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Articles



Krassen Stanchev

Russia's State-Owned Companies and Contemporary Bulgarian Political and Economic Landscape

Abstract: The paper represents an attempt to link energy projects of government companies of the Russian Federation with nowadays Bulgaria's political and economic environment. It focuses on the last ten years and gives deeper historical background (e.g. Bulgaria defaults on its foreign debt to Soviet banks, nuclear projects of the Communist era, etc.) only when relevant for the understanding of the contemporary situation. The first section of the paper summarizes a 2002-2015 energy project in its controversial policy environment. The second section explains the impacts on Bulgarian power sector policies, especially delays in its liberalisation, controversies around EU policies related to renewable energy and environment policies, plus public and political attitudes towards FDI's and energy resources. The power sector policies have had negative side-effects on the country's banking sector, a bank run and a bankruptcy of one bank in 2014; this experience is reviewed in the third section of the paper. The fourth part describes the impacts on Bulgaria's political establishment in 2007-2014, and attempts, instead of conclusion, a description of peculiarities of the contemporary Russia-Bulgaria controversies. The paper uses several documents and sources that are almost unknown to the international audience.

Keywords: Russia and Bulgaria, Russian state-owned companies, Russian influence and the EU

Introduction

As conventional explanation of Russian Federation goes, state-owned companies like Gazprom serve as handy instrument of government geopolitical games.¹

¹ See: E. Lucas, *Pipeline Politics: Treat and Reality*, chapter 7 in his *The New Cold War: Putin's Treat to Russian and the West*, Palgrave MacMillan, New York 2014 (revised edition); the first edition of the book appeared in Polish in 2009, and is translated into all Central and East European languages. See also: R. Ortung, J. Perović, H. Pleines, H.-H. Schröder, *Russia's Energy Sector between*

Since 2011, Bulgaria has stopped three projects: one oil, one pipeline, and a nuclear power station. Originally, all of them were praised as major pro-economic growth projects and/or game-changers of Bulgaria's power sector; then, they underwent an expert and public scrutiny, motivating resentment, criticism and eventual decision to stop and search for ways to tackle negative consequences.

Constructing a causal link between such projects and domestic and/or political constellations is a daunting task but Bulgaria may facilitate such an analysis as an interesting laboratory. This concentration of government business, domestic and international politics in a period of about seven years packaged in Russian energy projects attracted media and diplomatic circles attention but was rarely reflected and analyzed in academic fashion.

The next section of this article summarizes the nature and the history of these projects, with a reference to economic policy controversies they raised at the time. The last three parts of the article deal with economic, banking and political impacts of the package.

1. Russian Energy Related Projects in Bulgaria

1. The purpose of this paragraph is to outline the technical and economic nature of the projects. They differ in many respects, but especially in the area of economic justification all of them have one common feature: they were poorly designed and had far reaching negative consequences. What is also characteristic to all of them is that they keep reoccurring in one form of another, even after activities and contracts were officially and formally terminated.

1.1 Oil Pipeline

The first project to be stopped, on 7 December 2007 was the oil pipeline between the Black Sea port of Burgas and the Greek port of Alexan-

Politics and Business, Forschungsstelle Osteuropa Bremen, "Arbeitspapiere und Materialien", 2008, no. 92, <http://www.forschungsstelle.uni-bremen.de/UserFiles/file/06-Publikationen/Arbeitspapiere/fsoAP92.pdf> [02.10.2015].

droupoli, in eastern Greece, on the border with Turkey. The estimated capex of the project was originally about USD 1 bln, and its function would be to bypass the Bosphorus and Dardanelle straits supplying Caspian and Russian oil to the West. The government of Bulgaria (GOB) withdrew from the project referring to environmental and supply concerns, and the resentment of the local population (expressed in a referendum). The intergovernmental agreement with Russia and Greece was terminated by Bulgaria's parliament in March 2013.²

The investment scheme was not agreed upon or no details were disclosed. What was clear is the following: In the company to build and operate the pipeline, Trans Balkan Pipeline, Russian state-owned Rosneft, Transneft and Gazprom Neft had 50% of the pipeline, while Greece and Bulgaria would share equally the remaining 50%.³ Greece's share were distributed by the state-owned Hellenic Petroleum and TH-RAKI (1% share was reserved for the government of Greece); Bulgaria needed either to establish a new company – all companies in the sector were already private – or sell its stakes. The GOB chose the former approach and registered a new Burgas-Alexandroupoli Project Company BG, owned 50/50 by state-owned companies from other sectors, TechnoExportStroy and Bulgargas Holding, a Bulgarian analogue of Gazprom (although without any production of oil or natural gas).⁴ Then, there was a minor controversy about which companies would have the right to buy the respective 24.5% of the overall pipeline business, and the agreement was that Chevron, KazMunajGas (proposed by the Russian party) and TNT BP would be allowed to become shareholders.

