

# Helsinki *bulletin*



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## SERBIA IN THE WEST?



FOTO: JULIEN WARNAND/EPA

The first intergovernmental conference on 21 January 2014 in Brussels marked the beginning of Serbia's long journey to the European Union (EU) - after ten years of hesitation, the burden of the Milosevic era legacy and many obstacles to re-embracing the form of a civilized state. The opening of accession negotiations has a deeper meaning for Serbia, considering its historical resistance to the Western model.

The very fact that the event was not marked by general euphoria or celebrations testifies that hesitation and anxieties are still there. And the majority of the elites doubtful about the European option did respond.

The European Commission decided to open accession negotiations with Serbia in June 2013 and to convene the first intergovernmental

conference by the end of January 2014 at the latest. In the meantime Serbia was expected to continue the process of normalization with Kosovo in accordance with the Brussels Agreement (signed on 18 April 2013). Participation of Serbs from four municipalities in Kosovo North in local called for 3 November 2013 was the main precondition. The so-called Serbian parallel structures, operating in this part of Kosovo for more than ten years, were thereby abolished.

Normalization of relations between Belgrade and Pristina will still be of key importance throughout the EU accession process.<sup>1</sup> The European Union wants to see full normalization by the end of accession negotiations and have it verified by a binding document. The most influential EU member-states such as Germany and the Great Britain (authors of the so-called 'non-paper' presented to Belgrade and Pristina), were particularly determined - they didn't want yet another unresolved territorial issue (such as Cyprus) in the EU. The Chapter 35 was opened already in the first round of negotiations - the so-called screening of the implementation of the Brussels Agreement thus far.<sup>2</sup>

Kosovo is also high on the negotiating agenda, many items of which relate to Belgrade-Pristina normalization. This includes implementation of all agreements, ban on each country's interference with the other's movement towards EU, and their signatures under a binding agreement, all of which implies that Kosovo could "spill over" to other issues such as the judiciary, security, independent institutions, antidiscrimination, minority rights, etc.

1 This was what Prime Minister Ivica Dacic confirmed a day before the first intergovernmental conference; RTV B92, 20 January 2014

2 Chapter 35 is usually opened at the end of accession negotiations with potential member states and generally covers the issues that are not specified in other chapters.

The opening accession negotiation with EU is the only tangible success the incumbent government achieved in the past two years – hence, it was only logical that it played on the fact to highlight its performance. Prime Minister Dacic called it "the most important event for the country since the WWII." The Kurir tabloid ran a front-page banner - "Serbia's Victory!" President of Serbia Tomislav Nikolic pointed out, "Serbia deserves to be accepted as a part of Europe because of its history and victims."<sup>3</sup>

The Serbian public was not exactly exhilarated by this certainly historical step forward for the country. Public opinion polls show that in 2013 citizens' attitude toward EU spiraled (64 per cent).<sup>4</sup> However, these findings should be taken with a grain of salt considering dramatic oscillations in people's attitude over the past years. The research conducted by „Eurobarometer“ tells a different story: 36 percent<sup>5</sup> of interviewees in favor of EU accession ranges Serbia among „Euro-sceptic“ candidate countries concludes „Eurobarometer.“<sup>6</sup>

## AMBIVALENCE PREDOMINATES

Important obligations await Serbia if it intends to meet the deadline and become a full-fledged EU member-state until 2020 (Serbia itself set the deadline). Accession negotiations should end by 2018 and ratification by EU

3 Večernje novosti, 22 January 2014

4 Opinion poll was conducted at the end of 2013 by polling agency „Faktor plus“ and newspaper Politika, and the results showed that 64 per cent of participants in the poll expressed their support for the continuation of Serbia's European path.

5 According to this research, only 36 per cent of citizens of Serbia think that EU accession would be "a good thing," 42 per cent take that "the country will benefit from it" and 25 per cent said that EU accession is "bad for the country."

6 Danas, 14 January 2014

member-states by the end of 2020. And only then should Serbia call a referendum on EU membership.

