as global superpower, and by the RSCs in Europe operating side by side several others, and Europe was no longer acting as being the very core of the global system³¹.

²⁷ Buzan and Wæver 2003; 346

²⁸ Buzan and Wæver 2003; 346

²⁹ Buzan and Wæver 2003; 348

³⁰ Buzan and Wæver 2003; 348-351

³¹ Buzan and Wæver 2003; 351

3.1.5 The EU-Europe RSC and its surroundings

The European security situation and the relation to the surroundings of the EU can be roughly divided into a Cold War and a post-cold War situation. During the Cold War the main threat was the conflict between the East and the West. This dominated the security situation significantly, both by having foreign forces stationed in the Eastern and Western European blocks, and by the former intra-European conflicts being suppressed. The level of the security dynamics in Europe became organised by the Cold War and “(...) was reproduced by practices from the domestic through the regional to the global level.”³² The Cold War resulted in desecurisation at the internal level in the Western European states, as well as comprehensive institutionalisation, multilateralisation militarily through NATO, and in increased cooperation and unity within Europe, bringing the status of a great power to the EU from the middle of the 1970s.³³

Whereas the Cold War had brought domestic security to Europe due to the bipolar power balance, the end of this resulted in insecurity in some fields. The security threats were no longer limited to military security threats only, but also included terrorism, organised crime, ethnic conflicts, immigrants and environment.

There were two ‘new’ main securisations³⁴ on the security agenda after the Cold War.³⁵ One securisation stems from the fear that Europe returns to its past history of power balancing and wars, making integration fundamentally necessary. The main fear is that the development in Europe could trigger the revival of internal great power rivalry. To avoid this, the integration of Europe is a large security investment. In this securisation, Europe itself is the ‘external’ threat towards the security of the individual states.³⁶ The other main securisation is the reverse situation, where the integration of Europe is seen as a threat, especially to the national identity, instead of a preventive mechanism towards instability. The threat towards the national identity is often linked to nationalism or even xenophobic attitudes towards foreigners and in some case towards the globalisation.

³² Buzan and Wæver 2003; 353

³³ Buzan and Wæver 2003; 356

³⁴ Securisation is when something becomes accepted widely in the public as being a security issue. An example of this is environment that over the years has been almost accepted as a security threat.

³⁵ Buzan and Wæver 2003; 356

³⁶ Buzan and Wæver 2003; 356

The first securisation, about the reviving history of Europe, has been supported and challenged by various developments. One of the best examples of this is the case of the Balkans that indeed has strengthened the argument. The relatively recent disputes and wars on Balkan have functioned as a *déjà vu* of the former situation in Europe where states fought each other, and reassures that war in Europe is an actual possibility.

With the exception of the classical military threat, there are numerous types of securisations and insecurity than the two main ones, though all stemming from the main two. Economic security is mostly secured at the regional or global level, or in accordance with the international liberal economic order. This is due to the fact that the European states have accepted integration reaching far away from Europe, and therefore Europe has had to accept that certain areas will eventually get insecure. However, it is important to put this standpoint of the RSCT into question. Europe might follow the liberal economic order, but to claim that the economic issues are getting insecure might be too extreme. The EU has still very economically unstable neighbours, e.g. Belarus, and an economic collapse would most probably affect the EU. Therefore one needs to be critical to this. The political security of Europe does not seem much related to the sovereignty of the states, but the EU as a whole is greatly securitised³⁷. In some member states, though, minority and regionalism issues are security problems for respectively the state and the region or minority. However, none of these issues have region-wide effects. A large part of the state security is at the societal sector, and the issues of state security are often related to issues of identity and threats towards the national identity. Therefore, the political opposition against the EU is, in some countries, stemming from problems and dilemmas of national identity (societal security), and in other countries to state sovereignty (political security). Usually the state security is being dealt with as a context of being pro- or against EU as well as 'vertical' conflicts such as regionalism or state versus minority-issues, and never the threats between one state to another³⁸.

Other types of insecurity are also mentioned by the RSCT. Local conflicts can be very intense even though these do not constitute problems for Europe as a whole, e.g. Northern

³⁷ Buzan and Wæver 2003; 357

³⁸ Buzan and Wæver 2003; 358

Ireland and the Basque region. Ethnic conflicts were discussed security issue in Western Europe in the 1990s due to the possibility that these conflicts could play off one state against the other and thus evoke the return to power politics in the EU core states. Therefore the prospect and threat of flows of refugees can sometimes work as an accelerator for the threat of ethnic conflict. Thus, the reflections about the conflict on Balkan is often dominated by considerations about the effects on the integration of the EU.³⁹

Other securisation issues in the post-Cold War era are instability in Russia and the Mediterranean, globalisation and immigrants, organised crime and drug trafficking, environmental security, and global terrorism (especially after September 11, 2001). The traditional securisations on a state-to-state basis only play a minor role in Europe on the agenda of security.⁴⁰

3.1.6 The global standing of EU-Europe

It is a very hard task to determine the security standing of the EU-Europe RSC. One reason for this is the fact that the EU is penetrated by other powers - US but also Russia through the Contact Group on Balkan Issues. The RSCT argues that the closeness of Russia is less penetrating and important than the influence and participation in security issues of the US due to the history of the world wars. It is argued that the EU is a great power, but a special case. Like most other cases of RSCs, the EU is treating the influence from the US as the condition for the complex. Thus, the regional development of the EU could be said to be the product of its global status, and the shifting of focus from *intraregional* to *interregional*⁴¹ and global is still developing.⁴² Moreover the global standing of the EU gets complicated due to some of the individual member states and potential great powers, e.g. Great Britain and France who are likely to remain permanent members of the UN Security Council and to not accept any reform of this. The former influence of Germany as an economic world power is likely to become more and more Europeanised due to the introduction of the euro.

³⁹ Buzan and Wæver 2003; 358

⁴⁰ Buzan and Wæver 2003; 359-360

⁴¹ Intraregional is within the region. Interregional is between regions.

⁴² Buzan and Wæver 2003; 372-373

The wars on Balkan in the 1990s have indicated that EU-Europe is a “*partly penetrated region*.”⁴³ The US has been a main player in various types of actions such as diplomacy and military action. In addition, the UN is greatly involved in the peacekeeping processes on Balkan. On the interregional level, the EU has interactions with the former Soviet Union and with the Middle East. Due to the fact that the OSCE and the Council of Europe cover all or part of the CIS and the EU-Europe, there are some types of shared political processes.⁴⁴

At the global level the standing of EU-Europe is greatly defined by the interaction and alliances with other global powers, and thereby the EU is a great power, but still a part of the balance of the global powers. However, the European presence at the global level is not always consistent. It is stronger on environmental, monetary and international trade issues. Some EU states are part of the G8 and two member states permanent members of UNSC. Therefore one can argue that the EU is not acting according to its status as a great power in all types of issues.⁴⁵

3.1.7 The Balkans

Having explained the history, context and issues of the EU-Europe RSC, the focus in this sub-chapter is the Balkans and the interaction is between this region and EU-Europe.

During the 1990s it seemed likely that the Balkans would arrange as a separate RSC. The outcome of this possibility was not processed by internal dynamics in Balkan but to a large extent by different external power securisations reacting towards the situation on Balkan⁴⁶.

The RSCT distinguishes between a region and a sub-region, a RSC and a sub-RSC. Looking at the interaction capacity and securisation features in the Balkans, the ex-Yugoslavian countries are mostly connected to other countries in the region. However, due to strong actors surrounding it, the Balkans could quickly be absorbed and regarded as a sub-region within EU-Europe. According to the RSCT, determining the RSC status of the Balkans connecting actor to actor starting from bottom and going upwards, the outcome would be

⁴³ Buzan and Wæver 2003; 373

⁴⁴ Buzan and Wæver 2003; 374

⁴⁵ Buzan and Wæver 2003; 374

⁴⁶ Buzan and Wæver 2003; 377

that the Balkans is a RSC. However, in the case of the Balkans, this conclusion might be wrong. Buzan and Wæver argue that “[d]ue to the asymmetry of power between the actors in and around the Balkans, it is in the hands of the external powers to ‘force’ the Balkans into the European complex.”⁴⁷ Another possibility for these external powers is to fence off the Balkans and thereby keep the security related problems of the region outside of Europe. In the beginning of the 1990s the Balkan region was both separate and distinct at the same time – separate because the interactions of almost all kinds were much less intense across the region than within it – distinct because the dynamics on the security field had very different characteristics than in the part of Europe outside the Balkans. Examples of these characteristics have been ethnic cleansing, war and dehumanisation. However, the RSCT argues that the outcome of this is that Europe will never turn its back on the Balkans, and to a large extent, the West has overtaken a great part of the development.⁴⁸ This is seen not only by comprehensive military efforts in the Balkans, but also politically and economically. One of the great efforts is the prospect of EU-membership which is to be the result of the stability pact. The wars on Balkan showed even greater correlation between the Balkans and Europe. The interventions of Europe during these wars were mostly according to European values, and at the end of the wars, the Balkans were again part of the plans of the enlargements of NATO and the EU.⁴⁹

It could be up for discussion whether the true definition of the Balkans is a sub-complex within the European RSC or a region of overlay. If the Balkans is an overlay and thereby a separate complex of the European, this would manifest itself in a region where the internal dynamics are suppressed by external powers, and the current peace in the Balkans would have been forced involuntarily, and thus the region would burst into war if the overlay was removed. The RSCT argues that the Balkans has been a case of overlay but emphasise that the current situation shows that the region is on its way to become a more integral part of Europe, and the problems that it would undoubtedly cause would be “(...) more East Central European problems.”⁵⁰ Therefore, the Balkans should be defined as a sub-complex to the

⁴⁷ Buzan and Wæver 2003; 377

⁴⁸ Buzan and Wæver 2003; 377

⁴⁹ Buzan and Wæver 2003; 378

⁵⁰ Buzan and Wæver 2003; 378

European complex on medium-term and not overlaid. On a long term basis the Balkans might amalgamate into the European RSC.

3.1.8 Origin of the main Balkan units

One of the main historical characteristics of the Balkans is that the region has never been very coherent but has frequently been divided. As it is presented in chapter 4 *Historical background*, the Balkans have been overlaid, concurred and governed by numerous empires, kings and different types of regimes. What makes the Balkans stand out from other regions in Europe is the fact that the empires having covered it have been in power for much longer at the time. The modern Balkans have been formed historically by the influence of the Ottoman and Austrian empires, and many of the diversities among the states in the region represent, to a wide extent, the two governing empires and their disintegration.⁵¹ The legacy from the Ottoman Empire is complex, and one of the clearest traces is the islamisation of a great part of the population in the former Yugoslavia. Serbia was one of the units in the former Yugoslavia that emerged very gradually as a modern state out of various types of autonomy within the borders of the Ottoman Empire. Thereby the state-building of several units on Balkans had their administrative and political traditions shaped in accordance with the empire.

Concurrently with the decline of the Ottoman Empire, the nineteenth-century European nationalism aspired, and any type of revolt was usually challenged by intervention from other European powers, and in the case of the Balkans, this was usually the Austro-Hungarian Empire. The first two centuries of the 20th century are interesting because the Balkans then looked like a separate RSC, having its own 'Balkan' wars.⁵² The newborn states had formed a system of interdependent power balances with shifting war coalitions. What puts the RSC status of the Balkans into question is the presence of European policy in the wars, both within the region, and in wars of independence, during this period. The period between the Balkan Wars and the World War I is characterised by the same form of semi-independence as in the post-Cold War period. In sum, one can argue that "(...) [a] local

⁵¹ Buzan and Wæver 2003; 380

⁵² Buzan and Wæver 2003; 381

balance-of-power- system was in operation, but in the interwar period this connected to wider European dynamics."⁵³

The establishment of the first Yugoslavia in 1918 was, to a large extent, a product of decisions made by the great powers. The development in Yugoslavia paralleled other European pan-ideologies and pan-nationalism. During World War II there were many tensions and struggles of territory in the region. After the war, Yugoslavia was recreated with almost the same borders and with the same types of internal problems.⁵⁴ The essential structure of the sub-complex was widely similar before and after the Cold War, and had other characteristics during the Cold War. With the dissolution of Yugoslavia, it was expected that the sub-complex would lose its pole, Belgrade, but contrary to expectation this did not seem to happen. *"The same dynamics are present as either domestic or international (depending on the existence of Yugoslavia or not), and Belgrade is a power centre with or without Yugoslavia."*⁵⁵ What remains ambiguous is the boundary of the sub-complex which has two cores: The first core is the constellation of conflict between Serbs, Croats and Bosnians, and the second core is around Macedonia, where Albania, Serbia, Bulgaria and Greece and Turkey are involved. The outer border countries of the sub-complex like Hungary, Romania and Turkey are changeably involved in different point at the time, and this makes the outer boundaries unstable.

The key point of the break-up of Yugoslavia is the great influence of outside powers. When the external action was not very clear – i.e. in the time between the failure of the EC mediation in 1991 to the NATO bombings – the initiative in the Balkans was with local actors, and the external action was narrowed down to being represented by the UN trying to soften the consequences. However, this does not mean that the external powers did not influence the development. There were expectations of the actors in the region about how the reactions would be of the great powers. The argument here is that the Balkan region was never isolated due to these interventions from great powers. The disputes and issues might even have settled sooner if the region had been isolated, because then the actors would have had to use classical military-political means and logic, which *"(...) would have*

⁵³ Buzan and Wæver 2003; 381

⁵⁴ Buzan and Wæver 2003; 382

⁵⁵ Buzan and Wæver 2003; 382

*led the actors to calculate their chances – probably more realistically – and strive for compromise when they had no hopes of improving their situation on the battleground. But, because each of the main actors had powerful friends abroad, they kept hoping for support, and that made them less inclined to settle for less.”*⁵⁶ The Croats expected, from a very early stage, support from Germany, the Serbs hoped for Russian support, and the Muslims seemed determined that they would get support from the US. Therefore none of the parts showed any sign of seeking compromise, and thus, the external powers had had a great influence.

3.1.9 Security dynamics in the Balkans

In the aftermath of the wars on Balkan, the big question has been what the main security issues are. Looking at the security issues after the break-up of Yugoslavia, almost all the institutions on the domestic level are very fragile. The economic, legal and political institutions are very old-fashioned and do not live up to the expectations. The main functions of the institutions are not being performed satisfactory, and they “(...) are ‘dominated’ by the expectation that public office and state-dominated assets should – and will – be exploited as a source of power and patronage.”⁵⁷ This makes the transnational security issues, such as corruption and organised crime, even worse and represent some of the greatest barriers to economic growth. This state form has made it attractive for “(...) old elites to hold on to power and easier to manipulate political identity developments through ‘conflict entrepreneurship.’”⁵⁸

The societal sector is indeed also crucial, dealing with dilemmas and questions of national identity which is often becoming the organising core of most of the disputes and fear. Even though questions such as religion is often the subject dividing the different parts, e.g. Kosovo-Serbs/Kosovo-Albanians, and Croats/Serbs – it is mostly not the religion which is securitised, but the religion is a very strong identity marker and therefore this defines the ethnic or national identity.⁵⁹ There are several problems situated between the political and societal sector, i.e. border issues, the status of Kosovo and Montenegro, and the Albanian

⁵⁶ Buzan and Wæver 2003; 383

⁵⁷ Buzan and Wæver 2003; 384

⁵⁸ Buzan and Wæver 2003; 384

⁵⁹ Buzan and Wæver 2003; 384

minorities. These questions of potential secession are blending into the unstable situation in Albania and Serbia. As the case of Russia, Albania, Germany and Hungary, Serbia is a source of instability due to the historical facts that these countries have been pushed and narrowed down “(...) to much smaller size than its ‘ethnic’ span.”⁶⁰

Furthermore, economic issues have been securitised at the domestic level. An example of this is Serbia where it is argued that the economic consequences of the Milošević regime represented some of the most important factors and driving forces behind the downfall of the election in 2000 that led to the fall of Milošević. Both local actors and the international community securitise transnational issues such as illegal drug-, people-, organised crime, and weapon trafficking. These problems emphasises the above-mentioned problematic of the weak and fragile state institutions on the domestic level.

