

Helsinki *bulletin*



HELSINKI COMMITTEE
FOR HUMAN RIGHTS IN SERBIA
address: Kralja Milana 10,
Belgrade, Serbia
tel. +381-11-3032-408; fax. 2639-437;
e-mail: office@helsinki.org.rs
http://www.helsinki.org.rs

NO.105 // SEPTEMBER 2014

GERMANY, THE TRUE LEADER OF THE BALKANS



FOTO: FONET/AP

Over the past months the Western Balkans has often been on the agenda of many conferences not only in the Balkans but also in Europe. Expert analyses, especially those by the International Crisis Group, indicate that the Balkan chapter should be brought to a close: Europe should finally put to rest what it has to, the more so since the Ukrainian has imposed a new dynamics on the European continent. By putting its signature under the Brussels Agreement that opened its European prospects, Serbia

committed itself to normalization of relations with Kosovo. After the Vienna Conference and the Croatian Forum in Dubrovnik (July), the Berlin Summit rounded off all the hints made and promises given.

At Chancellor Angela Merkel's invitation, foreign ministers and ministers of finance and economy from Serbia, Bosnia-Herzegovina, Montenegro, Slovenia, Croatia, Macedonia, Kosovo and Albania assembled in Berlin. It was



under the auspices of Germany that the EU made a comeback to the Balkans, the region of fragile economies and political stability, undefined developmental agendas and poor neighborly relations. Under the present circumstances marked by the Russian-Ukrainian crisis the region could easily become once again the hotbed of continental instability. This is why the Berlin Summit aimed at encouraging development of each individual country, regional reconciliation and conflict-solution, and boosting their economies through crucial infrastructural projects.

More than a decade ago (2003) when the EU took a similar approach to the Balkans (the Salonika Summit) the region's Euro-Atlantic prospects seemed more promising. However, only Croatia became a EU member-state since, while the other countries were placed on a "waiting list," some closer to and some farther from actual accession: Serbia and Montenegro are negotiating accession to EU (however, not a single chapter has been opened in EU's negotiations with Serbia), Macedonia and Albania obtained EU candidacy, while Bosnia-Herzegovina and Kosovo just got one step closer to candidacy.

True, not a single country has changed its mind about the membership of EU. On the other hand, their democratic reforms along Copenhagen criteria are slow-paced and, moreover, strongly opposed domestically. Chancellor Angela Merkel herself remarked that the reforms proceeded at a snail's pace.¹ This is why, in her view, the countries in the region "should not be left on their own too soon."²

Transition in all the countries of the Western Balkans failed: none of them turned capable of radical reforms in the domains of the rule of law, democratic institutions and marked economy based on solid foundations. Nationalistic

1 Politika, August 24, 2014.

2 Ibid.

ideologies that are being recycled just to reappear in some different form stands in the way of their fundamental transformation. As for Serbia, it actually closed the circle at the elections in 2012-2014 despite the victorious Serb Progressive Party's declarative commitment to EU.

No doubt that the deepest crisis challenging Europe since the WWII also contributed to EU's revived interest in the Western Balkans. The case of Ukraine equals Russia's message to the countries that have not yet made their mind in geo-strategic matters. This primarily refers to Serbia and, in considerable extent, to Bosnia-Herzegovina because of Republika Srpska. With its euphemisms about supporting "territorial integrity of Ukraine" on the one hand, and not being in the position to impose sanctions on Russia on the other, Belgrade is actually buying time. To all appearances, it will run out of time very soon. The matters are quite simple: as EU's biggest strategic partner and the biggest country in the region, Serbia is "a high stake to both sides," as Olaf Behnke of the EC Berlin Office for International Relations put it.³

Bosnia-Herzegovina is on EU's priority list of "unfinished tasks" in the Balkans. Left without mechanisms of internal cohesion Bosnia-Herzegovina is still a dysfunctional state and a theater of disintegrative motions by Republika Srpska and its President Milorad Dodik. His remark about the Berlin Summit (to which he had not been invited) and its "ephemeral effects"⁴ testifies more of his frustration and nervousity on the eve of the Bosnian election (scheduled for October) than of what he truly thought.