Although the opening of accession negotiation with the European Union should be “a point of no return” in Serbia’s commitment, parallel (controversial) indicators warn that the crucial dilemma about the country’s geo-strategic future has not been solved yet. Apart from Russia’s rather aggressive attitude (official statements, interviews, actions by Russian Ambassador to Serbia Alexander Chepurin, etc), the thesis about an alternative to EU more and more frequently comes up. This ambivalence is most evident in the headlines run by the pro-governmental *Politika* daily. Two days before the first intergovernmental conference the paper carried the following front-page banner, “At the Doorstep of Some Union.”<sup>7</sup> The editor-in-chief of the New Serbian Political Thought magazine, Djordje Vukadinovic, said with a dose of cynicism that the former government’s slogan „both Europe and Kosovo“ now reads „both Europe and Russia.“<sup>8</sup>

Should Serbia decide to withdraw from negotiations, it would not be the only European country to do so: a year ago Iceland suspended accession negotiations and gave up on its future in EU. Statements by some high officials support an assumption as such.<sup>9</sup> The editor-in-chief of the *Vreme* weekly, Dragoljub Zarkovic, is also skeptical about Serbia’s present-day com-

7 *Politika*, 19. January 2014. It is written in this text that the opening of accession negotiation with EU is greeted with some reservations, „although it is an important date, it cannot be called decisive or crucial because repugnance towards great events and dates appeared in Serbia after 5 October, Eighth Session and the Daton Agreement.

8 *Politika*, 24 December 2013.

9 Minister of Foreign Affairs Ivan Mrkic said, “Serbia will say ‘no, thank you’ if EU asks it to recognize Kosovo before becoming a member-state.” President of Serbia Tomislav Nikolic has the same point.

mitment and warns about the changing mood of its citizens.<sup>10</sup>

## REACTIONS TO THE OPENING OF NEGOTIATIONS

Formal opening of accession negotiations was greeted by numerous domestic and international officials. EU Enlargement Commissioner Stefan Fule said at the opening of intergovernmental conference, “This is a historic day for both Serbia and the European Union.” EU High Representative for Foreign Affairs and Security Policy Catherine Ashton – most deserving for the onset of Belgrade-Pristina normalization – complimented Serbia via Twitter. President of the European Council Herman Van Rompuy congratulated Prime Minister Ivica Dacic for his “dedication to Serbia’s European perspective”.<sup>11</sup> The current chairman of the EU Council of Ministers, Greek Foreign Minister Evangelos Venizelos, called the opening of accession negotiations a historic day for Serbia, region and the EU and reminded of the “difficult period Serbia has recently gone through.” He also referred to Greece’s willingness to “facilitate Serbia’s journey.”<sup>12</sup>

The Prime Minister’s Montenegrin counterpart, Milo Djukanovic, congratulated Serbia (Montenegro has been negotiating accession to EU since June 2012). Djukanovic stressed the great (European) „recognition to the Government of Serbia and the Serbian society.“<sup>13</sup> Renewed

10 Zarkovic, „I fear that the European idea in the case of Serbia may be abandoned at the same speed with which it was accepted. Experience taught us that those who change their view once can change it indefinitely.“ He headlined his editorial, “Europe, Watch out, We Are coming!” *Vreme*, 23. January 2014.

11 Van Rompuy also remarked that Serbia’s progress “in the normalization of relations with Kosovo over the past 12 months was impressive”. *Politika*, 22 January 2014.

12 *Večernje novosti*, 23 January 2014.

13 *Blic*, 22 January 2014

communication between Montenegro and Serbia at the high governmental level surely belongs to the expected “European behavior” of regional players.

Most political parties welcomed the opening of accession negotiations, although with noticeable reservations. Democratic Party and United Regions of Serbia seized the opportunity to underline their roles in bringing Serbia closer to the EU. The leader of the Liberal Democratic Party, Cedomir Jovanovic, said, “Now that accession negotiations with the EU are open, there is no reason whatsoever for the incumbent government to remain.”<sup>14</sup> League of Social-Democrats of Vojvodina commented that the opening of accession confirmed that „Serbia is on the right path“.<sup>15</sup>