The total constellation of levels is represented by a situation where the domestic level is very important in especially Albania and in ex-Yugoslavia. “*The unit-to-unit level is strong in many places and most often conflicts are not bilateral but very often triangles: Slovenia, Croatia, Serbia; Croatia, Serbia, Bosnia; the three groups within Bosnia; etc. (...) Since these triangles interlock, each conflict easily draws in a large number of countries. The fate of this constellation depends very much on external actors.*”⁶¹ In overall terms at the Balkan level, there are several formal and informal alliances. There is e.g. an “*islamic arc*”⁶² linking Turkey, Bosnia-Herzegovina, Kosovo and Albania, and the counter alliance is the orthodox Greece, Bulgaria and Serbia. The main potential issues to be solved are the international protectorates in Kosovo and in Bosnia-Herzegovina, and the question is how long the international community will stay, and what the consequence will be if they leave the region.⁶³

⁶⁰ Buzan and Wæver 2003; 385

⁶¹ Buzan and Wæver 2003; 386

⁶² Buzan and Wæver 2003; 386

⁶³ Buzan and Wæver 2003; 386

3.1.10 The Balkans as part of Europe

As mentioned above, external actors have played an important role for the development of the Balkans. The geography combined with power differentials allow these external actors to leave their mark in the area's development. This represents another argument for the Balkans potentially being part of the EU-Europe RSC. Furthermore, the possibility of Balkan inclusion in the RSC is supported by the identity factor of the region, meaning that the Balkans is seen as being part of 'us' – part of Europe.⁶⁴ This affects the West and makes the Balkans an area that Europe would not be able to accept being “(...) *let into descend into barbarism and cruelty to the degree which the West can accept in Africa.*”⁶⁵ Thereby, the countries of the EU-Europe RSC would do anything in its power to support and help the Balkans getting more connected to the rest of Europe. However, there are also a number of reasons and agendas that would speak in favour of sealing off the Balkans of the West – the US and the EU. Whereas the US originally did not want to enter the Balkans due to their perception that it was a 'European issue', the EU was originally only interested when they saw the prospect of being able to solve the problem rather easily, and thereby support and boost the European Foreign Office profile.⁶⁶ Therefore the possibility of cutting off the Balkan region was an option to some, and this would mean the construction of the Balkans as one separate RSC. It turned out to be the opposite, and the Balkans was 'let' being part of Europe. The strategy of isolation and exclusion of the Balkans would have been a very difficult and nearly impossible task, because the local actors were counting in the external actors. Therefore it is argued that the exclusion of the Balkans would have forced the external powers to pursue a much more consistent and active policy, which is not realistic. Even if the external powers tried to stay out of the Balkans, they would still somehow make their influence in the region.

Another argument is that the morality and media that in the West would not permit passivity. The politicians in the West were almost obligated to react on the problems in the region, and this can also be interpreted as an indicator of the Balkans being seen as European. However, the numerous actions made by external actors in the region compared to other places show a significant European or Western interest. A third argument is the

⁶⁴ Buzan and Wæver 2003; 387

⁶⁵ Buzan and Wæver 2003; 387

⁶⁶ Buzan and Wæver 2003; 387

security interdependence between Balkan and the EU-Europe RSC that could be seen as too solid. This means that even though the external actors could have regarded the Balkans as not being part of Europe and the wars not a European issue, these wars would still have major spill over effects to the EU-Europe RSC concerning issues being securitised in other sectors, such as e.g. immigration.⁶⁷

The various factors influenced the West and resulted in the choice of interventions on the Balkans rather than the potential disengagement, and it is argued that the West has taken a further step. After the wars in Bosnia, the Kosovo War and the consequences of this, along with the bad experience of developing a Bosnia in isolation, Western actors and the EU introduced a sub-regional approach. The stability pact has had comprehensive effects in strengthening the Balkan region. This shows in the example of Romania, that usually did not want to be regarded as part of the Balkans, unexpectedly, works towards becoming the leading and stabilising actor in South Eastern Europe, and thereby strengthen its attitude towards the EU countries as a country playing a constructive role.⁶⁸

Due to the influence from the West it is unlikely that the Balkans becomes a separate RSC, but it is rather a special case in Europe, and besides the reasons, mentioned above, the West will get a great prestige if it succeeds to develop the sub-region into a successful one. Buzan and Wæver argue that if one regards the Balkans as being a sub-complex, it has to be EU-Europe that it is a sub-complex of.⁶⁹ However, when the situation in the Balkans has been very serious and crucial, the US and Russia have also been important external actors. This raises the question whether the sub-region should rather be perceived as being overlaid by the dynamics from the regional great powers. The time frame between 1991 and 1999 can substantiate this possibility. However, when the military side gets pushed more in the background, this will make room for the stability pact and the civilian society. This will evoke that the EU will become the main institution, and emphasise the status of the region as a European sub-complex.

⁶⁷ Buzan and Wæver 2003; 388

⁶⁸ Buzan and Wæver 2003; 391

⁶⁹ Buzan and Wæver 2003; 391

3.2 Neoliberalism and Neorealism

In this sub-chapter the relevant topics of neorealism and neoliberalism are shortly presented. As described in sub-chapter 2.2 *Theories*, the two theories serve as supporting and challenging theories to the RSCT. The main points, emphasised here, are the topics that touch upon the issues relevant to the problematic of this thesis.

In overall terms the neorealist theory puts emphasis on topics such as security and war, whereas the focus area of the neoliberals is on issues of international political economy, cooperation, and environment. One could say that the centre of the neoliberal research is on supporting and promoting cooperation in a competitive international society. The centre for neorealist research is mainly how the state is able to survive in this society.⁷⁰

Neorealism is the progeny of realism, and within both realism and neorealism there are several versions. Structural neorealism differs in certain fields from the classical neorealism. In the case of conflict between two neighbouring states, realism would explain the conflict focusing on the military leaders' influence and long-term disputes boosted by the geographical adjacency, using unit explanations. The structural realists would suggest that the effects of structure were taken into account, and argue that *"(...) structure is defined by the ordering principle of the international system, which is anarchy, and the distribution of capabilities across units, which are states."*⁷¹ For a structural neorealist the structure of the international system forms all choices of foreign policy, and the conflict would be explained by anarchy or the absence of a central authority or common power, maintaining order in the system of the two states. This would result in a need of weapons, and the outcome is that the states with the greatest influence in the world are the ones having the greatest power. Neorealists argue that *"states are differentiated in the system by their power and not by their function. Power gives a state a place or position in the international system and that shapes the state's behaviour."*⁷² The distribution of power determines the structure of the international system, and this structure determines the actor's behaviour. Moreover, neorealists argue that all states are similar units and they experience the same dangers of anarchy, and thereby they minimise relevance of national attributes in foreign policy

⁷⁰ Lamy 2001; 184

⁷¹ Lamy 2001; 185

⁷² Lamy 2001; 185

making. The crucial factor determining the different policies of countries are the different power distributions. Moreover, force is viewed as a very effective and important tool of statecraft, and the balance of power is the all-important mechanism for stability and order in the system.⁷³

One of the main characteristics of the neorealist theory is the strong role of the state. As mentioned above, neorealists see the international system as anarchy without any central authority to keep the order and look after the overall interests of the global community. Due to the competitive and anarchic system, states must prioritise self-help over cooperative agendas. Thus, states perceive all other states as potential threats to the national security, and this fear and scepticism towards the other states set the security agenda. Furthermore, two important notions of neorealism are the *relative* and *absolute* gains. Since states are interested in increasing as much power (absolute gains) as possible, states will cooperate with other states in order to increase the capabilities. At the same time states are sceptical towards this cooperation since it somehow benefits the other cooperating actors (relative gains).⁷⁴ Most neorealists claim that states mainly aim at getting absolute gains and are sceptical of the relative gains of cooperation. This contrasts the neoliberals who argue that the cooperation will not work if the other states are not following the rules or cheat in order to secure the national interest, and argue that states also benefit from relative gains when cooperating. The neorealists view argues that the non-compliance and cheating of states, securing national interests, as well as the relative gains are the crucial barriers to initiate strong international cooperation.

Like neorealism there are several versions of liberalism that have merged into the theory of neoliberalism. This theory is the outcome of a refinement of republican, commercial, sociological and institutional liberalism.⁷⁵ Sociological liberalism puts a great emphasis on the community (of scholars, consumers, producers, artists etc.) and the interdependence process of this. The argument is that the increase of transnational activities leads to increased interdependence of people in different countries and their governments. The result of this will eventually be that it gets much harder and costly for states to ignore and

⁷³ Lamy 2001; 188

⁷⁴ Lamy 2001; 186

⁷⁵ Lamy 2001; 190

avoid cooperation with the neighbouring countries and to be a unilateral actor. According to this theory, this interdependence will result in a more peaceful international community. Commercial liberalists are proponents of free capitalist market economy and trade as the means to secure peace, and this stand is supported by many trading states and multinational companies.⁷⁶ The main point of republican liberalism, or democratic peace theory, is the argument that democratic states are much less likely to disrespect human and civil rights, and these states are less exposed to burst into war with democratic neighbouring countries.

One of the main neoliberal approaches is the liberal institutionalism. This theory contrasts strongly with neorealism in its view of how to gain peace. The neoliberals suggest that, by having independent states merging their resources and, in certain cases, give up some of the state's sovereignty in order to establish integrated communities, which will support economic growth and help solving regional problems. The classical example of neoliberalist institutionalism is the EU which started as being a regional community whose main goal was to promote multilateral cooperation with the coal and steel industry.⁷⁷ The discussion of institutions is very much in contrast to neorealists who tend to focus, to a very large extent, on competition and conflict and the minor chance for success of cooperation, even in an international system of anarchy. On the contrary, the neoliberalist theory regards institutions as the gathering point and the mediator and as the right tool to promote good cooperation among the actors of the international system. Furthermore, they believe that institutions can contribute in governing an anarchic and competitive international system, and therefore multilateralism and cooperation is strongly encouraged as a way of promoting the national interests.

In the neoliberalist institutionalist theory, the states are the main players in international relations, but they are not the only significant ones. The state is seen as an instrumental and rational actor, always looking after its interests in all topics. In order to be able to do so, the states seek to increase its absolute gains through increased cooperation. In contrast to neorealists, the neoliberals put less focus on the relative gains but are seeking to

⁷⁶ Lamy 2001; 188

⁷⁷ Lamy 2001; 189

promote the interests of its own state.⁷⁸ The neoliberals argue that cooperation is much harder to achieve in issues, where the states of concern do not share the same interests. Therefore cooperation in the fields of national security and military is difficult to agree upon because “(...) *someone’s gain is perceived as someone else’s loss (a zero-sum perspective) (...).*”⁷⁹

3.3 Theoretical discussion

Summing up the elaborated sections of the RSCT, the theory argues that there are RSCs everywhere in the world system, taking their shapes from the aspirations and fears of different units. RSCs are regions seen through the lens of security. Historical occurrences on the political field in the world, and in Europe particularly, have left room for the RSCs to develop into security dynamics. Thus, the principal conditions of security of states are defined by the neighbours and regional dynamics, and the global level security dynamics are separated analytically from the regional security dynamics. Like the neorealist view, the RSCT sees globalisation as a threat, but whereas the RSCT argues that the securisations are being made on the regional level through the RSCs, the neorealists argue that states are acting as single actors and prioritise self-help over cooperative agendas. Moreover, the structural neorealism claims that the power structure and the distribution of power in the international system determines the foreign and security policy of states, whereas the RSCT argues that historical factors are relevant and that security policy are linked to every region’s RSC. The neoliberals are very supportive towards regional cooperative agendas. Whereas the RSCT views regions as clusters of units that are so interdependent in the field of securisation and desecurisation, that the issues of security cannot be solved apart from each other, the neoliberals try to create global and regional cooperation by interlinking the different units, using tools as free market economy and trade, promotion of democracy, and soft power.

The RSCT argues that penetration from global powers have influenced almost every region’s security dynamics, but the inclination of this penetration results in an increased role of the regional level compared to the periphery, the global level. Moreover it is argued

⁷⁸ Lamy 2001; 190

⁷⁹ Lamy 2001; 190

that the security of a nation is never self-contained, and units in a region can thereby never be considered as separate from the security of the neighbouring states in a region. This view contrasts to a large extent the neorealism that supports the strong role of the state and the fear of the neighbouring countries, which result in some cooperation, but where the focus is on both absolute and relative gains. Neoliberalism speaks in favour of merging into regions of cooperation but with less focus on security and RSCs.

There are several securisations in Europe after the Cold War. The main securisations stem from the fear that Europe will return to its past as a region of great power rivalry and war, and from the view of European integration as a threat to the national identity instead of a preventive mechanism towards instability. In order to prevent these scenarios, the neoliberal theory focus on the interdependence of the economical sector but also sociological features which will make it much harder for the states to burst into war. The neorealist theory claims that the distribution of powers is the main determinant, and fears that not all states will follow the rules, and seek absolute and relative gains.

The Balkans should be perceived as a sub-complex of the EU-Europe RSC, due to the great influence of external powers surrounding the region, and moreover due to the history of interaction between the Balkans and EU-Europe. Furthermore this explanation is supported by the security interests of the EU in the Balkans, and the argument that Belgrade will always be a centre of power. Apart from the argument that Serbia is a source of instability due to historical facts and current situation, there are heavy transnational security issues in the Balkans that could spill over to EU-Europe. European isolation and ignoring of the Balkans will have major negative spill-over effects of e.g. immigration. The development in the Balkans has been very influenced by external powers, and great powers are still present in the region, which represents another argument for the interests of the EU in the Balkans. The geography as well as the identity factor and Western media morality are also important factors. The neoliberals support strong cooperation with neighbouring countries, including the Balkans, arguing that the increase of interdependence between the Balkans and the EU would decrease instability and hostility. However, the republican liberalism puts great emphasis on democracy, claiming that undemocratic states are much more difficult to cooperate with, and that these are more

likely to go into war. The neorealists view cooperation sceptically and argue that states are main players, and that states see other states as threats.

4 Historical background

After having been under Bulgarian and Byzantine rule, the political history of Serbia really begins with the monarchy under Stefan Nemanja who ruled the territories of modern-day southern Serbia and Montenegro between 1169 and 1196⁸⁰. During the next centuries Serbia was ruled by the Austrian and later Austro-Hungarian empire and the Ottoman Turks who made their way to Balkan in the 1350s and controlled Serbia until the Serbian Revolution in 1804, which after sporadic help from Russia resulted in the compromise between the Ottoman Empire and Serbia regarding administrative autonomy in 1815. In 1867 an agreement between prince Mihajlo and the sultan of the Ottoman Empire secured the removal of the last Turkish garrisoned soldiers from Serbia⁸¹.