- 2 Facing early general election in May that year, the GOB decided that the legislature should renounce the agreement. Similar were the tactics with the decision to stop the construction of the nuclear power plan "Belene": the GOB announced it resigns from the project for financial and economic reasons in March 2012, and one year later it proposed a motion in the parliament to terminate the agreement between the Russian and Bulgarian state-owned companies involved in the project.
- 3 Originally the idea was that the Russian stake is 51%.
- 4 After the project was closed in December 2011, the company has become a property of the ministry of finance of Bulgaria; before this article went into print, at the end of September 2015, Burgas-Alexandroupoli Project Co BG still existed. In May 2015, it was re-equipped with a new CEO and a Board of Directors (see: *Bulgarian Project Company for Oil Pipeline Burgas-Alexandroupolis Welcomes New CEO*, "Novinite", 27.03.2015, <http://www.novinite.com/articles/167535/Bulgarian+Project+Company+for+Oil+Pipeline+Burgas-Alexandroupolis+Welcomes+New+CEO#sthash.17RpRmYM.dpuf> [02.10.2015]).

There was a vocal political support on the Bulgarian side for the project. After the signing of the general Cooperation Agreement between President Putin and PMs of Bulgaria, Stanishev, and of Greece, Karamanlis, in March 2007, Bulgarian promoters of the project focused on selling it to the public. President Parvanov, the ex-Chairman of the PM Stanishev's Socialist Party, praised the pipeline as "the first part of Bulgarian Grand Slam in the power sector," the other two parts being the second nuclear power station and the new gas pipeline, all involving Russian companies as investors, suppliers, providers of core technology and energy resources, and as creditors. Mr Parvanov still repeats from time to time that he said "Grand Slam will convert Bulgaria into an energy Power House of South-Eastern Europe."⁵

The "Grand Slam" rhetoric was not enough to convince the public, which started asking questions about the costs of the project, its environmental dimensions, and sought access to the recordings from the meetings of the President of Bulgaria with his Russian counterpart.⁶

Unlike the socio-economic impact study on the Greek rout of TBP (about 130 km),⁷ neither Bulgarian authorities nor the academia attempted to assess the effects of the pipeline on its 160 km of territory. The authorities focused on the EIA, and requested from TBP two

- 5 Originally, Mr. Parvanov named this way the three-set Russian energy package on January 18, 2008, on the occasion of signing the South Stream Agreement. The fact of the signing did not trigger much of immediate enthusiasm in Bulgaria or abroad, rather the opposite: it was interpreted as an alternative of the EU sponsored Nabucco Pipeline. For a good summary of the international reactions see: *Russia-Bulgaria Package Deals Arouse Energy Concern*, "ChinaView", 19.01.2008, http://news.xinhuanet.com/english/2008-01/19/content_7452186.htm [02.05.2015]; Y. Dachkov, D. Trankova, *Doomed to Friendship: Bulgaria Torpedoes the West's Efforts to Diversify its Energy Sources*, "Vagabond", 01.02.2008 (the article contain background information on Bulgaria-Russia relations and on the three projects), <http://www.vagabond.bg/politics/item/614-doomed-to-friendship.html> [02.05.2015].
- 6 The meeting of both presidents, held on 13 November 2009, reportedly boosted the dormant pre-investment activities; a journalist from a rather extreme patriotic newspaper from the city of Burgas (which was preparing for a municipal referendum on the pipeline) requested access to the records of the meeting but the request was left with a silent refusal; the journalist, assisted by the non-government access to information watch-dog, Access to Information Program (AIP), had taken the president's refusal to the court, and, on November 11, 2010 the Sofia Administrative Court ordered the president to publish the requested file (see for details on the court case: *AIP, Lachezar Lisicov (Desant daily) vs. the President of Bulgaria*, <http://www.aip-bg.org/library/dela/case113.htm> [02.10.2015]).
- 7 See: K. J. Hazakis, J. C. Mourmouris, *Social Impact Assessment of FDI in Energy Projects: Burgas-Alexandroupolis Oil Pipeline as a Case Study*, "International Journal of Trade and Global Markets", vol. 5, 2012, no. 3/4, p. 299-315.

updates on technical matters. The EIA found no significant environmental risks but it caused delays for the take-off of the construction and the findings did not have any convincing effect on the public opinion. In Burgas and two neighbouring municipalities making leaving of summer tourism (Pomorie and Sozopol) the residents who took part in the vote overwhelmingly rejected the construction of the pipeline.