Democratic Party of Serbia (DSS), the most relevant advocate of the conservative and anti-European block, reiterated its opposition to against the European option. Its leader Vojislav Kostunica said Serbia had made an irrational decision when it came to the opening of EU accession negotiations. “By joining the Union Serbia can only suffer immense economic damage, worth billions of Euros,” he said.<sup>16</sup> Djordje Vukadinovic of the New Serbian Political Thought said that all Serbia could face on its course to Europe were „new pressures, blackmail and humiliation.”<sup>17</sup>

Most media in Serbia adequately covered the event and paid due tribute to this “historic day,” but hardly any dug deeper and analyzed the significance of this crucial progress Serbia has made. This primarily relates to the pro-governmental *Politika* daily. One cannot but be under the impression that papers worldwide were by far more enthusiastic about the event

14 *Politika*, 22 January 2014

15 *Ibid.*

16 *Blic*, 21 January 2014

17 *Politika*, 21 January 2014

that those in Serbia, all of which emphasizing Serbia’s “long-awaited transformation.”

## KOSOVO AS THE PRIORITY

Over the past two years there’s been only one benchmark of Serbia’s movement towards the EU - normalization of relations with Pristina. The rest – political system, institutions, the administration, etc. – has been in the back seat. Normalization preconditioned the opening of accession negotiations. Although the two premiers have been meeting on regular basis, new obstructions to full normalization and implementation to the Brussels Agreement are to be expected on regular basis as well. Despite all the deadlines set and the action plan agreed on, some major changes such as those in the judiciary in Kosovo North have not taken place yet.

The international community accepted the results of local elections held in November in four municipalities with majority Serb population. However, the elections themselves (marked by repeats, low turnout, favoring of the Belgrade-controlled “Srpska” party, etc.) and ensuing developments indicate that the road to the goal set by international factors would be long and thorny.<sup>18</sup>

The Serbian public and media mostly speculated whether finalization of the accession process equaled mandatory recognition of Kosovo in writing. Generally speaking, European officials take the time is not ripe yet to “discuss the matter.”<sup>19</sup> Some international experts hold

18 One case that convincingly demonstrates this is the rejection of the newly elected Mayor of North Mitrovica, Belgrade’s favorite Krstimir Pantic, to take the oath of office and sign the document with emblems of Kosovo covered with a sticker. As Pantic withdrew from the office, new elections are called for 23 February 2014.

19 *Politika*, 19 December 2013

that “Serbia might join EU without recognizing Kosovo,” given that Kosovo and Serbia have “functionally working relations.”<sup>20</sup> However, Serbia’s document just emphasizes continued normalization in the talks with Pristina, implementation of the outcome of local elections in Kosovo and the establishment of the Community of Serb Municipalities.

According to Dusan Reljic of the German Institute for International and Security Affairs, key Western countries expect that sooner or later the majority in the Serbian society and the parliament would be “ready to adopt a new constitution verifying Kosovo Albanians’ right to secession.”<sup>21</sup>

## OTHER CHALLENGES

In the meantime, Serbia will be faced with numbers of serious challenges deriving from the remaining 34 chapters that measure the level of harmonization of legislation and other norms with the European *acquis* in a wider spectrum of the social field.

In his Brussels address First Deputy Prime Minister Aleksandar Vucic was quite realistic when referring to difficult obligations and tasks that await Serbia.<sup>22</sup> According to domestic analysts, economy is the biggest challenge of all. Member of the Parliamentary Committee for European Integration Laszlo Varga said, “EU

would not have us with such an underdeveloped economy.” In addition, Serbia has to do away with monopolies, reform the judiciary and implement environment protection. Director of the Center for European Integration Mihailo Crnobrnja warns about Serbia’s inability to hold its budget under control in which it resembles Greece. It is precisely because the Greek case that EU will be “rigorously controlling all potential members,” he added.<sup>23</sup>

One of the biggest obstacles will be the implementation of European standards in the environmental protection, mostly because these standards call for considerable funds. Environmental protection was the biggest problem for some ex-communist countries such as Slovakia, said the former Minister of Foreign Affairs of Slovakia, Edvard Kukan, presently the member of the European Parliament.<sup>24</sup>