Since 1878 Bosnia had been administered by Austro-Hungary, but in 1908 the empire decided to annex Bosnia officially⁸². This created great hostility by Serbia due to the 40 per cent Serbian population in Bosnia. During the Balkan Wars, many Bosnians fought on the Serbian and Montenegrin side. Serbia won most of Macedonia and Sanjak of Novizibar, doubling the size of the population from 2.9 to 4.4 million⁸³. The desire to create a south Slav state under Serbian leadership combined with the urge to liberate Bosnia from Austro-Hungary, made the tone between Austro-Hungary and Serbia very hostile. This hostility resulted in the assassination of Archduke Franz Ferdinand, which was carried through by an association of Serbian nationalists and started the World War I⁸⁴.

4.1 Post-World War I

At the end of the war, the Austro-Hungarian Empire had been dissolved, and on December 1st 1918, the Serbian Prince Regent Alexander proclaimed the constitutional, parliamentary and hereditary Kingdom of Serbs, Croats and Slovenes. The king was officially crowned in Belgrade in November 1921. This First Yugoslavia led by the Serbs existed until 1929 when the king “(...) *abrogated the constitution and dissolved a sitting parliament (...)*”⁸⁵. The period from 1929 until 1931 was characterised by a policy of suppression of national and regional

⁸⁰ Cox 2002; 20

⁸¹ Cox 2002; 47

⁸² Hudson 2003; 11

⁸³ Hudson 2003; 11

⁸⁴ Schuman 2004; 25

⁸⁵ Lampe 2000; 127-128

rights and the promotion of Yugoslavism. Officially the Kingdom was renamed Yugoslavia and Serbia was divided into 9 and Croatia into two units. National flags and symbols were banned⁸⁶. In 1931 Alexander reintroduced a constitution which was a “(...) *National Assembly of parties acceptable, and subordinate, to the king.*”⁸⁷ The king was assassinated in 1934 by a Macedonian terrorist group. The dictatorship officially ended at the elections in 1935 which gave the dominant power to the Serbian politician Milan Stojadinović who was prime minister between 1935 and 1939. The policy was very pro-Axis and resulted in a growing dependency of Germany. He supported Franco during the Spanish Civil War. His policy met great opposition from other political parties and the election in 1938 showed clearly that there was a strong urge for Croatian autonomy⁸⁸ and in 1939, Prince Paul, the son of King Alexander, set Stojadinović out of power which he was able to according to the 1931 constitution that was still in function.⁸⁹ The Sporazum agreement of 1939 was settled, and this gave educational, taxational and economical autonomy to Croatia.

4.2 World War II

The World War II made its entry into Yugoslavia in 1941 when the Germans along with its allies from Hungary, Bulgaria and Italy invaded Yugoslavia and dissolved the country⁹⁰. The Axis powers divided the country into two states: Croatia and Serbia, which were occupied by Italy and Germany. The state of Croatia incorporated Bosnia-Herzegovina and was divided with German military control in the north and Italian in the south. The state of Serbia was under German control and the other parts of Yugoslavia were parcelled out to the occupying powers⁹¹. The Allies gave support for guerrilla movements against the occupying Axis powers. First they supported the Serbian insurgents, the Cetniks, and later the multinational communist-led Partisans⁹². During the years of occupation Serbia and the rest of the Yugoslav region suffered fundamentally from the Axis powers' extraction of wealth out of the region. At the same time the different Yugoslav nationalities were raging civil wars with each other – especially between the Mihailovic's Chetniks and Tito's

⁸⁶ Hudson 2003: 23

⁸⁷ Hudson 2003; 23

⁸⁸ Cox 2002; 77-78

⁸⁹ Hudson 2003; 24

⁹⁰ Cox 2002; 81

⁹¹ Hudson 2003; 29

⁹² Cox 2002; 81

Partisans. At the same time, the Croatian Ustaše committed several atrocities. The group was anti-Serbian and anti-Yugoslav and was even unpopular in the state of Croatia⁹³. In the middle of 1945, the many and well-organized Partisans, who were led by Josip Broz – Tito – drove out the Germans and had broken down the domestic opposition supported by the Red Army. In 1944 Belgrade was liberated and on May 15, Germany and the Ustaše surrendered to the Partisans. Its claimed by the official Yugoslav authorities that 1.7 million Yugoslavs (11% of the population) died during World War II⁹⁴.

4.3 Post-World War II – Tito in power

On March 7, 1945 Tito took office as the Prime Minister and the Minister of Foreign Affairs. The first new constitution of Yugoslavia was accepted in January 1946, establishing six federal republics: Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia. Furthermore, Serbia encompassed the autonomous provinces: Vojvodina bordering on Hungary, and Kosovo-Metohija in the southern part of Serbia. Both republics were secured the right to secede⁹⁵. However, Yugoslavia was very dependent of financial aid from the Soviet Union but the different style of communism led to the Soviet withdrawal of the aid in 1948. Yugoslavia was banned from the Communist Information Bureau and Yugoslavia introduced a liberal form of Communism – the Titoism⁹⁶. The only political party that was allowed to hold office was the Communist Party, which in 1952 renamed itself to the League of Communists of Yugoslavia (LCY)⁹⁷.

The period between 1945 and 1952 is characterised with domination of the Stalinist model with increased collectivism. This model, however, proved to be ineffective, and therefore Tito changed the strategy. On the political scene, a decentralisation of the administration began. By 1952 the worker self-management gained a great footing in Yugoslavia. A law secured workers' councils to be elected in all industries with more than 30 employees. This form of self-management gained more and more influence and power during the 1950s and 1960s⁹⁸.

⁹³ Cox 2002; 83-84

⁹⁴ Schuman 2004; 38

⁹⁵ Hudson 2003; 41

⁹⁶ Schuman 2004; 39

⁹⁷ Cox 2002; 106

⁹⁸ Hudson 2003; 47

4.4 Croatian Spring

The years between 1967 and 1971 is often referred to as the “Croatian Spring”. During this period nationalism arose in Croatia. It was the leading Croatian cultural organization that demanded the recognition of Croatian as an equal language and there were student demonstrations against the Yugoslavian government and party. This led to the Croatian branch of the LCY to demand more decentralisation in the federal political and economic field, and resulted in Tito expelling several LCY leaders whom Tito found too nationalistic or liberal⁹⁹. The demonstrations and protests were finally cracked down in December 1971 when Yugoslavian police and military made their entry, breaking these down¹⁰⁰. Furthermore, in order to prevent further disturbances, he deposed reformist leaders from Macedonia, Serbia, Slovenia and Vojvodina. Tito was elected president for life and he was in charge until his death in May 1980¹⁰¹.

4.5 The death of Tito and the dissolution of Yugoslavia

After the death of Tito, rivalries arose among the communist parties of the different republics in Yugoslavia. In 1989 after the collapse of the Soviet Bloc the legitimacy of the one-party-rule in Eastern Europe was eliminated which resulted in the termination of the political monopoly of the Communist Party¹⁰². With Tito’s death a power vacuum had arisen on the federal level, which left the political arena open to younger forces in the different states. Milan Kučan and Slobodan Milošević were elected as the leaders of the League of Communists in Slovenia and Serbia in 1986¹⁰³. However, the politics pursued in Slovenia and Serbia was very different. The dissident movements of the two republics developed very differently. The Slovenes supported an individualistic and humanistic policy, e.g. pluralism, civil rights and antimilitarism, whereas the Serbs very more engaged in nationalism-related disputes¹⁰⁴.

⁹⁹ Cox 2002; 109

¹⁰⁰ Schuman 2004; 42

¹⁰¹ Scuman 2004; 42

¹⁰² Lampe 2003; 332

¹⁰³ Lampe 2003; 345

¹⁰⁴ Cox 2002; 127-128

Milošević later became the President of Serbia. In the period between July 1988 and the spring of 1989 Milošević organised rallies throughout Serbia. Outside of Serbia the 'Organising Committee for Participation of Kosovo Serbs and Montenegrins in Protest Rallies Outside of the Region'. This committee mobilised Serbs living outside of Serbia for mass demonstrations¹⁰⁵. These demonstrations put pressure on the different governments and led to the recession of the governments of Vojvodina and Montenegro in October 1988 and the government of Kosovo in March 1989¹⁰⁶. In early 1990 the communists of Croatia and Slovenia disengaged from the federal party, and in April both republics held free elections. Both governments were replaced with parties urging self-determination. In December 1990, Slovenia held referendum on independence and Croatia did the same in June 1991. This led to the declarations of independence of both countries on June 25¹⁰⁷. The Yugoslav National Army, which was dominated by Serbs, went to the border and initiated a fight with Slovenia and subsequently Croatia that lasted until a diplomatic pressure arose from the European Community. With Germany being the primus motor the European Community recognised Slovenia and Croatia on January 15, 1992 and The United States recognised the two countries and Bosnia on April 6, 1992¹⁰⁸.

4.6 The Yugoslav Wars

Throughout 1991 many tensions between Croats and Serbs living in Croatia arose. Serbian homes had been dynamited in Zagreb and Dubrovnik, which led to the cease-fire between Croatia and the Yugoslav authorities in January 1992¹⁰⁹. The war spread to Bosnia where tensions between Bosniaks (Bosnian Muslims) and Bosnian Serbs clashed in civil war because "*(...) Most Serbs and Croats of Bosnia vowed that they would not live under a government dominated by Muslims.*"¹¹⁰

Whereas Montenegro decided in an election in March 1992 to stay within the union of Yugoslavia, it was different in Bosnia-Herzegovina¹¹¹. In March 1992, Bosnia-Herzegovina

¹⁰⁵ Thomas 1999; 45-46

¹⁰⁶ Thomas 1999; 46

¹⁰⁷ Cox 2002; 139

¹⁰⁸ Cox 2002; 140

¹⁰⁹ Hudson 2003; 90

¹¹⁰ Cox 2002; 146

¹¹¹ Schuman 2004; 49

declared independence from Yugoslavia. Bosnia-Herzegovina consisted of 40% Muslims, one third of Bosnian Serbs and 18% Croats¹¹². The Serbian part of the population was against Bosnian independence from Yugoslavia and resisted this development. Therefore the Serbian Republic of Bosnia-Herzegovina was established¹¹³. This resulted in a bloody war and several cases of ethnic cleansing of Muslims and Croats living in the Serbian populated areas of Bosnia-Herzegovina¹¹⁴.

On April 8, 1995, Bosnian Serbs started attacking airplanes with aid to Bosniak refugees and on May 26, the Serbs initiated a bombing of Sarajevo. NATO entered the war in the spring of 1993 to protect the peace-keeping troops guarding safe-areas. The NATO troops bombed Serb positions. The war lasted until November 21, 1995, where the Dayton Accords was signed between the mediator of the US, Richard Holbrook and the presidents of Bosnia-Herzegovina, Croatia, and Serbia. At the end of the war, 200.000 people had been killed and over 2 million people made refugees¹¹⁵.

4.7 From the Dayton Accords to the Kosovo War

The Dayton Accords did not include any demand for Serbia to restore the autonomy in Kosovo, and the focus of the region and the international media was more and more on Kosovo¹¹⁶. Even though anti-Milošević forces had made many protests, the opposition in Kosovo was undermined. On July 23, 1997 Milošević was elected president of the entire Yugoslavia and stepped down as the president of Serbia¹¹⁷. In Montenegro there was a power battle between the president of Yugoslavia, Milošević, and the elected president of Montenegro, Milo Djukanović who disagreed strongly about the policy of Milošević. Milošević nominated the Djukanović' political opponent, Momir Bulatović, who lost the presidential election to Djukanović, as federal Prime Minister. This new post was denounced by the government of Montenegro, and Montenegro was on the tip of declaring Montenegro independent of Yugoslavia¹¹⁸. The focus of the international media was not on

¹¹² Hudson 2003; 103

¹¹³ Schuman 2004; 50

¹¹⁴ Schuman 2004; 51

¹¹⁵ Schuman 2004; 52-53

¹¹⁶ Schuman 2004; 54

¹¹⁷ Schuman 2004; 54

¹¹⁸ Schuman 2004; 54-55

Montenegro, however, but on Kosovo, where the president Ibrahim Rugova was pursuing non-violent policy against Serbia by boycotting the Yugoslav government. At the same time a guerrilla force, the Kosovo Liberation Army (KLA), was established and initiated its own fight against the Serbian authorities in Kosovo¹¹⁹. In February 1998 fights started between Serbian officials and KLA. By the summer of 1998 the fights had turned into a regular civil war, and the US along with European powers, including France, Great Britain, Italy, Germany and Russia agreed to the words of the United States Secretary of State Madeleine Albright “(...) to deny President Milošević’ resources for his police state.”¹²⁰ On October 25, 1998, diplomats from NATO had agreed on a cease-fire, and OSCE peace monitors were inserted in Kosovo. The cease-fire, however, lasted less than two months and KLA and the Yugoslav army began battling again in December. In January 1999 Yugoslav forces killed 45 ethnic Albanians, which led to NATO trying to mediate in Rambouillet, in order to seek a Yugoslav withdrawal from Kosovo and give Kosovo the status as an autonomous region inside of Yugoslavia, administered by peacekeeping troops from NATO. The Rambouillet accords were never realised. The Albanians signed the agreement but Yugoslavia that preferred the UN to observe the peacekeeping troops, would not trust NATO and did not sign the agreement¹²¹. Milošević troops’ attacks on ethnic Albanians increased. On March 24, 1999, NATO forces acted in response and began air strikes on Serbian military targets¹²². During the next months Serbian military launched more attacks on ethnic Albanians and NATO started bombing more strategic targets. Towards the end of the war, the Serbs were being defeated by KLA that counted approximately 20.000 troops. On June 3, 1999 encouraged by Russia, Milošević agreed to accept a peace plan on behalf of NATO¹²³. It was decided that Kosovo should become a UN protectorate while still under the sovereignty of Yugoslavia. The KFOR military mission was responsible of the security¹²⁴.

¹¹⁹ Schuman 2004; 55

¹²⁰ Schuman 2004; 57

¹²¹ Schuman 2004; 57

¹²² Schuman 2004; 57-58

¹²³ Schuman 2004; 60

¹²⁴ Hudson 2003; 135

4.8 Serbia after Milošević

After the Kosovo War Milošević was fighting to remain in power, but was defeated in the presidential election in September 2000 by Vojislav Koštunica. The Montenegrin president Milo Djukanović pushed for independence from Yugoslavia, and with the help from Javier Solana on behalf of the EU, the Yugoslav Parliament abolished the Yugoslav federation in early 2003 and replaced it with a loose union Serbia and Montenegro. This move had already been approved by the two parliaments of Serbia and of Montenegro¹²⁵. In May 2006 Montenegro made use of the option according to the Constitutional Charter of Serbia and Montenegro to hold a referendum about independence from the union with Serbia. According to a threshold percentage set by the EU, the result of the referendum should be more than 55 % to enable the secession from the union. The election resulted in the exceeding of the 55 % and an independent Montenegro was a reality on June 3, 2006¹²⁶.

On February 17, 2008, the parliament of Kosovo agreed to authorise the declaration of independence from Serbia¹²⁷. During the following days more and more countries recognised Kosovo's independence. Russia was against the independence and tried to convince the UN to declare the independence of Kosovo invalid and illegal but did not succeed to find support for the idea. Serbia is today reduced to the Republic of Serbia, consisting of Serbia and Vojvodina Autonomous Province.