3 NIN, August 21, 2014.

4 RTS, August, 22, 2014.

SLOW-PACED CHANGES

Serbia's inability to adjust itself to the "spirit of the times" only follows on the wrong choices it has been making throughout its modern history. Authoritarian rule, relying on voluntarism as much as on the culture of violence and corruption, has been blocking any breakthrough in institution-building, the rule of law, human rights and freedoms.

Serbia has no tradition of respect for institutions: this is why laws, if any, are not implemented properly. In its movement towards EU Serbia developed a solid but formal legal frame by the model of European legislation. So it adopted, say, the laws on minorities and anti-discrimination; the implementation of these laws, however, is far from adequate. Further, as a proof of "deep and painful" economic reforms it had proclaimed, the Serbian parliament passed a set of laws such as laws on labor, pensions, privatization or bankruptcy. It also adopted a set of media laws – postponed for years – that should finally put order into the media landscape.

Nevertheless, the experience and the latest developments indicate that "everything changes just to remain the same." Among other thing, the manner in which Serbia's first notaries were appointed (also under a "European" law on notary public) testifies of the intact matrix of corruption.

Despite all the flag waving about the fight against it, corruption permeates all spheres of public life. The EC 2014 Serbia Progress Report – following on the screening of chapters 23 and 24 on justice, freedom and security, judiciary and fundamental rights – places corruption high on the list of priorities; EU officials take

that corruption is "the most problematic factor for business deals in Serbia."⁵

In his alleged showdown with tycoons (symbolizing the hookup between the state and businessmen), Premier Aleksandar Vučić laid bare all the hypocrisy of the populist rhetoric characteristic of his addresses to "the people." Although the wealthiest among these tycoons, Miroslav Mišković, has been standing trial for almost two years now, experienced lawyers take that he would hardly be sentenced at all. Tabloids close to the regime no longer raise hue and cry about the Mišković case, while the entire campaign against tycoons is dying off. Tycoons are no longer the topic of Vučić's public addresses. The only exception was his offer to tycoon Milan Beko, Mišković's longstanding business partner and friend, to take over the management of Serbia's Railroads.

The management capacity of Vučić's cabinet failed to pass the very "first exam" – the May flood. All unprofessionalism and dilettantism of relevant governmental officials was laid bare on the occasion, while high-pitched and panicky statements by the most responsible of all (Vučić himself) only fueled public panic.

The incumbent regime's goal to adjust every local community to the distribution of power at the republican level feeds social tensions (the cases of Kragujevac and Šabac, for instance). It particularly targets the DS-run government in Vojvodina and thus practically keeps the province in a permanent state of emergency. Aleksandar Vučić's mode of rule implies "intimidation, manipulation, mystification and under-the-counter dealings," as analyst Đorđe Vukadinović pictured the cabinet's 100 days in power.⁶

⁵ Danas, August 4, 2014.

⁶ Vreme, July 31, 2014.

REGIONAL ECONOMIC COOPERATION

The main goal of the Berlin Summit was to encourage regional economic cooperation between ex-Yugoslavia's successor states: the cooperation that presently boils down to a barter economy and investment in shopping malls. Infrastructural projects – highways and railroads in the first place – are priorities for all countries of the Western Balkans, except for Croatia and Slovenia. If implemented, these projects would not only connect these countries but also bring them closer to Europe's major transport corridors.