Among the first chapters to be opened are 23 and 24, which relate to the judiciary and fundamental rights, justice, freedom and security. Here it will be most difficult for Serbia to negotiate given that the rule of law and the judiciary reform dramatically lag behind European standards. Even before opening of these chapters, four MEPs requested on behalf of the European Parliament to have the political background of the assassination of Prime Minister Zoran Djindjic included in the chapter “Judiciary and fundamental rights.”<sup>25</sup>

<sup>20</sup> James Ker-Lindsay, Senior Research Fellow at the London School of Economics and Political Science, interview, *Politika*, 23 December 2013

<sup>21</sup> *Politika* 6-7 January 2014

<sup>22</sup> „We are not trying to pay lip service either to you (in Brussels) or to our citizens, and that’s why I am speaking of difficult challenges before us. However, I am convinced that we will finish accession negotiations by 2018 and then the EU will have to assess whether or not Serbia deserves to become a full-fledged member state.” *Politika*, 22 January 2014

<sup>23</sup> Blic, 23 January 2014

<sup>24</sup> *Politika*, 23 January 2014

<sup>25</sup> MEPs explained this by saying that the rule of law in Serbia will not take root unless all the crimes committed in the Milosevic era are solved and the assassination of Prime Minister Djindjic “the executioners of which are behind bars but instigators still at large” thoroughly investigated.” *Danas*, 24 January 2014.



## RUSSIAN FACTOR

Serbia is a unique polygon which Moscow uses to demonstrate its presence in the region. Serbia is the only country in the Balkans outside NATO membership and unwilling to join the Alliance. Although Russia does not formally object Serbia's EU candidacy, it makes no bones about the "red line" Serbia should not cross - the membership of North Atlantic Treaty Organization.

Speculations about whether Serbia will renounce its European future in order to get closer to Russia and potentially apply for the newly founded Eurasian Union, got impetus after Tomislav Nikolic was elected the President of Serbia. He has been known for his parliamentary advocacy for Serbia's unification with Russia and never tried to hide that his "heart" belongs to Moscow. He is the most fervent supporter of the "Moscow relationship" at the Serbian political scene. Since his election in May 2012, he has already paid three visits to Russian President Vladimir Putin.

Nikolic blatantly manifested his attachment to Russia during his October visit to Moscow by openly criticizing some decisions the Serbian government made on the Oil Industry of Serbia (NIS). He apologized to Putin who said that problems should not be dramatized and could be resolved "in a friendly way."<sup>26</sup>

At the same time, undiplomatic statements by Russian Ambassador Alexander Chepurin<sup>27</sup> coincided with Minister Zorana Mihajlovic's endeavor to regulate energy relations between

<sup>26</sup> Politika, 31 October 2013

<sup>27</sup> Aside from stressing the "red line" like all other Russian officials do in relation to NATO, Chepurin indirectly but recognizably criticized Serbia's EU orientation: "No one should pressure Serbia to attach itself somewhere and everyone should have this in mind". Politika, 28 November 2013

Serbia and Russia in accordance with market economy.

In early 2008, during the premiership of Vojislav Kostunica, the government signed an energy agreement that was rather to Serbia's disadvantage. The government sold NIS to "Gaspromnjet" under unfavorable financial terms.<sup>28</sup> The agreement was prepared by the Russian side, while its Serbian counterparts did not have the opportunity to review it before signing. Thus, the agreement was offered for unconditional signing. On 24 November 2013, the symbolic installation of the gas pipeline „South Stream“ was initiated although its construction is not in accordance with the energy regulations of the EU.<sup>29</sup>

With the „South Stream“ pipeline Russia significantly increases its energy presence in the region and in Europe. Predrag Simic, expert in international relations, says, "Russia has enough reasons to be increasingly interested in Serbia, considering the country's orientation towards the West."<sup>30</sup>

In late 2013 Moscow curtailed Ukraine's course towards EU, at least for the time being. This prompted some people in Serbia to ponder the possibility of the same scenario for Serbia.<sup>31</sup>

<sup>28</sup> Prime Minister Dacic said that the energy agreement between Serbia and Russia from 2008 was made on the basis of marketing and political purposes (allegedly it was necessary for Boris Tadic to sign this before the presidential elections); Politika, 27 December 2013

<sup>29</sup> The agreement of Serbia and Russia about the "South Stream" pipeline does not fit the EU regulations on energy. The same problem exists with six other EU member states through which this pipeline is installed. This problem is most likely to be resolved on the relation Moscow-Brussels.