4.9 Serbia-EU relations regarding the cooperation with the ICTY

After the end of World War II, the United Nations Charter, led by the four occupations powers in Germany signed a charter and established an international body, the International Military Tribunal (IMT) with the purpose to prosecute war crimes of Germany and Japan. The trials were took place in Nürnberg, Germany and in Tokyo, Japan.¹²⁸ In 1993, members of the UN decided that a similar or comparable tribunal should be set up to investigate and convict the war criminals that took place during the Balkan Civil War in 1991 and later also the war crimes in 1995¹²⁹. On May 25, 1993, The

¹²⁵ Hudson 2003; 138-139

¹²⁶ Central Intelligence Agency 2008 [online]

¹²⁷ BBC News 2008a [online]

¹²⁸ Ferencz 2005 [online]

¹²⁹ Schuman 2004; 77

International Criminal Tribunal for the former Yugoslavia (ICTY) was founded by Security Council resolution 827 and is located in The Hague¹³⁰. The authority of the ICTY is to prosecute the following four main offences: “1) *Grave breaches of the 1949 Geneva Conventions*. 2) *Violations of the laws or customs of war*. 3) *Genocide*. 4) *Crimes against humanity*¹³¹”.

It was decided that the ICTY has jurisdiction for persons, not organisations, political parties or political entities, accused of war crimes, having been committed since January 1, 1991. The ICTY trials are carried through concurrently with national courts but can any time claim primacy over the national courts. Furthermore, the trials can only commence in cases where the person having committed the war crime is physically present in the court room¹³².

To ensure neutrality, the ICTY has a large amount of investigators, 1173 staff members and 82 represented nationalities¹³³, but it does not have a police force. Hence, it is dependent of the national police and international peace forces of the former Yugoslavian republics, e.g. the UNPROFOR to make arrests and to extradite suspects and prosecuted persons to The Hague¹³⁴.

When the international Criminal Tribunal for the former Yugoslavia was established, it got a very cold response from the official Serbia. When Milošević was still in office, the official stand point to the ICTY was that it was a creation of NATO and especially of the US whose intention was to prosecute Serbia for what the country regarded as a legitimate war¹³⁵. At some point Serbia even refused to help providing the evidence that could have been used in the ICTY in the favour of Serbian victims and against prosecuted persons from Croatia and Bosnia. In addition, when Milošević was accused at the ICTY, he claimed that he himself was the victim and that NATO had been committing the crimes. After Milošević had been voted down, Serbia began cooperating in small terms with the ICTY, and Milošević was

¹³⁰ ICTY 2008 [online]

¹³¹ ICTY 2008 [online]

¹³² ICTY 2008 [online]

¹³³ Data from October 1, 2007. Source: ICTY 2008 [online]

¹³⁴ Schuman 2004; 77

¹³⁵ Schuman 2004; 78

handed over to the ICTY in late June 2001¹³⁶. He was prosecuted for three indictments: one for war crimes in Croatia 1991-1992, one for crimes in Kosovo in 1999, and the most serious indictment was the genocide in Bosnia and Herzegovina 1992-1995¹³⁷. Some Serbs have insinuated that the ICTY have ethnic prejudices against Serbians, with the argument that more than half of the publicly charged persons are Serbs.

There has been a great struggle between Serbia and the US and other NATO nations about the lack of will from the Serbian side to hand over suspected war criminals. The most serious cases of Serbian persons who are prosecuted for war crimes are the Bosnian Serb general Ratko Mladić and the Bosnian Serb wartime leader Radovan Karadžić. On May 17, 2003, the authorities of Serbia handed over the former army officer, Miroslav Radić, to the ICTY after realising that Serbia could lose financial aid and other support if they refused to do so. Miroslav Radić turned himself in to the ICTY in Serbia in 2002¹³⁸. Serbia still has not handed over Ratko Mladić, Radovan Karadžić, Goran Hadžić and Stojan Župljanin which has caused a serious row of problems in the relationship between Serbia and the international community and the EU in particular.

¹³⁶ Schuman 2004; 78

¹³⁷ Schuman 2004; 78

¹³⁸ Kovacevic 2004 [online]

5 The integration processes of the EU

To analyse and discuss the procedure, pitfalls and outcomes of the negotiations between Serbia and EU, this chapter presents the EU enlargement policies. Furthermore the different steps of integration into the EU and the policy of conditionality will be presented. In this manner, the content of this chapter provides the reader with facts about the different enlargement instruments of the EU towards accession countries.

5.1 Enlargements of the EU

Since the foundation of the EU with the Treaties of Rome in 1957 with six member states, the cooperation and integration of Europe have become much broader and closer and there have been six enlargements so far. The UK, Ireland and Denmark joined in 1973 followed by the second and third enlargement of Greece in 1981 and Spain and Portugal in 1986. The end of the Cold War made it possible for the EU to expand further with the traditionally neutral countries: Austria, Finland and Sweden in 1995. These three countries had all been members of the European Free Trade Association (EFTA), and with the creation of the internal market in the early 1990s they joined the European Economic Area (EEA). Even though the fourth enlargement proved to be rather unproblematic, the decision-making process of the EU became more and more complex, and the need for a renewed enlargement strategy arose¹³⁹.

5.2 Copenhagen Criteria

As a response to the sudden changes in the Central and Eastern European countries (CEE) in the aftermath of the Cold War, the EU offered these countries financial aid which was done through the PHARE programme¹⁴⁰. All the CEE candidate states¹⁴¹ signed Association Agreements with the EU (1991-1996) in order to prepare the countries politically and economically for future EU membership. At the European Council in Copenhagen in June 1993 the EU member countries set up the Copenhagen Criteria and agreed that EU

¹³⁹ Krok-Paszowska and Zielonka 2007; 369-371

¹⁴⁰ The PHARE is an aid programme set up in 1989 to provide help for Hungary and Poland in improving the political and democratic reform, but also gave aid to direct investment in public sector and infrastructure. It later expanded to also include "(...) *Bulgaria, the former East Germany, the former Czechoslovakia, Albania, Romania, Slovenia, Latvia, Lithuania and Estonia*". (Source: Blair 2006; 251-252).

¹⁴¹ Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. (Source: Blair 2006; 161).

membership of new countries could be taken into account if these criteria were fulfilled. Thus, it was the first time that the EU had used membership conditions and linked these with the ability and capacity for the EU to absorb new member states¹⁴². The Copenhagen Criteria present in sum following criteria:

“Candidate states must have: 1) stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. 2) The existence of a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the Union. 3) The ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union. The EU must have: 4) the capacity to absorb new members without endangering the momentum of European integration.”¹⁴³

The CEE candidate countries joined along with Cyprus and Malta in 2004. The latest enlargement was on January 1, 2007 where Bulgaria and Romania joined the EU.

5.3 The steps of integration into the EU

Since the introduction of the Copenhagen Criteria in 1993, a number of new policy areas have been added. The most comprehensive policy areas added since are justice and home affairs, the Schengen area and passport-free travel between the member states, the common foreign and security policy (CFSP), and a common currency¹⁴⁴. The new candidate and potential candidate countries do not have the possibility of negotiating and including opt-outs, and they must accept the EU’s non-binding resolutions and recommendations. The introduction of conditionality is thereby a milestone in the enlargement policies of the EU, and it puts great external pressure on the domestic reforms of candidate countries¹⁴⁵. As concerns the Balkan countries, the EU has added the criteria for membership that each country has to fully cooperate with the International Criminal Tribunal for the former Yugoslavia (ICTY)¹⁴⁶.

¹⁴² Krok-Paszkowska and Zielonka 2007; 371-372

¹⁴³ Krok-Paszkowska and Zielonka 2007; 372

¹⁴⁴ Grabbe 2006;1 [online] Heather Grabbe is an advisor to European Commissioner for Enlargement, Olli Rehn.

¹⁴⁵ Grabbe 2006;1 [online]

¹⁴⁶ Grabbe 2006; 2 [online]

An applicant country is only ready to fully join the EU once the member countries are convinced that the new candidate country will be able to comply with the EU acquis. Furthermore, the candidate country must show that it can meet the conditions set by the EU and that it has the necessary capacity to implement EU legislation¹⁴⁷. The procedure and the different steps of integration¹⁴⁸ of new member states into the EU are:

- 1) *“Privileged trade access and additional help.*
- 2) *Signing and implementation of an enhanced form of association agreement (European Agreements for the Central and East European countries, Stabilization and Association Agreements for Southeast European countries).*
- 3) *Recognition of candidate status.*
- 4) *Opening of accession negotiations, which since 1999 has been explicitly dependent on a candidate’s meeting the democracy and human rights conditions.*
- 5) *Opening and closing of the 31 chapters in negotiations – each of which can depend on meeting specific benchmarks.*
- 6) *Signing of an accession treaty.*
- 7) *Ratification of the accession treaty by national parliaments and the European Parliament, and referenda in some countries.*
- 8) *Entry as a full member”¹⁴⁹.*

The first challenge for a country wishing to become an EU-member is getting the EU membership application accepted. The countries usually hesitate to send the application in too early due to the fear that the application will be rejected immediately as it was the case of Morocco and at an early stage to Turkey. The European Council then asks the European Commission which, in the light of the application, either recommends or rejects it. In addition, it is the European Commission that decides whether the country shall be given the status as a candidate country or not. If the country is accepted as a candidate country the negotiations can officially open.

¹⁴⁷ Grabbe 2006 [online]; 1

¹⁴⁸ These steps of integration serve as an explanatory tool and might not represent fully the EU’s official policy.

¹⁴⁹ Grabbe 2006 [online]; 2-3

5.4 The EU enlargement instruments towards Serbia

To facilitate the preparations for the country wishing to become an EU-member, the EU has established a pre-accession strategy consisting of agreements identifying the rights and obligations and reform objectives to be fulfilled by the coming member country. In the case of Serbia as well as the rest of the Western Balkan countries, the pre-accession strategy is the Stabilisation and Association Agreement (SAA). Another important part of the pre-accession strategy is financial aid from the EU¹⁵⁰.

In May 1999 following almost a decade of instability and conflicts in the Western Balkan countries, the EU was trying to facilitate stability in the region. The European Commission identified the main reasons and objectives for introducing a more motivated vision of the regional development on West Balkan, and was based on:

“1) a recognition that the main motivator for reform - including the establishment of a dependable rule of law, democratic and stable institutions and a free economy - in these countries is a relationship with the EU that is based on a credible prospect of membership once the relevant conditions have been met (...).

2) the need for the countries to establish bilateral relationships between themselves which would allow greater economic and political stability in the region to develop

3) the need for a more flexible approach which, although anchored to a common set of political and economic conditions, allows each country to move ahead at its own pace. Assistance programmes and contractual relations have to be flexible enough to accommodate a range of situations from post-conflict reconstruction and stabilisation to technical help with matters such as the approximation of legislation to the core elements of the EU acquis.”¹⁵¹

At the Zagreb Summit on November 24, 2000, the EU and the Western Balkan countries agreed on a set of objectives. EU offered a clear prospect of accession to the EU based on

¹⁵⁰ European Commission 2007a; 9 [online]

¹⁵¹ European Commission 2007b [online]

the Copenhagen Criteria and the Treaty of the European Union (TEU)¹⁵². In return, the countries undertook the responsibility of following EU's conditionality and to the Stabilisation and Association Process as well as to the SAA when signed in the future. The main component of the SAA is a contract between the EU and the individual future member country that identifies and describes the objectives, rights and liabilities. The main point is how Serbia can move closer to the EU by implementing, step by step, a free trade area and the reforms that are necessary for the country to implement and adopt the EU standards. A very important part of the Stabilisation and Association Process (SAP) is the thorough preparations before being able to sign the SAA. One of the main focus areas of the SAA is the respect for the democratic principles and the single market. To facilitate the economy to integrate with the EU economies, a free trade area is necessary along with the *"associated disciplines (competition and state aid rules, intellectual property etc) and benefits (e.g. rights of establishment)"*¹⁵³The SAA is adjusted to the circumstances of each country. The mechanisms of the SAA are both specialist sub-committees and meetings at political level in the Stabilisation and Association Council and these enable the EU to prioritise and shape reforms so that they correspond in the best possible way to the EU standards. Inspired by the pre-accession process that resulted in the enlargement of 10 new member states in 2004, the enlargement policy towards Serbia was adjusted into the Thessaloniki Agenda in June 2003 at the EU-Western Balkans Summit.

During the Stabilisation and Association Process, the EU gives financial aid to each accession country to support infrastructure, developing government institution and legislation, and harmonisation to the EU acquis. Furthermore, the Western Balkan countries and the EU agreed on focussing also on the regional dimension. The improved cooperation between the Western Balkans should also apply for the cooperation within the region. Thereby the EU's objectives for the regional cooperation in the SAA include that the relationship between the countries in the Balkan region should be comparable with the relationship between the old EU member states. Furthermore, there should be bilateral free trade agreements between the candidate and potential candidate neighbouring countries. The infrastructure of the West Balkans should be reintegrated into the infrastructure networks of Europe. In addition the countries of the Balkan region should

¹⁵² European Commission 2007b [online]

¹⁵³ European Commission 2007b [online]

cooperate in fighting common threats such as organized crime, illegal immigration and other trafficking. This also includes common approaches to visa policies¹⁵⁴.

In other words, the EU has well-developed instruments of enlargement that take into account the individual accession country. There are also several sources of support from the EU towards Serbia, and the policy of conditionality is officially a fundamental integrated part of the SAP.

¹⁵⁴ European Commission 2007b [online]

6 Obstacles of Serbian integration into the EU

This chapter gives an overview of the relations between the EU and Serbia and the communication between the EU and Serbia regarding the SAP. The purpose of the chapter is to make the facts clear about the procedure of the EU-Serbia integration and work according to policy of conditionality to approach the hypothesis of the thesis. Moreover to approach the factors leading to Serbia's possible turn to Russia.

As mentioned above, the policy of conditionality has been a comprehensive tool in EU enlargements. Serbia has had to improve and implement numerous measures to make the society structure, political system and the legislation correspond with the EU standards.

Since the beginning of the SAP, Serbia has improved markedly in many areas. The Commission has stated in the Annual Progress Report from 2007 that Serbia indeed was moving in the right direction towards EU assessment. Regarding the political criteria, Serbia has, in overall terms, received very good remarks for the handling of the dissolution of the loose state union of Serbia-Montenegro, and it is mentioned that Serbia has actively supported and improved the regional cooperation¹⁵⁵. Furthermore, great improvements within civil service legislation, administrative reforms, human rights and minorities, judicial reforms and the fight against corruption have been implemented.

On the economic field, the Commission has described Serbia as having made substantial progress in the development of a market economy. Increased privatisation has boosted the foreign direct investments and the economic growth of Serbia. In the issue of implementing EU standards in Serbia during the SAP, there are mainly good credits from the Commission in the areas of employment, education, customs, internal market, social policy, agriculture and transport.

Thus, Serbia has been on the right track to advance in the steps of integration set by the EU. However, there have been several obstacles on the road to the integration into the EU. As explained in the methodology and shown on figure 1 *Explanation of problem*, three main issues are dragging Serbia in the wrong direction: The domestic political situation, the

¹⁵⁵ Brown and Attenborough 2007; 38

unsolved issue of the ICTY, and the status of Kosovo. On 3 May 2006, the EU suspended the SAA talks, because Serbia had failed to comply with the conditionality of the cooperation with the ICTY, which was a fundamental part of the agreement between Serbia and the EU. The following sub-chapters approach these main obstacles.

6.1 The domestic political situation in Serbia

This sub-chapter includes a short review of the political parties and the development on the political scene in Serbia from the fall of Milošević to the current situation, including the unsolved issue of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the status of Kosovo.