By assisting the development of regional cooperation EU wants to counteract Russia's energy and economic offensive in the Western Balkans. So far EU has not paid enough heed to Russia's aspiration to dominate the region with its many projects. But now EU wants to bring the region closer to its side to prevent its sliding to the East. For, apart from Russia, the region has been getting attractive financial offers from the Arab world (United Arab Emirates). As for Serbia, Russia has already approved it a 900-million-dollar loan for modernization of railroads and signed an agreement on the construction of the South Stream Pipeline on its territory. The agreement was actually signed once Bulgaria cancelled construction of the South Stream on its territory.⁷

The investigation into the privatization of the Serbian Oil Industry /NIS/ of six years ago also indicates that that this is all about competition between EU and Russia.⁸ The Russian side has been upset with it, probably with good reason:

⁷ Addressing the Berlin Summit EC Commissioner for Energy Etinger said the EU had nothing against construction of the South Stream Pipeline but insisted on "Gaspromnjeft's" respect for European norms in Europe.

⁸ Minister of the Interior Nebojša Stefanović formed a working group to investigate into this privatization. .

it takes the investigation was launched under the pressure from Brussels. Analyst Predrag Simić says, "The purpose of the Berlin Summit was to lessen the influence of the non-European factor...The EU would not let this part of Europe to anyone, let alone to Russians. The Ukrainian crisis only strengthens its resolve."⁹

Economic cooperation on large cross-border projects would help to relax relation in the region. Or "together" rather than "against each other" as Chancellor Angela Merkel commented the plans and maps Aleksandar Vučić showed her in Berlin (plans for reconstruction of the Belgrade-Sarajevo railroad, construction of Nis-Prishtina highway and reconstruction of the Belgrade-Bar railroad one line of which would connect Serbia and Montenegro with Kosovo, and another with Albania). These plans under Vučić's control found an echo in Berlin, stress the media in Belgrade. One the other hand, bearing in mind the great majority's animosity for certain cities and countries Belgrade would connect with,¹⁰ the media also remind of some objective limitations: projects as such require political stability and that's what the Western Balkans has not established even 15 years after the war.¹¹

Belgrade-Prishtina normalization has been "on ice" for months as the two premiers have not been meeting in Brussels on regular basis. No progress has been made over only two lower-level meetings held so far (Marko Đurić and Edita Tahiri).

⁹ Danas, August 29, 2014.

¹⁰ „Does he (Vučić) really believe that the railroad to Sarajevo is our top priority?" asks commentator Radivoj Cvetičanin; Danas, August 30-31, 2014.

¹¹ „Who could possibly launch the construction of the Nis-Prishtina highway at the time when Serbia and its /semi/ independent province are at one another's throats in a climate of general distrust?...Even our relations with Bosnia-Herzegovina are not fully defined – they are burdened with a scizophrenic situation of Serbia hugging Republika Srpska, while mubling something about Bosnia's territorial integrity." Blic August 31, 2014.

In the meantime incidents in Kosovo North have been multiplying: from jardiniere-barrickades at the bridge over the Ibar River in Mitrovica North (kind of paradigm of the agreements implemented “a la Serb”) to the latest incident involving Albanian timber thieves from Podujevo, “stealing timber under arms and in hookup with certain officials from Prishtina,” according to Aleksandar Vučić.¹²

REACTIONS TO THE BERLIN SUMMIT

Chancellor Merkel’s initiative for the summit has been received in Serbia with all sorts of connotations. For the great majority of the media not even Germany’s assistance in grants and investment – the biggest of all Serbia has been receiving since 2000 – has been a reason enough to accept Berlin as a well-intentioned partner eager to see Serbia in EU as soon as possible. On the one hand, they are reserved about Berlin because of its insistence on the obligations to be fulfilled.¹³ On the other, they are traditionally suspicious about Germany’s intentions, especially in the context of its relations with other Balkan countries (Croatia, Slovenia and, in particular, Kosovo).

The more and more important role Germany and Chancellor Angela Merkel have been playing in European affairs is usually interpreted in the context of Berlin’s imperial aspirations and its eye on the Balkans. This is what emanated from most commentaries on the Berlin Summit. Representatives of Serbia’s conservative, nationalistic bloc were not alone in their criticism of the Summit: commentators from the opposite ideological pole practically sided with them.

¹² Politika, September 2, 2014.