<sup>30</sup> NIN, 7 November 2013

<sup>31</sup> „Serbia is in great danger of becoming Ukraine. External pressures to give up on the European Union and to attach ourselves economically and military-wise to another union are getting stronger. Such propaganda is also

Therefore, the „increased interest“ can be observed in the context of Russia’s growing ambition to expand its influence in the Balkans and the Middle East.

Russia’s offensive in late 2013 was evident in several events it organized to promote the project Eurasian union, including just Russia, Belarus and Kazakhstan so far.<sup>32</sup>

## THE STILL UNCERTAIN OUTCOME

The opening of accession negotiations was not perceived by general public as a “road of no return” when it comes to Serbia’s strategic orientation. Skepticism is even deeper than it used to be on other occasions (signing of Stabilization and Association Agreement, application for the candidacy and obtaining the candidate status).

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stronger in Serbia proper”, said Vuk Draskovic, President of the Serbian Renewal Movement; “Serbia is in danger of becoming new Ukraine”, interview for Danas, 27 November 2013

<sup>32</sup> A Serbian-Russian expert roundtable was organized at the chamber of Commerce of Serbia. The organizers were the Belgrade-based Institute for European Studies and Russian Fund for Public Diplomacy, which moved from Sofia to Belgrade in 2013. Board for Foreign Affairs of the Serbian Parliament organized a public hearing whose topic was “Integrative processes in Eurasian space and perspectives for cooperation with Serbia. This event was initiated by the Russian party. Public statements and interviews of Russian Ambassador in Belgrade, Alexander Chepurin, are also very frequent lately.

The number of Euro-skeptics in Serbia exceeds the number of like-minded parliamentarians. Many accuse Serbia for setting itself on the road “with no alternative” too rashly.<sup>33</sup> The media also largely contribute to this attitude: they often name the accession preconditions „additional conditions“ and „blackmails,“ stressing that joining the European club would be too costly.

In the process of definite commitment to the EU, Serbia’s relations with all the key partners could be dramatized given that all parties have their own interests and rules. Expert in international relations, Predrag Simic, says, “While the EU is telling Serbia that its European ambitions exclude getting closer to Russia, China and Arab countries, Russia clearly warns that the membership of NATO would put an end to the ‘South Stream’ and membership of EU would to the Free Trade Agreement.”<sup>34</sup>

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<sup>33</sup> „... everything points to the fact that it is important for Serbia to work right away on finding the potential alternative for European integration and to do so in a systematic and soft manner, which is compatible with the current EU course”; written in the text “(Geo)political skill of the possible”, analyst Branko Radun, Politika 27 November 2013

<sup>34</sup>

Politika 6 December 2014

## CONCLUSIONS

Throughout history Serbia has been hesitant about Europe and giving up European prospects. With this in mind, it is hard to tell what the final outcome of present process will be.

The implementation of the Brussels Agreement and the continuation of the EU process will be hampered by early elections. It will take time to constitute the new parliamentary majority and form the cabinet.

In addition, the electorate of the Serb Progressive Party is not pro-European. Radical reforms are hard to expect considering the party's traditional populism and dogmatism. Its human resources are incapable of reform.

Russia's interest in securing its influence on the Balkans through Serbia in the context of complex global processes can also slow down or end Serbia's movement towards EU integration. This is the more so since many preconditions for EU accession are perceived as blackmail and endlessly extra requests. Russia also keeps warning that the membership of NATO would put an end to the "South Stream" and that of EU to the Free Trade Agreement.

For Serbia to have a powerful and relevant opposition its Europe-oriented civil sector needs to be strengthened. Therefore, the EU has to make some extra efforts to support pro-European structures and forces.

In the process of monitoring of the implementation of the Brussels Agreement, EU should strengthen the involvement of the civil sector not only in the implementation of the Agreement, but also in the integration of the Kosovo society as a whole, rather than just institutional integration.