6.1.1 Political parties in Serbia

The biggest parties of Serbia include The Serbian Radical Party (SRS) is currently being led by the deputy chairman of the party, Tomislav Nikolić. The leader of the party, Vojislav Šešelj has surrendered to the ICTY, and is widely regarded as ultra-nationalistic. The Democratic Party (DS) is the party of the President Boris Tadić and it was the first opposition party in Slobodan Milošević' Serbia. Another Serbian party, G17 Plus, started as an NGO that was lobbying for membership of the EU, improved quality of life, and economic reforms. The leader, Miroljub Labus, was formerly Yugoslav minister for foreign economic relations. The key issues are EU membership and living standards. The Socialist Party of Serbia (SPS) is the old party of Slobodan Milošević. Another party of influence is Vojislav Koštunića's Democratic Party of Serbia (DSS). There are several ethnicity-based parties, representing the Hungarian, the Roma, the Bosniak and the Albanian minority.

6.1.2 Political development

When Milošević was in power, his party SPS generally had political support which could be explained by the fact that the SPS was capable of controlling the economy. Bureaucrats, managers and officials had great control over the large state sector. Besides this direct state power, a great sector of the economy was dominated by *"(...) private businessmen who owned their position to the patronage of the state oligarchy."*¹⁵⁶ In several cases these

¹⁵⁶ Thomas 1999; 423

businessmen were politicians and government officials. The composition of the parliament was shallow and the real power was in the hands of the President of Serbia and in the political and economic bureaucracy. The political opposition would at some occasions use the tactic of boycotting the parliament and thus abstain from participating in parliamentary business. The same tactic was also used during elections. The SPS was in control of the state apparatus and could set the conditions for the election procedures. In other words, the opposition during the Milošević era was often faced with the dilemma of either participating in elections that it was most likely to lose, or boycotting elections and thereby be marginalised politically. As a result, the political struggle was fought in the streets rather than in parliament¹⁵⁷.

6.1.3 Koštunića and nationalism

The Milošević era had resulted in strong traditions of corruption and a vague political opposition in the parliament. Following the departure of Milošević in 2000, Vojislav Koštunića became the president of Yugoslavia which was very good news to both EU and the US who were seeking the former Yugoslavia's republics adopting into the free-market economic system¹⁵⁸. Koštunića represented a coalition of political parties, the Democratic Opposition of Serbia (DOS)¹⁵⁹. Strategically seen from the EU and the US, Serbia got rid of a socialist economic orientated government that was drifting away from NATO towards Russia. Koštunića was very critical towards the NATO bombings of Serbia¹⁶⁰. Koštunića is very alert to the fact that the intervention of NATO in Kosovo could be disputed according to international law. Furthermore, Koštunića was determined that no government would ever give up any territory voluntarily, and therefore the *"(...) Serbian desire to retain Kosovo should not be written off by the West as some sort of historical obsession or ethnic fanaticism."*¹⁶¹ At the same time he was open and positive to the financial institutions of the West and to neo-liberal economic reform and was thereby willing to carry through the economic system that the West was hoping for¹⁶².

¹⁵⁷ Thomas 1999; 423

¹⁵⁸ Hudson 2003; 138

¹⁵⁹ Cox 2002; 175

¹⁶⁰ Hudson 2003; 138

¹⁶¹ Cox 2002; 181

¹⁶² Hudson 2003; 138

Koštunića was the president of Yugoslavia until February 2003 where he resigned the post due to the creation of the loose union of Serbia and Montenegro. He became the Prime Minister of Serbia on March 3, 2004 following elections in December 2003 and formed a minority government¹⁶³. In his government's program of March 2, 2004, he promised to direct the country towards the EU membership, stating "(...) *there is no alternative for Serbia-Montenegro at the moment but to pursue the European path.*"¹⁶⁴ Koštunića was re-elected on May 15, 2007 after long negotiations. His government was constituted with the DSS, the Democratic Party (DS), and the G17 Plus. In addition, three parliament members from minorities in Serbia voted in favour of the continuation of the government led by Koštunića¹⁶⁵.

According to Koštunića, the coalition partners of the new government had agreed that Kosovo should remain as part of Serbia, and said in a speech that "*This government will carry on with the consistent policy founded on the belief that any kind of unilateral recognition of Kosovo's independence would be the most severe and even a double violation of UN norms.*"¹⁶⁶ He stated that the coalition would be willing to start new negotiations seeking a compromise and a just solution. Furthermore, the coalition partners of the government had reached a consensus on key issues, including the continuation of the integration process with the EU, continuing the cooperation with the ICTY, improving the economic and social situation, and the fight against corruption and organised crime¹⁶⁷.

However, Koštunića is widely being regarded as very nationalistic, and he is against the Western influence on Serbia. During the first period as the Prime Minister of Serbia 2004-2006, he had to rely politically on the support from the old socialist party of Milošević, and during the same period he disagreed with the international society and was very opponent to the idea of handing over Milošević to the Hague.¹⁶⁸

¹⁶³ Southeast European Times 2008 [online]

¹⁶⁴ Southeast European Times 2008 [online]

¹⁶⁵ Jovanovic 2007 [online]

¹⁶⁶ Jovanovic 2007 [online]

¹⁶⁷ Jovanovic 2007 [online]

¹⁶⁸ BBC News 2008b [online]

There are several examples of his nationalist and anti-communistic convictions. In the 1970s he criticised Tito for restructuring Yugoslavia into a *“loose-knit federation”*¹⁶⁹. His argument was that he believed that the federation was undermining the stands of the Serbs who were living outside of Serbia and in the provinces of Kosovo and Vojvodina. His criticism resulted in suspension from the University of Belgrade where he was studying. Another indicator of his nationalist views was in 1992 when he left the Democratic Party (DS) that he was one of the main founders of, because he did not regard the party as being nationalistic enough. He established the Democratic Party of Serbia (DSS). In 1996 and 1997, there were large protests from the opposition parties of Milošević, forming the Zajedno alliance. Koštunića did not participate full-heartedly in this alliance, and he did not participate in the mass demonstrations that later forced Milošević to recognise the unexpectedly large election victory of the opposition in some of the biggest cities in Serbia.¹⁷⁰ The absence of Koštunića in these demonstrations caused a decrease in his popular support.

However, the intensification of the Kosovo crisis resulted in a revival of nationalism and the support of Koštunića which thereby gave him another opportunity on the political scene of Serbia. According to analysts, one reason for the great popular support that Koštunića received is the fact that Koštunića has been very consistent in his views and opinion even in times where these opinions were rather unpopular.¹⁷¹

Koštunića has been very dissident with the President of Serbia since July 2004¹⁷², Boris Tadić, who is representing a more pro-European agenda through the Democratic Party. At the election in 2004, Tadić defeated Tomislav Nikolić from the Serbian Radical Party (SRS). Boris Tadić was a coalition partner of the Koštunića government since the parliamentary elections in January 2007. But since the election the relationship of the two coalition partners has been challenged. In the presidential election on February 4, 2008, Boris Tadić was re-elected with a small majority of 50,5 % of the votes. During this presidential election Koštunića refused to endorse Boris Tadić which can be seen as the product of the

¹⁶⁹ BBC News 2008b [online]

¹⁷⁰ BBC News 2008b [online]

¹⁷¹ BBC News 2008b [online]

¹⁷² President of the Republic of Serbia 2008 [online]

troublesome relationship. One of the main issues of disagreement between the two politicians has been whether or not Serbia should pursue the pro-EU policy, supported by Tadić and opposed by Koštunića. During the election campaign, one of Tadić' promises was to speed up the accession of Serbia into the EU, claiming the alternative to this strategy would isolate Serbia.¹⁷³ Another main topic of Boris Tadić is the question about Kosovo. He has stated that he would never accept independence of Kosovo from Serbia, and that he would do anything to prevent Kosovo from secession.

6.2 Review of the current situation in Serbia

As mentioned in chapter 4 *Historical background*, the parliament of Kosovo agreed to authorise a declaration of independence from Serbia on February 17, 2008¹⁷⁴, which sent shock waves through Europe. This was met with great frustration in Serbia, especially after several EU countries had recognised the independence of Kosovo. Koštunića attempted to get the Cabinet to agree with him in rejecting any closer ties with the EU in response to recognition of EU states of Kosovo. Koštunića's party was supporting a draft resolution from the nationalist Radical Party that was denouncing the EU's mission to Kosovo, claiming that this was illegal. Besides the draft resolution demanded that the countries which had recognised the independence of Kosovo should withdraw their decision.¹⁷⁵

As he failed to reach an agreement with the pro-European coalition partners from DS, Koštunića decided in March 2008 to dissolve the government to make the president call for a new parliamentary election¹⁷⁶. The election took place on May 11, 2008. The call for election escalated the approach of the EU to convince Serbian voters to vote for the party of the pro-EU Boris Tadić. The election resulted in victory for the pro-European Democratic Party. However, Tomislav Nikolić from the Serbian Radical Party has warned that a majority coalition can be formed if his party supports Koštunića's Democratic Party of Serbia. This coalition would not support Tadić' Democratic Party. According to Serbian election rules, a government must be formed before mid September. Otherwise new

¹⁷³ BBC News 2008c [online]

¹⁷⁴ BBC News 2008d [online]

¹⁷⁵ BBC News 2008e [online]

¹⁷⁶ AFP 2008 [online]

elections must be held.¹⁷⁷ It is required from any of these two coalitions to cooperate and have the support from Milošević' old party, Socialist Party (SPS). The SPS has unexpectedly become the 'kingmaker' of this parliamentary election.¹⁷⁸ At the time of writing the negotiations between the different coalitions are still ongoing.

Both the presidential election in February and the parliamentary election in May 2008 are widely seen as an election between East and West because the alternative to Boris Tadić is a coalition dependent on the ultra-nationalistic Serbian Radical Party (SRS) that is approaching a pro-Russia policy. Since the fall of Milošević the prospect of cooperation and integration into the EU has *"(...) helped tip the balance of power toward Serbia's motley democratic bloc and away from persistently strong radical nationalists."*¹⁷⁹

Currently, Serbia is characterised by a situation where the SAA talks have been suspended by the EU due to the lack of cooperation of Serbia with the ICTY. Furthermore, the government has been dissolved due to internal dispute between the coalition partners and the status of Kosovo, which is of great concern for both Serbia and the EU. In addition, the EU feared that the election in May 2008 would bring the nationalists to power, which could result in a move towards Russia, which would go against the interests of the EU.

6.3 Russians interests in Serbia

In the aftermath of the declaration of independence of Kosovo, several states recognised the status of an independent Kosovo. However, Russia was strongly against the secession of Kosovo and has supported Serbia to a large extent in this issue.

There are several views as to why Russia has interests in Serbia. Throughout history, Russia and Serbia, and earlier Yugoslavia, have had strong ties. The EU has suspended SAA talks with Serbia, insists that Serbia hands over the prosecuted war criminals to the ICTY, and widely recognises the status of an independent Kosovo. Domestically in Serbia, nationalist parties are seeking towards Russia instead of the EU. This situation seems to have been widely exploited by Russia. In the aftermath of the Kosovo independence

¹⁷⁷ Goldirova 2008 [online]

¹⁷⁸ Bivol 2008 [online]

¹⁷⁹ Loza 2007; 3 [online]

declaration, deputies from Russia prepared a text of consequences that would occur if Kosovo was declared independent. Moreover they prepared a text that condemned the independence of Kosovo and encouraged the UN to take another stance, warning that *“The Kosovo example could plunge the world into chaos (...)”*¹⁸⁰ and that the declaration of independence goes against *“(...) international law and morality... This is a dangerous precedent.”*¹⁸¹.

Another argument is the fact that the independence of Kosovo could serve as a precedent to other regions and provinces in the world. If Russia refuses to back up Kosovo, this could put pressure on Georgia, where two provinces, South Ossetia and Abkhazia, are fighting to secede and gain independence. Russia is thereby struggling to influence Georgia not to recognise the secession of the two provinces, because this could lead to disputes and independence fights within Russia itself.¹⁸² Moreover, analysts claim that Russia is exploiting the situation and *“(...) is balancing its position as it seeks to use its separatist allies in Georgia to gain diplomatic advantage over the Georgian leadership, which is seeking to join Western institutions such as NATO.”*¹⁸³

Another explanation of Russia’s interests is the position of Serbia in the ‘energy war’ between Western Europe and Russia. Russia has shown great interest and has already pursued a large amount of assets from Serbia and thereby project power in the Balkans and make profit. Vladimir Putin has even stated that it is *“(...) natural that a resurgent Russia is returning [to Serbia].”*¹⁸⁴

The trade between Russia and Serbia increased by 22% in 2007 to \$2.6 billion – an increase of 56 % from 2005. A large amount of this has been imports of energy sources from Russia to Serbia, and Russia is the country that Serbia has the most extensive trade deficit with. When Serbia started the bidding for the national oil company Naftna Industrija Srbije (NIS), Russia bought 51% of the shares for a remarkably favourable price of 400 million Euros even though this share was estimated to cost 1-2 billion Euros. The

¹⁸⁰ Quotation by Russian senior parliamentarian Mikhail Margelov in Deutsche Welle 2008 [online]

¹⁸¹ Quotation by Russian senior parliamentarian Mikhail Margelov in Deutsche Welle 2008 [online]

¹⁸² Deutsche Welle 2008 [online]

¹⁸³ Deutsche Welle 2008 [online]

¹⁸⁴ Szrom 2008 [online]

acquisition thereby gave the national oil and gas company Gazprom full power of the Serbian oil company, and was first rejected by the Serbian economic minister Mladjan Dinkić. It is by analysts both outside and inside of Serbia believed that the Koštunića override Dinkić and accepted the deal with Gazprom in order to “(...) reward Russia for its support on Kosovo.”¹⁸⁵ Russia, which by the deputy prime minister of Serbia Bo Idar Djelić is called a “first among equals”¹⁸⁶ in economic issues, has made great influences in several aspects of the Serbian economy. The national Russian Aeroflot has at several occasions showed great eager to buy the national Serbian airline JAT, and moreover, Russian financiers have showed interest in buying the nationally owned bank Srpska Bank. In other words, Russia has enjoyed the good relationship with Serbia, and especially regarding the energy issue.

Russia is planning on building a 550-mile pipeline for the transportation of oil and gas from Gazprom in Russia to Western Europe through Serbia, the South Stream Pipeline that would force Serbia to depend on energy supplies from Russia. Furthermore, the South Stream Pipeline would most probably increase the control of Russia over the European market. The ‘energy war’ has thereby Russia on the one side and EU and the US on the other side, planning to establish an alternative pipeline to the South Stream, the Nabucco project. The objective with the Nabucco pipeline is to bring energy fuel from Azerbaijan to Western Europe through Bulgaria, Hungary and Romania.¹⁸⁷ Russia has already plans to build another pipeline, the Nord Stream, from Russia directly to Germany through the Baltic Sea. In 2006 Russia reduced the supply of gas to Ukraine due to disagreements about the price of the gas, but customers in Western Europe also got their supply reduced. Therefore, with the building of the two planned pipelines through the Baltic Sea and through Serbia, Russia would have the advantage of being able to transport oil and gas to Western Europe and, at the same time, being able to cut off the supply to the Central Europe countries.¹⁸⁸ Without a good relationship to Serbia, and thereby get good energy deals, Russia would need the cooperation with pro-Western Romania. Furthermore, without Serbia as an ally, Russia would not be able to prevent the plans of establishing the

¹⁸⁵ Szrom 2008 [online]

¹⁸⁶ Szrom 2008 [online]

¹⁸⁷ Szrom 2008 [online]

¹⁸⁸ Szrom 2008 [online]

Nabucco pipeline, which poses a threat to the future Russian energy monopoly. Therefore several analysts argue that *“Russian opposition to Kosovo’s independence ensures that Serbia will continue serving as the linchpin in Russian plans.”*¹⁸⁹ According to the vice president of the Center for Post-Conflict Peace and Stability Operations, Daniel P. Serwer, *“(…) the Russians seem to have sold their veto in exchange for a good price for Serbia’s energy industries.”*¹⁹⁰

During a visit of the then Russian Deputy Prime Minister Dmitry Medvedev in February 2008, Medvedev expressed great support for the Serbian opposition to the independence declaration of Kosovo stating that *“We proceed from the assumption that that Serbia is a united country, whose jurisdiction covers the whole of its territory, and we shall stick to this principled stand.”*¹⁹¹

6.4 The changed approach of the EU towards Serbia

As mentioned in sub-chapter 4.10 *Serbia-EU relations regarding the cooperation with the ICTY*, the EU has made use of the conditionality policy towards Serbia. The reason was the failure of Serbia to locate, arrest and hand over the accused war criminals to the ICTY. This resulted in cancelling of the SAA talks with Serbia in April 2006. However, the EU reopened the SAA talk with Serbia in November 2007. The condition for initiating the talks with Serbia was that the eventual signing of the agreement would not take place until Serbia has handed over the accused war criminals.