¹³ Angela Merkel made no bones about Belgrade-Prishtina normalization at the press conference in Belgrade in 2011.

The Berlin meeting was ineffective and nothing but “pomp,” they argued,¹⁴ and meant to “demonstrate Germany’s new political self-consciousness and growing influence.”¹⁵ Even Jovo Bakić, the associate professor at the Faculty of Philosophy considered a liberal intellectual, was frustrated with Germany’s “return” to the Balkans. “The old imperial policy of Kulturtrager, broken by the emergence of two Yugoslavias after the two world wars, returned to the Balkans in full swing following on Yugoslavia’s collapse,” he wrote.¹⁶

Though commending Berlin’s “good will and endeavor” to introduce new political dynamics of regional relations through economy, Radivoj Cvetičanin, the editor and commentator of the *Danas* daily, mocks Premier Vučić behavior: “he looked like a child patted on his head.”¹⁷

Analyst Djordje Vukadinović says that Germany seems to be after a small empire of its own, its own “Balkan Commonwealth” wherein it would behave as a big power and wherefrom chiefs would be coming to Berlin from time to time to pay their respects.¹⁸

According to commentator Branko Radun, Germany’s stance on Russia, which is being closer and closer to that of other EU member-states, testifies of its intent to place Serbia, a country close to Russia, in the service of its interests. Germany and Russia, he stresses out, are economically interdependent, and Germany can therefore make use of Serbia’s status of “most favored nation” at the Russian market, which is

¹⁴ Politika, September 2, 2014.

¹⁵ Ibid.

¹⁶ Politika, August 26, 2014. Though acknowledging the cabinet’s well-balanced stance on the Ukrainian crisis, Bakić criticizes Aleksandar Vučić for having „demonstrated unnecessary humility in words and in clumsy non-verbal communication during his visit to Berlin.”

¹⁷ *Danas*, August, 30-31, 2014.

¹⁸ <http://www.nspm.rs/kolumne-djordja-vukadinovica/angeli-puze-putinu-namiguju-zapadu-odradjuju.html>

an advantage in the situation of sanctions and counter-sanctions.¹⁹

The Politika daily perceives Serbia's significance against the new international background in a similar manner. "Due to its policy, which is neither clearly eastward nor westward, Serbia has become the most important country in the region in the eyes of EU. Among other things, this means that the Brussels diplomacy and European funds will be focused on Serbia in the first place," states a commentary ran in the paper.²⁰

CAMPAIGN AGAINST EU

Both EU and US welcomed the government's pro-European course. In parallel Serbia's right-wing bloc has been campaigning against EU, intensively and extensively. Addressing one of many round tables organized throughout Serbia – titled "Serbia's Geopolitical Position in the Light of the Ukrainian Crisis" - analyst Đorđe Vukadinović said the dilemma about Serbia's membership of EU was outdated. "If we have to choose between EU and Russia, we opt for Russia," he said.²¹

Activities by RS President Milorad Dodik (notably on the eve of the elections in Bosnia-Herzegovina), including those in Serbia proper, also catch the eye. The government of Serbia nods silently to his motions. Interestingly, Premier Vučić met with President Dodik shortly after the Berlin Summit to inform him about the conclusions reached there. The media reported that Vučić had emphasized the infrastructural projects related to RS and Bosnia, he had showed his hosts in Berlin. In conclusion they agreed to convene a joint session of the two governments as soon as possible.²²

¹⁹ Danas, September 3, 2014.

²⁰ Politika, September 4, 2014.

²¹ Čačanski glas, August 29, 2014. .

²² <http://www.srbija.gov.rs/vesti/vest.php?id=218263>.

Even more conspicuous – and worrisome – were the messages of the seven-day manifestations called "The Days of Srpska in Serbia" in Belgrade. In his opening address, President Tomislav Nikolić said the border between the two states was "an iron partition," but the one that "cannot prevent the passage of time, changes, commitments, love, thoughts, ideas and culture."²³ As for Milorad Dodik, he was straightforward. "In ten years from now, Srpska will be less of an entity in Bosnia-Herzegovina, and more of a state integrated into Serbia," he said.²⁴ Then he told the audience that he would call squares, streets and institutions after all ICTY defendants, who had devoted their lives to the establishment of RS and "were unjustly sent to international dungeons for that."²⁵ He received a standing ovation.

Belgrade still has an eye on Bosnia-Herzegovina. Though Vučić and Dodik are not exactly as close as the latter was with Boris Tadić, SNS attitude towards Bosnia-Herzegovina remains ambivalent and contradictory. For instance, Vučić first visit abroad in his capacity as the Premier was to Sarajevo. The international community welcomed his gesture. However, he did not accept the invitation to come to Sarajevo on June 28 to attend the ceremony to mark the 100th anniversary of the WWI. Instead, he went to Višegrad, RS, to mark he anniversary in company of Milorad Dodik and movie director Emir Kusturica. Responding to the Ukrainian crisis and the pressure on Serbia to take sides, media commentators are recalling all the "crossroads" of the 20th century when Serbia had to make a choice and always made the wrong one. They all speak of "Russia or NATO" dilemma but their hearts obviously beat for Russia.

The anti-European circles were also angry at the manner Vučić responded to EU's aide-memoire,

²³ Politika, September 5, 2014.

²⁴ Ibid. .

²⁵ Danas, September 5, 2014.

which, they claimed, shattered one's last hope that the incumbent cabinet was serious about stronger ties with Russia and was capable of making a U-turn in its foreign policy at the eleventh hour.²⁶

The story about the Serbian cabinet's neutrality in the West-Russia conflict just went up in a puff of smoke, said a commentator from these circles. "By saying yes to EU's dictate, this regime actually sided with the West and agreed with the West's anti-Russian interpretation of the Ukrainian crisis,"²⁷ says this author and argues that today the "both EU and Kosovo" policy is as illusional as the policy of "both EU and Russia" – this is not the time for sitting on two chairs but for making a choice either for Russia or the other way round.²⁸

26 <http://www.nspm.rs/politicki-zivot/solidarno-sa-eu-protiv-rusije.html>

27 Ibid.

28 Ibid.

"At present Russia has too much on its mind to worry itself about Germany's ambitions in the Balkans and – to pull no punches – would not sacrifice more than a bunch of unreliable and ungrateful Eastern Orthodox brothers just to snatch Germany from the Anglo-American hug," says Đorđe Vukadinović.²⁹

Commenting on the international situation and absence of the world order, Milorad Vučelić, editor of the Pecat magazine, says, "In establishing a new and more just balance of power in the world, Russia will not play only a rival at the global theater but will, to all appearances, be more than that – it will be an alternative."³⁰

29 <http://www.nspm.rs/kolumne-djordja-vukadinovica/angeli-puze-putinu-namiguju-zapadu-odradjuju.html>

30 "Kraj novog svetskog poretka", Pečat, 5. septembar 2014.

CONCLUSIONS AND RECOMMENDATIONS

EU's return to the Balkans is crucial for the region's future, for Serbia in particular considering its strong feelings for Russia. From the angle of strategic policies, Serbia is still a divided society.

Only economic revival, especially through infrastructural projects prioritized at the Berlin Summit could overcome the region's stagnation.

Economic crisis and impoverishment could generate social radicalization unless the present government manages to cope with a least some of the most pressing problems. Social radicalization opens the door to all forms of extremism, notably ethnically motivated extremism at national and regional level.

The great majority of citizens knows nothing or knows little about what it is that membership of EU implies at individual level. In addition, major institutions such as the Church and the Serb Academy of Arts and Sciences, a part of the civil society and mainstream intellectuals radically oppose the values EU rests on. Today's EU, rather disoriented in its policies, plays into the hands of their argumentation.

To become a reality Serbia's pro-European course, the incumbent government has proclaimed, needs the support from the grassroots. This is why EU should rely on pro-European strata.