This changed approach of the EU has caused discontent several places. In June 2007 Chief Prosecutor Carla Del Ponte met with the EP’s Foreign Affairs Committee after EU Enlargement Commissioner Olli Rehn had stated that the EU would reopen the SAA talks. This caused a strong debate among humanitarian organisations, because of the lack of Serbian cooperation with the ICTY. It was assured at the meeting that the EU should not sign a SAA with Serbia until the arrests had taken place. Del Ponte stated that *“EU conditionality is a crucial tool for encouraging co-operation with the ICTY”*, and added that *“Karadzic and Mladić shouldn’t be under the illusion that they can just wait out the ICTY.”*¹⁹²

¹⁸⁹ Szrom 2008 [online]

¹⁹⁰ United States Institute of Peace 2008 [online]

¹⁹¹ BBC News 2008f [online]

¹⁹² EurActiv 2007 [online]

The EU resumed the SAA talks with Serbia in November 2007. In the aftermath of the presidential election in February 2008 where the ultra-nationalist Tomislav Nikolic almost won, and the dismemberment of the Koštunića government in March 2008 which resulted in the call for a parliamentary election in May 2008, the EU made the choice of signing the SAA with Serbia on April 29, 2008. The ministers of the EU had *"(...) agreed to send the text of the SAA for ratification to their parliaments, while the Union has decided to implement the Temporary Agreement as soon as it concludes that Serbia is fully cooperating with the Hague Tribunal"*¹⁹³. At an earlier occasion the Serbian Foreign Minister Vuk Jeremić had stated that the agreed issues would not come into play at once but would *"(...) depend on the outcome of the May 11 elections in Serbia."*¹⁹⁴ Furthermore, Dimitrij Rupel, the Foreign Minister of Slovenia, currently holding the presidency of the EU, announced that cooperation with the ICTY was a condition for the full implementation. Moreover, he has informed that a temporary accompanying document was signed that ensured that Serbia could benefit from as much as 90 % of the SAA.¹⁹⁵

The Serbian move resulted in mixed responses from the political arena in Belgrade. While the Serbian president Boris Tadić and the ministers from the Democratic Party (DS) was working on the document of the SAA, the coalition partners from the Democratic Party of Serbia, led by Prime Minister Koštunića, argued that the signing of the SAA would be *"(...) tantamount to Belgrade's recognition of Kosovo's secession."*¹⁹⁶ Furthermore Koštunića stated *"We are saying to NATO and all the EU state that have recognized Kosovo: this illegal signature by Tadić should not be interpreted as Serbia's signature for Kosovo's independence."*¹⁹⁷

6.5 Summary

Serbia has a very troublesome history and has gone through several unions and dissolutions through history. After the end of the Cold War and the dissolution of Yugoslavia, ethnic strives and disputes started to dominate the political agenda, which

¹⁹³ Beta 2008a [online]

¹⁹⁴ Beta 2008a [online]

¹⁹⁵ Beta 2008a [online]

¹⁹⁶ Beta 2008b [online]

¹⁹⁷ Beta 2008b [online]

consequently led to the Yugoslav Wars. These wars left the region, not least Serbia destroyed and underdeveloped. Where the Dayton Accords left the rest of the Balkans with peace, Serbia remained violent, and ethnic disputed led to the Kosovo War in 1999.

In the new millennium, Serbia improved gradually and became a country of interest of the EU that started several measures to support the country. The EU has very well-structured enlargement policies, steps of integration and has an official strategy in order to integrate Serbia including a policy of conditionality covering several areas. One of the problematic areas for Serbia is the cooperation with the ICTY which is part of the conditionality policy of the EU towards Serbia. On the domestic political scene there are different views on the fairness of this conditionality. The political scene is influenced by nationalist parties who are seemingly moving towards Russia due to the fact that Russia is not supporting the independence of the Kosovo province. Serbia is split between the nationalist parties and the pro-EU political parties whose relationship has suffered from the intensified approach to the EU and from the declaration of dependence of Kosovo. Both the EU and Russia have interests in Serbia and each part is pursuing a diplomatic fight for Serbia. In April 2008 Serbia decided to sign a SAA with Serbia, which goes against EU's own policy, leaving Serbia in the middle, much courted by Russia and the EU.

7 Analysis

In this chapter the analyses and discussions approaching the problem formulation are presented. In order to discuss to what extent the EU's policy of conditionality corresponds with the interests of the EU, these interests are approached and represent the foundation of the further analysis. As shown in the methodology and on figure 2 *The ambiguous approach of the EU towards Serbia*, the EU has, during the last half of 2007 and whole 2008, vacillated between two options: The continuation of the EU's own policy of conditionality or compromise and ease the conditions. This analysis approaches the two decision options in order to investigate if these approaches correspond with the overall interests of the EU. Also, it is discussed if the approaches take into account the situation in Serbia according to the hypothesis, that Serbia is using its possible turning towards Russia as a political tool in the negotiation process with the EU to provoke a compromise on the obligations of EU integration.

7.1 The EU interests of Serbia

As presented in chapter 4 *Historical background*, the region has through time been very unstable. The region is characterised by numerous cooperation schemes and dissolutions, and has suffered from very hostile political climates and disagreements. Serbia is a turbulent region, and the EU is reacting towards this potential threat creating policies and action plans for this as well as with other regions. According to the accession criteria set by the EU, the Copenhagen Criteria, certain features are required for new member states of the EU, and Serbia is on its way to live up to these demands. According to the RSCT the Balkans should be perceived as a sub-complex of EU-Europe due to the historical ties between the two regions and to the former and present penetrations of Western powers in the Balkans. This means that the security dynamics of the Balkans is interacting with the security dynamics in the rest of Europe. The security issues have moved from the global level during the Cold War era to the regional level, which gives the EU space to manoeuvre its own security, and the roots of the purpose of the EU has been, from the very beginning, to promote peace and security.

Looking at the Balkans through the lens of security, as suggested by the RSCT, there are several security issues that could depend on the EU and affect the EU due to sub-complex

status of the Balkans. Therefore security measures should be dealt with on the regional level and, in the case of Europe, the EU should be seen as the core. The RSCT mentions two main securisations being dominant after the end of the Cold War. The first securisation is, as mentioned earlier, the fear that the EU will resume to its past history of power balancing and wars, which makes a well-developed European integration crucially necessary. The wars on Balkan during the 1990s are a recent reminder of the possibility of this fear. Instability in Serbia would in many areas affect the EU. One argument for this is the fact that a neighbouring country to the EU, which is in dispute or in war, could cause negative spill-over effects to the EU itself. This makes it necessary for the EU to intervene in Serbia, which otherwise could cause great economic expenses. Such a conflict could also bring along a large influx of refugees to the EU. Therefore the argument for integration in this securisation scenario is that cooperating closely, in order to secure that Serbia will be an ally instead of an enemy, is fundamental. The reason for this is that Serbia is situated in a sub-complex of Europe and that the security dynamics interact and interrelate. In other words, the Serbian status as being in a European sub-complex would necessitate European alertness and vigilance towards the Balkans.

Regarding the EU as an actor on the international field contradicts the neorealist emphasis on the individual state, and the actions of the state to survive. The neorealist view on the integration of Serbia into the EU furthermore stems from the assumption that every state only handles its own interests. Therefore it might constitute a risk for the EU states to include Serbia in the enlargement plans due to the instability of the region and to the negative spill-over effects on the economic field to the EU. It would be of great concern that the integration of Serbia might not result in remarkably many absolute gains for the EU, and moreover that the relative gains of having Serbia being outside of the union would surpass the absolute gains of integration. It could be up for discussion whether the EU would regard the absolute gains of economic integration with Serbia as beneficial, and it brings the question on the agenda whether it would represent too high a risk to rely fully on the political system of Serbia. As presented in the empirical part, the political scene has historically been affected negatively by traditions of corruption and fragile institutions. On the one hand, the doubt could arise whether Serbia would be able to live up to the EU standards. Therefore, the fear of Serbian non-compliance of the rules could increase the

scepticism towards the importance of Serbia and the interest in the country. On the other hand, the closer cooperation and future integration would secure the EU states' influence in Serbia and thereby secure a pro-EU agenda.

Neoliberal institutionalism contributes to the discussion of the advantages and disadvantages of integration and argues that the best way to secure and maintain peace is for individual states to merge their resources in order to establish integrated communities. Even if this includes relinquishing aspects of sovereignty, the benefits of integration would surpass the pitfalls of close multilateral cooperation, because the EU would serve as the gathering point of Europe. Also, the neoliberal view on the integration of Serbia would be positive because it creates interdependence between Serbia and the EU politically and economically. The promotion of democracy also represents an interest of the EU in Serbia. If a solid democratic Serbia with well-functioning institutions could be created, it would be of great common interest, both morally and on the security field, due to the neoliberal assumption that democratic states are less likely to wage war on each other. However, the RSCT mentions integration as a threat to the national identity that could cause an increase in nationalism and xenophobic attitudes towards foreigners. The threat towards the national identity could even develop into prejudices towards globalisation.

As mentioned in sub-chapter 5.4 *The EU enlargement instruments towards Serbia* one of the interests of the EU, concerning Serbia, is the dealing with transnational issues such as corruption, organised crime, illegal trafficking and terrorism. In this area, closer cooperation with Serbia would be of interest to the EU, because Serbia would then have to live up to the EU criteria of enforcing the state institutions and be able to fight against these problems. The EU and Serbia are already working together to decrease these problems, and Serbia is improving the policy in this field. It is impossible to say whether this would have happened even without pre-accession cooperation with the EU, but in general terms, the prospects of membership of the EU seem to have been the carrot for Serbia to intensify the strategy towards transnational security issues.

As presented in sub-chapter 6.1 *The domestic political situation in Serbia*, the domestic political situation in Serbia seems to increase the EU's interests. According to the

hypothesis, political parties and almost half the population in Serbia are currently supporting the nationalist Prime Minister Koštunića and the ultra-nationalist Tomislav Nikolić, who do not agree with the pro-EU policy, pursued by especially the Democratic Party. If the EU fails to convince the political scene in Serbia to approach the EU instead of Russia, this could harm the overall interests of the EU in several ways. Not only would the political and economic rival of the EU, Russia, gain influence in Europe's neighbourhood, but Russia would also get closer to gaining very important market shares of Serbian import of energy supplies. As mentioned in the empirical sub-chapter 6.3 *Russians interests in Serbia*, the EU has a great interest in getting Serbia as the ally in order to prevent Russia from gaining monopoly on the energy field. Since Serbia is a neighbouring country to the EU, good cooperation is necessary to maintain good relationships and stability in both places. Thus, the possible turning of Serbia to Russia could influence Serbia and develop it into a political battleground between the EU on the one side and Russia on the other. Since both parts have great interests in Serbia, this situation would definitely be a motivation factor for the EU to assure that Serbia will pursue pro-EU policies and eventually become a member state.

As mentioned in the RSCT, Serbia has gone from a region of overlay, being penetrated by external powers in the 1990s to being more and more integrated as a sub-complex of the EU-Europe RSC. One could fear that, if Serbia turns towards Russia, the development would drag Serbia and indirectly the Balkans into a position as a region of overlay yet again. According to the RSCT this would mean that the internal security dynamics will be suppressed by external powers and that the situation of disputes or peace would be a product of these powers and not by the region itself. One could argue that the integration of Serbia into the EU would settle the status of Serbia as a sub-complex. This would be much more beneficial for the EU, because the security dynamics would get the space to develop and integrate with the security dynamics of EU-Europe. However the EU must be cautious when negotiating with Serbia. According to the hypothesis, Serbia is using its possible turning towards Russia as a political tool in the negotiation process with the EU to provoke a compromise on the obligations of EU integration, which would result in an absolute gain for Serbia. This supports the neorealist fear of relative gains, because Serbia would be in a favourable situation where the country could use Russia as a tool in the negotiation process

of enlargement into the EU. However, one could argue that Serbia is only capable of doing so during the accession process, and not when Serbia eventually gets integrated as a member state, because Serbia would need to comply with the overall EU decisions.

There are several aspects that make the EU interested in Serbia as an ally. History shows, along with the RSCT, that the adjacency of states plays a crucial role within almost every security issue. The EU is officially striving to get Serbia onboard for political, economic and security reasons. The EU is furthermore striving towards getting the status settled as a great power, not only in the economic field, but also in security terms. An example of this is the neighbourhood policies, the enlargement strategies and the Common Foreign and Security Policy of the EU. Even though the RSCT argues that isolation of a region in some cases could boost the will of the units within this region to solve their own security issues, there are many overruling factors speaking against this strategy and in favour of integration of Serbia. It is not realistic for the EU to stay out of the region because of the interdependence between the EU and the Balkans. Moreover, the spill-over effects from such a strategy could influence the EU in a negative manner. Another argument for the EU having great interests in Serbia is the moral issue. The integration of Serbia would to a very large extent result in benefits for Serbia such as, better economic integration, subsidies, improved visa and border cooperation and the improved influence of Serbia in European politics. The RSCT argues that the morality of people and media in the West would not permit passivity and isolation strategies towards Serbia. Therefore it can be argued that the question is not whether the EU has interests in integrating Serbia, but rather how the EU can pursue the ideal and pragmatic means to accomplish it.

7.2 Discussion of the interests of the EU and EU's policy of conditionality

One of the strongest instruments of enlargement of the EU's soft power is the conditionality. The conditionality is the only stick-and-carrot in the negotiation processes of the EU towards potential candidate states. The purpose of the inclusion of conditionality has been from the position of the EU to secure that the potential candidate country complies with the demands of the accession strategies. At the same time the leverage of the EU is the prospect of membership, and by having conditionality, it enables the EU to impose deadlines and standards. However, the occurrences in Serbia seem to have put into

question the effects of the conditionality due to the various interests of the EU of cooperation with Serbia.

Given that the overall interests is that Serbia should be encouraged to seek and follow the EU path instead of turning to Russia, one could put into question whether the policy of conditionality is the right instrument to use in the case of Serbia. Even though the RSCT presents the argument that Serbia should be regarded as a sub-complex to the EU-Europe and that the dynamics interrelate with each other, this is mainly applicable in security terms. The RSCT does not take into account the domestic political situation in the Balkans and in Serbia that could result in a pro-Russia policy that, as presented in the previous sub-chapter, does not correspond to the interests of the EU. Therefore the discussion should be raised whether the uncompromising attitude of the EU, that the policy of conditionality represents, would benefit the integration process, when Russia is champing at wooing Serbia. On a long-term basis one could argue that the policy of conditionality is an effective tool in the integration process of Serbia. This is due to the fact that the rules would be clearly defined, as is the case of the EU strategy towards Serbia. The politicians and officials in Serbia would know exactly where to put the focus and efforts in order to move to the next step on the scale of integration. At the same time the EU would to a large extent be guaranteed that Serbia would not be joining the EU until it complies with the rules. As mentioned in the empirical part, pressure from the US and other NATO countries on Serbia and the prospects of Serbia of loosing financial support from several countries, eventually led to an arrestment of one of the accused war criminals.

The pitfalls of the strategy of conditionality could be argued to be manifesting on the short-term basis. In contrast to the previous enlargement processes of the EU, e.g. the process that resulted in the enlargement in 2004 of 10 new member states, this time there are more actors than just the EU that are courting to assist and to cooperate with Serbia. By sticking to the policy of conditionality it might also be difficult to keep Serbia interested in further cooperation with the EU because the prospects of EU membership would decrease. Neorealism represents the view that states will always seek to exploit other states and seeking mainly absolute gains. Furthermore neorealism argues that one of the largest barriers of cooperation with other states is the fear of non-compliance of the rules, which

supports the argument that conditionality is a positive tool, preventing Serbia from enjoying the absolute gains until it, step by step, has lived up to the demands set by the EU. On the other hand, the structural realists contribute with the view that the distribution of power is the essential factor of determining the power policies. Therefore one could argue that if the EU fails to woo Serbia and intensify the cooperation with the country resulting in a political swift towards Russia due to Serbia's failure of complying with the conditionality, this could give Russia even more power in Europe through Serbia, and would thereby contrast the interests of the EU. Thus, good cooperation with Serbia could benefit Europe even though it would result in relative gains in Serbia, and therefore the EU should be cautious when using conditionality.

The neoliberal theory agrees with neorealism about the fear of non-compliance by states in cooperational systems but emphasises that, by creating interdependence politically, economically and among scholars, communities, consumers etc., this will evoke peace among the people and the governments in the cooperational system due to the interdependence developing into common interests. Thus, on the one hand the implementation of the conditionality policy could slow down the interdependence process, and thereby conditionality would not be an effective tool. On the other hand, the fear of non-compliance of states and the fear that states are cheating, in order to secure the country's national interest, would contribute to the argument that conditionality is an effective tool. If looking at the Balkans in a security perspective, and as a sub-complex of the EU-Europe RSC, the security dynamics between the RSC and the sub-RSC are interrelating. Therefore one could argue that the conditionality, to some point, would prevent a dysfunctional Serbia from bringing issues into the EU that could later develop into securisation issues. On the other hand, if Serbia does not comply with the conditionality, the negative spill-over effects from Serbia would still influence the EU.

As a consequence of the different arguments for and against the EU's policy of conditionality, it seems that Serbia and the EU are very interdependent, and due to the fact that the EU has numerous interests in cooperating with Serbia, the EU should be cautious of not letting Serbia drift towards Russia. On the other hand, the conditionality is the only stick-and-carrot tool of the enlargement policies of the EU, and having in mind the weak

state institutions of Serbia and the continuously large workload ahead to comply with the EU standards, the policy of conditionality corresponds with the overall interests of the EU of integrating Serbia. The crucial question is whether the policy of conditionality reflects the domestic situation in Serbia.

7.3 The ambiguous approach of the EU towards Serbia

As mentioned in 6.3 *The changed approach of the EU towards Serbia*, the EU closed the SAA talks with Serbia due to the unwillingness of Serbia to cooperate fully with the ICTY. Even though Koštunića has stated that Serbia is working hard to locate and arrest the accused war criminals from the wars on Balkan, the Serbian state has failed to accomplish this. This was an example of the use of conditionality pursued by the EU, and as previously presented, the attitude of the EU was very clear: The EU would not re-open the SAA talks until Serbia had lived up to the criteria in the policy of conditionality. The EU agreed to re-open the SAA talks in 2006 and even sign it in May 2008 going against its own principles of conditionality.

Two arguments as to why the EU has had this ambiguous approach towards the Serbian compliance with the conditionality could be that the domestic pressure in Serbia and the pressure from the international community have affected the EU. From one side, the pressure on the political elite in Serbia from the nationalist parties has been very intensive. According to the nationalist parties the acts of the Serbian army during the wars on Balkan in the 1990s were legal, which decreases the domestic acceptance of the legitimacy of the ICTY. Therefore many people in Serbia find it unfair that Serbia is forced to hand over its citizens. The EU conditionality could increase this unwillingness of the Serbian population to move towards the EU, and thus the nationalist parties, which are seeking politically towards Russia, could gain ground. This would not correspond with the interests of the EU. From the other side the international community is putting pressure on Serbia in order to make the country cooperate with the ICTY, and this could directly put pressure on the EU to stick to the conditionality. One could argue that this two-sided pressure influenced the EU to keep the process open and to balance the situation by not sticking too hard to the conditionality but still have a firm attitude towards Serbia.

The independence declaration of Kosovo could be argued to have triggered another dimension of the problem of conditionality and the approach of the EU. The official standpoint of almost every Serbian politician is that they are fundamentally against independence of Kosovo, whereas several EU countries have officially recognised the status of Kosovo. This has caused a great opposition in Serbia against the EU countries, and the EU has been fearful of the possibility that this opposition would cause strong support to the nationalist parties. In this dispute of words, Russia made its entrance by officially and strongly supporting Serbia and being against the independence of Kosovo. One argument could be that the EU has wavered between sticking to its conditionality regarding the ICTY and using the compromise of the conditionality regarding the ICTY issue as a kind of leverage to Serbia for eventually accepting a just solution of the dispute of the Kosovo status. On the other hand, one could fear that the credibility of the EU's enlargement policy could then be put into discussion, and it could cause pressure on the EU from both within the EU and from other accession countries not being offered the same special treatment.

In overall terms, the policy of conditionality brings about the possibility of the accession countries to actively adjust the effectiveness of the enlargement process. By complying with the criteria, the countries can move up on the integration scale. On the contrary, the only way that the EU can actively adjust an integration process is by sticking to the conditionality, move financial aid, and pursue diplomatic policies of encouraging the political scene in Serbia to comply with the criteria. Therefore this ambiguous approach of the EU, where SAA talks are closed, re-opened and signed on special conditions, can be argued to be a new tool of the EU. It has caused some tumult and confusion both in Serbia, the EU and worldwide, but on the other hand the EU seems to be regarding Serbia as a special case of enlargement, and that it is wavering between the two approaches due to various factors.

7.4 The safeguarding of EU's interests

As argued above the EU has been very unclear in its strategy towards Serbia, attempting to find the ideal solution of integrating Serbia, which is a clear interest of the EU. During the SAP, the parts have tried to support their own interests for each their reasons. Nevertheless, given that the EU has pursued an ambiguous approach towards Serbia, this

has left the EU with two options (see figure 2): Sticking to the policy of conditionality, or compromising on the policy. In this sub-chapter, the discussion of these two approaches will be raised and each compared with the interests of the EU according to EU's own policy of conditionality and to the domestic situation in Serbia. This leads to the analysis and discussion of the two options.

7.4.1 Discussion of option 1: Conditionality

As argued in the previous sub-chapter, the EU has numerous interests in integrating Serbia. Apart from the relationship between the EU and Serbia itself, other factors have entered the scene and the focus on wooing Serbia has increased further. When complying with option 1 and holding on to the policy of conditionality, there are several arguments indicating that this choice of policy could result in a prolonged integration process of Serbia. The first argument is the fact that Serbia, since the cancelling of the SAA talks with Serbia in 2006, has still not complied with the criteria of cooperating fully with the ICTY. Even though enlargements of new member states usually stretch over a period of years, the unwillingness from the Serbian side, of handing over the accused war criminals, would most probably result in further prolongation. Another argument is that Serbia is aware of its leverage in terms of the possible turning politically towards Russia, and is taking advantage of this. One could argue that Serbia would then hesitate to do any efforts to locate and arrest the accused war criminals in the hope that the EU would eventually compromise.

Looking at the consequences of further prolongation of the fulfilment of the criteria and thereby prolongation of a future membership, one of the pitfalls is that the Serbian population, political parties and government would lose the substantial prospects of becoming an EU member and enjoying the enclosed benefits of this. At worst, the situation from the hypothesis would begin to take shape and the consequence of this is the political drift towards Russia. As argued, Russia has great interests in Serbia, and if the two countries start to cooperate even closer, Russia could make its entrance politically in Europe through Serbia. According to the RSCT, the principal game of a security region, in this case the EU, is defined by its neighbours. This means that despite the size and current political power Serbia, this power could increase due to its alliance with Russia, and since

Serbia is a neighbouring country to the EU, this would influence the security dynamics of both regions. In addition, structural realism argues that the distribution of power influences and defines the foreign policy of a country. Thus, an increase of power of Serbia would change the foreign policy over time, and the insecurity of the outcome of this change of policy could harm the EU. In this case, a prolongation and the then possible resuming of the Serbian rapprochement to Russia would be harmful and not support the interests of the EU on a long-term basis. If the Serbian political balance of power is displaced, this could hypothetically cause disputes and disturbances between the EU and Serbia, and even Russia through Serbia. As argued by the RSCT, one of the main post-Cold War securisations is the revival of power balancing and wars in Europe, which supports the argument of integration of Serbia. Therefore the prolongation of the accession talks with Serbia could eventually enable this scenario to take shape.

In contrast the neoliberal view suggests that the interdependence continuously taking shape between the EU and Serbia economically and politically, would encourage the cooperation and peace in the long run. One could argue that this interdependence makes the two parts wish to cooperate despite of the current non-compliance of conditionality. Another argument that speaks in favour of EU's acceptance conditionality policy is the assurance that only a Serbia, that lives up to the criteria, is to enter the EU. Moreover, the fear of cheating and non-compliance by Serbia as suggested by neorealism and neoliberalism would not be in evidence.

When comparing the achievements of the EU of the approach of option 1 with the overall interests of the EU, the most obvious outcome might be that the choice of holding on to the policy of conditionality would support the interests of the EU. One of the arguments for this is that, in order to maintain the credibility of the EU, the rules and agreements should be followed to the letter. As argued by the RSCT, the EU is under some degree of pressure from Western media and people to support Serbia, but on the other hand, the pressure also counts for Serbia to comply with the criteria, and perhaps the criteria of the ICTY in particular. The EU must cultivate the image that it has created through earlier enlargements of the EU, and as previously mentioned, it could cause confusion and opposition if the EU compromised on its own principles. Furthermore, there is a chance

that the compromise towards Serbia could represent a precedent to future enlargements of new member states, which would put the EU in a weak position during the future accession talks, and thereby contrast the interests of the EU.

When comparing the choice of the EU according to option 1 in correlation with the situation in Serbia, there are additional factors that come into play. As explained in the chapter 6 *Obstacles of Serbian integration into the EU*, the nationalist parties, boosted by the courting from the Russian side, are expressing aggressions against the EU due the Kosovo issue. This is a very sensitive issue in Serbia and one of the issues that could boost the opposition against the EU. Whereas several EU countries have supported an independent Kosovo and even recognised its status as an independent state, the Serbian population as well as the political scene is strongly against this. Since Kosovo has officially declared dependence, Serbia can no longer ignore the demands from Kosovo of independence. In one way, the approach of the EU of option 1, concerning the Kosovo issue, could be argued as being in the interests of the EU in the accession negotiations. This is due to the possibility of the EU to keep its leverages towards Serbia. By not signing away the conditionality, the EU would have more leverage in the future discussions with Serbia about the solution of the Kosovo status. However, when looking at the potential role of Russia in Serbia, and having in mind the prolongation of the integration process due to the conditionality policy, the pitfall of option 1 is that the time may be running out. One could fear that the prolongation of the integration process would tempt Serbia to take the turn to Russia, because the patience in Serbia is decreasing. Thus, the EU should be very cautious and be able to balance the policy according to the situation in Serbia to support the overall interests.

7.4.2 Discussion of option 2: Non-compliance of conditionality

The other policy option of the EU towards Serbia is non-compliance and compromise of conditionality. One could argue that, compared to option 1, this choice could result in a faster integration process due to the fact that Serbia seemingly qualify for the EU to sign the SAA. Without the demand from the conditionality policy of cooperating with the ICTY, Serbia could then move up on the scale of integration, sign the SAA and become a candidate country. One could argue that being a candidate country is a high merit for Serbia, and it

would end the period of ambiguous and unclear approaches from the EU side. Thus, it could serve as leverage from the EU to make Serbia go in the EU direction. The interdependence would increase between the EU and Serbia, and Serbia would move closer to free trade and improved and increased market shares, and the neoliberal logic would then speak in favour of better integration and stability.

Option 2 might contribute to a short-term approaching of Serbia, but would the EU be interested in having Serbia onboard as a special case that does not comply with the EU criteria? Offhand, the RSCT would argue that the sooner the status of the Balkans, as a sub-complex of EU-Europe, is settled the better, because this creates stability in EU's neighbourhood and even improves when Serbia eventually becomes an EU state. On the other hand, neorealism contributes with the argument that every state is only taking care of its own interests. Thus, a Serbia with favourable conditions and rules of compromised conditionality would enforce the power of Serbia, creating a threat to the EU. Another pitfall is the weakened consistency of the cooperation and relationship between the EU and Serbia. Given that the EU has been inconsistent with its own policy, this could set a precedence of favourable measures for Serbia. There is no guarantee that the EU would not have to compromise once again in order to keep Serbia cooperating. Furthermore, Serbia might also be inconsistent in its compliance with the other part of the conditionality than the ICTY issue. Once again, neoliberalism does not put much focus and worries into this fear of relative gains, and argues that the advantages of the closer cooperation outplay the pitfalls. However, the discussion in the RSCT about the main post-Cold War securisation points out that integration could be regarded as a threat the identity of the population. The argument is if the EU's population would oppose the integration of Serbia, when it is not complying with the set of rules along with the other member states, this could cause internal dispute in the EU. Even though several countries have negotiated agreements about opt-outs, the ICTY issue is fundamentally different from these. This is partly due to the morality seen in the light of the history of Serbia in the 1990s, and partly due to the potential political opposition internationally against the EU for not respecting the importance of cooperation with the ICTY. Therefore the integration of a Serbia that does not comply with the conditionality might represent a threat.

As presented in sub-chapter 5.4 *The EU enlargement instruments towards Serbia*, EU's integration policy allows for flexible conditions for accession countries. According to the EU, meetings at political level as well as sub-committees have settled the accession policy for each potential member state. The accession policy is also flexible, because it allows the potential member country to improve and move closer to the EU standards at its own pace. However, the cooperation with the ICTY was a specified and very important item on the agenda, and has nothing to do directly with Serbia's other problems such as weak state institutions, corruption, and unpromising finances. Thereby the argument speaking for a compromise, of the conditionality towards Serbia, seems very weak.

One of the visions set by the European Commission of the development on the Balkans was that the regional and bilateral relations with the Balkan region should be improved. The main goal is that such improved relations would result in greater economic growth and political stability. As argued by neoliberalism, this closer cooperation on the regional level would create a much better interdependence, which represents the main factor of liberal institutionalism for peace and stability. On the other hand, neorealism contributes to the discussion and argues that improved cooperation between the countries in the Balkans could result in a relative gains. Thus, Serbia and the rest of the countries in the Balkan region would improve and get more powerful, and this would represent a threat towards the EU. On the security field, the RSCT argues that the sub-complex status of the Balkans would mean that the dynamics from the EU-Europe RSC would still represent the dominating influence of the dynamics in the Balkans. The choice of option 2 of compromising the conditionality does not correspond with the enlargement policy of the EU in this matter. If compromising on the demand of ICTY cooperation, one could question whether the unequal favourable conditions for different accession countries would support the regional and bilateral relationships, or simply enforce the existing regional disputes.

As discussed in sub-chapter 6.1 *The domestic political situation in Serbia*, the compromise of the conditionality stems from a complicated domestic political situation in Serbia, where many factors come into play. If the EU compromises on the conditionality in order to support the overall interests in getting Serbia as an ally, preventing Serbia from drifting towards Russian influence, and finding a just solution for the status of Kosovo, the EU

might be gambling with its own interests. Apart from the already discussed Western media and people's morality issues of Serbia, the EU risks that Serbia does not intend to cooperate with the ICTY, since they get the advantages from the EU anyway. It is doubtful, when choosing option 2, whether the EU would be strong enough to keep its image as a great political actor, if the Kosovo status issue will keep hanging in the balance after having compromised on the conditionality. Thus there is a rather delicate balance between the ideal and pragmatic approach of the EU towards Serbia.

7.4.3 Balancing conditionality and EU interests

Having discussed the underlying construct of the predicament of the available choices of directions in the enlargement policy of the EU towards Serbia, the analysis in this sub-chapter includes a discussion of the two policy options in relation to the situation of the hypothesis. One could perceive that it is impossible to know what is to happen in Serbia due to the ongoing conflict in Serbia of policy, interests and overall objectives. Thus, the hypothesis serves as a tool to enable different aspects to enter the scene of the analysis.

As previously mentioned the thesis includes the hypothesis that Serbia is using its possible turning towards Russia as a political tool in the negotiation process with the EU to make the EU compromise on Serbia's obligations in the SAP. Whereas the discussion in 7.2 *Discussion of the interests of the EU and EU's policy of conditionality* dealt with the possibility that Russia was pursuing power in Europe through Serbia, and that the EU fought its part of the energy war, using Serbia as a pawn in the strategy, the hypothesis suggests the opposite; that Serbia is taking advantage of the whole situation and the disputes between Russia and the EU, in order to promote and support the interests of Serbia.

As presented in chapter 4 *Historical background*, the Balkan region has through time been an area of disputes, invasions, expansions and dissolutions. One could perceive that Serbia, having been a region of overlay for many years according to the RSCT, is attempting to finally pursue the status as an independent country without being politically exploited by external powers and factors. Furthermore, the RSCT contributes with the argument that Belgrade has been and will always be a centre of power, with or without Yugoslavia.

According to the features of RSCs in the RSCT, one could argue that Serbia even had the objective during the Milošević era to gain the status as a separate and detached RSC, but as the international community intervened, the Balkans was pushed back as a sub-complex. The fear of this scenario is that, in addition to this part of the Serbian history in the 1990s, the Kosovo issue might contribute to further provoke Serbia's urge to become a political actor in Europe. This would strongly support the hypothesis because it shows that Serbia itself is playing the strategic game that was otherwise reserved to Russia and the EU in Europe. This would mean that Serbia is not only a pawn in the strategic game, but is in reality one of the players itself.

In the situation of the hypothesis, the crucial task for the EU is finding the path to the right policy that is balanced and not only takes into account the interests of the EU, but also the main Serbian interests. However, this is a complicated task. According to neorealism this kind of consideration of other countries could pose a danger to the EU because it would represent a relative gain. Furthermore, if the EU compromised in favour of Serbia the balance of power would be very asymmetric due to the different distributions of power between Serbia and the EU. Moreover, one could argue that if Serbia is not willing to be integrated into the EU, maybe this integration is not in the best interest for the EU. The question whether Serbia is worth wooing has two perspectives; the internal and the overall. At the internal perspective, one could argue that wooing and integration Serbia would mean inviting in problems from the Balkans whose history is very violent and troublesome and whose society and state institutions are weak. According to the main post-Cold War securisation of the RSCT of the revival of the history of Europe, Balkan is the classical example of Europe of a region whose internal relationship suffers from numerous disputes. According to the RSCT, the answer to this would be that integration is crucially necessary, which correlates with the liberal institutionalist view that the institution of the EU could serve as the mediator between the parts. However, in the case of the Balkans, one could perceive that the other main securisation of the RSCT could be dominating; the integration seen as a threat. Furthermore, as described in chapter 5 *The integration processes of the EU*, the EU has recently gone through a very comprehensive enlargement in 2004, and in 2007 two new countries became member states of the EU. Therefore one could question whether the integration of Serbia would be necessary seen from the

internal perspective. Seen from the overall perspective the EU must take several factors into consideration. Given that the situation of the hypothesis is in evidence, the EU should, as mentioned above, balance its own interests with the interests of Serbia in order to keep Serbia on the pro-EU path. Moreover, one could argue that the problems, that the EU might be inviting in, are outplayed by the overall interest of creating stability in the region and getting Serbia as an ally.

Additionally, if the EU is attempting to integrate Serbia, the security issues should also be taken into account. The RSCT argues that Serbia is a sub-complex of Europe but, at the same time, history has shown that the complex status of the region is rather changeable. Therefore, the EU as an actor, should be cautious to balance the political intervention in Serbia. On the one side, if the EU makes too much active policy and intervention in Serbia, it could cause the status of Serbia as a region of overlay. On the other side, if the policy and intervention of the EU is too passive, the situation of the hypothesis could occur.

7.5 The application of conditionality

In the previous sub-chapters the analyses and discussions have included the overall interests of the EU and the factors that are influencing these interests. Furthermore, the pitfalls, the advantages and the necessities of the two policy options concerning conditionality have been discussed. Seen from the internal perspective, the EU takes a risk when letting Serbia have favourable solutions and compromises, which could cause internal dispute within the EU, due to the morality of the lacking cooperation with the ICTY and due to the Kosovo issue. Seen from the overall perspective, the compromising policy option is tempting due to the overall interests of the EU and to the Russian pursue of energy monopoly, which would make the conditionality a tool that should be revised in the case of Serbia. Therefore it is difficult to decide whether the EU should compromise or stick to the conditionality.

Looking at the situation from the hypothesis, all the discussions of the qualities of conditionality come down to how the conditionality is applied and what aspects are used. One could argue that the policy of conditionality is too wavering and inconsistent. However, the moment that the EU is using the proper application of the conditionality

policy, this enlargement tool might serve the overall interests of the EU and be an effective tool.

As argued in sub-chapter 7.3 *The ambiguous approach of the EU towards Serbia*, the inconsistency and the wavering between the two policy options also represents a choice of policy and thereby an aspect of the conditionality policy. Even though the earlier discussions have touched upon the pitfalls of the ambiguous approach of the EU towards Serbia, it might be necessary for the EU to make use of this 'third' policy option.

As argued in sub-chapter 6.2 *Russian interests in Serbia*, Russia has many interests in Serbia, and it seems that Serbia is part of the power strategy of Russia, due to the geographical and political position of Serbia. One could perceive that Russia exploits the domestic political situation of Serbia characterised by a large influence to the nationalist parties and by a current EU-sceptical attitude among the politicians and the population. Furthermore, an argument for this is the way that Russia has handled to Kosovo issue. As argued in 6.2 *Russian interests in Serbia*, it would not correspond with the overall interests of Russia that Kosovo should get the status of an independent country due to the risk that this event might set precedence for autonomy-seeking regions in Russia and Georgia. However, it seems that there are other Russian interests in play as well. By supporting the Serbian standpoint in the Kosovo dispute, Russia would not only move closer to getting Serbia as an ally, but moreover, Russia would be closer to gaining important energy market shares in Serbia, and presumably access to building the pipeline of gas from Gazprom through Serbia. This would boost the Russian energy monopoly in Europe. According to the RSCT, the history, former presence and the geography indicates the possibility that Serbia would eventually fall more and more into being a sub-complex of the Russian RSC which would be against the interests of EU-Europe. In addition, the neorealist approach is that countries are regarding each other as enemies and thereby countries are using different strategies against each other as well. On the other hand, Russia would be even stronger with Serbia on its side, politically and economically interdependent. Therefore one could argue that Russia is using Serbia strategically in order to support its own interests and, thus, plays an important role in the wooing game of Serbia.

Combining the argument of the Russian exploitation of Serbia with the possible situation from the hypothesis, it gets clear that all three parts seem to play about the eternal triangle. As suggested above, Russia is wooing Serbia in order to get political and economic influence in Europe and to maximise its efforts in getting an energy monopoly in Europe. Serbia is using its possible turning to Russia as a tool to make the EU compromise on the policy of conditionality and use the tool in the negotiations of the future status solution of Kosovo. In this manner, Serbia is able to speed up the integration process into the EU and, at the same time, maintain popular and domestic political support due to the countries leverage in the Kosovo and ICTY issues.

As a consequence of this, one could argue that the EU must realise the importance of entering the game as well. Furthermore, one could argue that if the EU wishes to assert itself as an actor in Europe and be one of the main players of the eternal triangle, the EU should react on the actions from Serbia and Russia. Therefore one could argue that the ambiguous approach of the EU regarding the conditionality might represent a tool in itself as an aspect of the conditionality policy. When the EU initiates, suspends and then re-opens the accession talks, it might be the 'third' policy option that is pursued. By playing its cards close to its chest and not being consistent in the policy of conditionality, one could argue that the EU is using this aspect of the conditionality policy as a tool to influence and affect the different processes and mechanisms in the accession negotiations and, at the same time, support the overall interests of the EU not to let Serbia approach Russia. This policy might support EU's role as an actor in Europe and, if it succeeds, even make the EU win the game of the eternal triangle. Therefore it can be argued that the EU is actually supporting the overall interest, and that the conditionality, if applied correctly, is an effective tool.

As mentioned in chapter 6.3 *The changed approach of the EU towards Serbia*, the EU and Serbia agreed in late April 2008 to sign the SAA. As argued earlier, there were certain factors in Serbia making it necessary for the EU to assure that Serbia would turn to the EU and not to Russia. The signing of the agreement took place despite the Serbian lack of cooperation with the ICTY. It is stated in the agreement that Serbia cannot become a full member of the EU until the accused war criminals have been turned over, but in the meantime, Serbia can benefit from 90 % of the financial aid and benefits in the SAA. One

the one hand, one could argue that the EU has compromised on the conditionality in order to boost the pro-EU mechanisms in Serbia before the parliamentary elections in May 2008. On the other hand, Serbia can still not become a full member until it cooperates fully with the ICTY. Therefore one could argue that the EU's 'third' option, of keeping the options open and hedging its bets, has resulted in a combination of option 1 and 2 where both parts have reached some degree of satisfaction.

At the time of writing, the negotiations are still ongoing between the different possible coalitions to form a government and time will show which coalition will get the necessary support from the Socialist Party of Serbia (SPS) that most probably will be the 'kingmaker'. When this happens the EU will know whether its strategy of the combination of the two the policy options has paid off, resulting in a pro-EU government. If a coalition dependent on the nationalist parties can form a government, the prospects of a consent solution of the Kosovo status could decrease. At the same time, Serbia still benefits from 90% of the benefits in the SAA, and there is no guarantee that Serbia will not drift towards Russia, and that Serbia will cooperate with the ICTY. However, the signing of the SAA still strongly encourages Serbia to comply with the EU standards, and Serbia has moved up on the scale of integration. The crucial question is how long the EU will keep giving financial assistance to Serbia, if Serbia is not complying with the EU standards and with the ICTY.

Whether Serbia is using the possible turning to Russia as a tool or not, the integration of Serbia is a very important task for the EU. However, if the integration of Serbia should not represent any risk within the EU, it is important that only a fully compliant Serbia is allowed to enter the EU. Whether the EU has used the ambiguous approach towards Serbia as a tool or not, and thereby has jeopardised its credibility to some extent, the policy of conditionality is an effective tool with numerous fields of application in order to support the overall interests of the EU and a peaceful Europe.

8 Conclusion

In this thesis the approach of the EU towards Serbia has been presented and discussed. The EU has great interests in Serbia. Not only will Serbian integration into the EU help bringing stability to the region. Also, it is essential for the EU to secure a pro-EU agenda in Serbia and thereby be able to deal better with transnational issues. Another aspect arguing for the EU's interests in Serbia is Russia who is striving to get political influence in Serbia and to penetrate the market of Serbian energy supplies, and thereby increase its energy monopoly in Europe.

The EU has a developed accession strategy for Serbia including the policy of conditionality. Serbian nationalist parties, the lack of cooperation with the ICTY, and the Kosovo issue are all factors complicating the accession into the EU and leading Serbia to turn to Russia. Therefore the EU has wavered between holding on to, or, compromising on the conditionality, each option with different advantages and pitfalls.

If the EU holds on to the policy of conditionality, this will assure that Serbia cannot become an EU member until it lives up to the accession criteria including the cooperation with the ICTY. Furthermore, the EU would keep its credibility for sticking to its rules, and for supporting the ICTY by not letting Serbia move up on the scale of integration. With a compromise on the conditionality, the Serbian integration into the EU would prolong, and thus the fear that Serbia will turn to Russia would increase. A compromise on the conditionality towards Serbia could moreover set precedence. Not only in areas where Serbia needs to comply with the criteria in the pre-accession negotiations. Also, the favourable conditions towards Serbia could set precedence for other future accession countries.

The EU has had an ambiguous approach keeping both policy options open towards Serbia. Having in mind the overall interest of the EU of securing that Serbia seeks the EU path instead of the turning to Russia, the ambiguous approach has served the EU's interests. The EU has balanced the pitfalls of compromising on the conditionality towards Serbia with the domestic political situation in Serbia. Thereby, this aspect of the conditionality has served the overall EU interests, even if this has prolonged the pre-accession talks. This approach

has worked until now, and in the foreseeable future it will show if the conditionality policy will come to fruition, as a new government will be formed.

The policy of conditionality reflects the interests of the EU when applied properly. It prevents a non-compliant Serbia from bringing too many serious problems into the EU and the conditionality lives up to the expectations from the international community of not accepting Serbian non-compliance of cooperation with the ICTY. In the case of Serbia there have been several factors complicating the accession of Serbia into the EU, and the EU has responded to this challenge applying other aspects of the conditionality policy.

The signing of the SAA in late April 2008 is a compromise between holding on to the conditionality by demanding Serbian cooperation with the ICTY until full membership can be achieved, and compromising by letting Serbia sign and get financial assistance. Given the great interests of the EU of integrating of Serbia, this combination of the policies, the 'third' policy option, reflects the overall interests of the EU, because it moves Serbia a step closer in the EU direction. Thus, the conditionality policy reflects the domestic political situation in Serbia and the overall interests of the EU.

However, the effectiveness of the use of the third policy option of conditionality will be put to the test in the time to come due to the recent parliamentary election. Regardless of the outcome of the ongoing negotiations between the different coalitions in Serbia, it is crucial that the EU does not close the door to Serbia and that the EU does not make final and ultimate demands to Serbia. This could be grist to the nationalists' mill and make Serbia turn to Russia. Furthermore, it would then be difficult for Serbia in the long run to resume accession talks with the EU. It depends very much on the domestic political situation in Serbia if and when Serbia is ready to pursue EU membership. In this predicament between the ideal and pragmatic approach towards Serbia, the task of the EU is to keep the balance between compromising on the conditionality and securing that Serbia seeks to the EU and not to Russia, which would go against the interests of the EU.

Thus, the EU's policy of conditionality has several aspects and fields of application. When applied too strictly in some circumstances, the conditionality can results in a number of

pitfalls and disadvantages. However, when the conditionality policy is attentive to the situation in the accession country, it is a useful and necessary tool serving the interests of the EU.

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