The delays and technology changes had raised, naturally, the costs of the TBP investment. According to independent assessments, the costs went up to USD 1.5-1.6 bln. The GOB focused on the so called benefits, and project proponents quoted USD 30-35 mln revenue annually from transit fees, and expected 1,000 jobs to be created. There was no disclosure of details on how the calculations were made and where the jobs could come from. A closer look by independent economists, including the author, has led to more realistic conclusions about the project benefits: the annual net budget revenue would be below the daily government expenditure, the return on investment period is 17-19 years, and the total job creation could be 35-40% less than the GOB expectations.

In February 2013 and June 2015, Russian authorities announced they would seek a reopening of the project.

1.2 Belene Nuclear Power Plant (NPP)

In 1970s, Bulgaria's planned economy invested in creation of nuclear power sector in order to supply electricity to centrally planned and inefficient heavy industries. Then, the economy was functioning on recycling subsidies, raw materials and energy resources supplied by the USSR and selling the output to the international market at normal prices. The profits, price differentials between COMECON and the global market, were partially used (especially in the 1980s) to set companies outside Bulgaria to bypass technology transfer and arms-trade embargoes, like CoCom, to repay government debts to the Soviet Union and to support friendly to the Communist camp regimes in Africa and Latin America.⁸ The nuclear power station of Kozloduy,

⁸ The communist Bulgaria defaulted on its foreign debt three times: in 1960 and 1976 on its debts to Moscow, and in late 1980s – on its debts to a London club of private lenders.

with four 400MW and two 1000 MW VVER reactors, which became fully operational in late 1980s, was believed to be insufficient for such a “strategic plan,” so a second NPP, again on the river Danube, near a small town of Belene was planned. It spanned for more than 35 years, but in a nutshell the history is as follows.⁹

Following the 1977 earthquake in nearby Vrancha (in Romania), Soviet designers dropped the project for seismic risks in 1981. It was restarted in 1985, on the insistence of GOB, with 4 VVER/1000, the site was constructed and the first reactor bought, 40% of the original investment was completed by 1989, when economic difficulties and lack of financing necessitated a redesign of the NPP for two reactors instead of four.

In early 1990, the BAS socio-economic review had found the entire investment unreasonable for radiological, seismic and economic risks (the country already defaulted of its foreign debts). At the same time, the population from neighbouring Belene Danube districts and environment groups launched protests, petitioned the parliament and threatened civil disobedience campaign against the project. Following committee hearing in the parliament, the first post-Communist government decided in August 1991 to freeze the construction for predominantly financial and economic considerations.

In the 1990s, there was a brief attempt to revisit the plan for a second nuclear plant, but the idea was dropped because of a lack of any economic justification – the economy had already a new structure and there was a persistent excess of production capacity, electricity that the country could not consume or export.

In April 2002, without required justification, Belene NPP was announced for reopening. At some point, a reason was found in the fact that the first four (small) Kozloduy reactors must be closed with formal accession of Bulgaria in the EU – those reactors lacked overhead pro-

⁹ I personally had numerous occasions to deal with the “Belene”: first, for purely academic curiosity I followed the economic efficiency of the project since 1986; then I was a member of the Bulgarian Academy of Sciences team (socio-economic sub-team) to assess NPS “Belene” in 1989-1990; later, as chairman of the Environment Committee of the Constitutional Assembly (1990-1990), I was involved in the decision making to discontinue the construction; and, in more recent years, on behalf of the Institute for market Economics (IME) I was responsible for assessing the reopening of the project in 2002-2005, and for leading an interdisciplinary team of experts to conduct a cost-benefit analysis of “Belene” in January-May 2011.

tective construction and did not comply with EU standards. The cost of the early shutdowns has been estimated at EUR 3 bln, and, in principle, it would have made sense operating at least two of those reactors until 2009-2010 (a scenario that was being negotiated with the EU).

In other words, Belene with two 1000 MW reactors was conceived as a substitute of the closed Kozloduy capacity some time after the formal entry in the EU (scheduled for 2007). Two months earlier, the ex-king, then PM, Simeon Sax-Cobourg-Gotta, committed to immediate (i.e. before the EU accession) closure of Kozloduy reactors at a meeting with his Greek counterpart, Kostas Simitis.¹⁰ The motion to restart Belene contradicted both the independent and GOB assessment of the country's energy balance (calculated by non-government experts) which demonstrated that power sector investment, thermal power plans (TTP) on domestic lignite fuel, would fully serve the needs of both domestic consumptions and exports (as the GOB calculated in its 2002 Energy Strategy). A year earlier, the construction of two TTPs was contracted with Italian and US companies, Enel and AES; the project financing was committed through power purchasing agreements and the takeoff deadlines of the TTPs were for set to coincide with the closure of Kozloduy small reactors.¹¹

This tactics motivated critics from environment groups, independent economic think tanks, non-government energy experts and other civic organization. In order to respond to the critics, the GOB granted some access to information on the project,¹² organized hastily public hearings at which independent experts had restricted access to information and limited opportunities to take the floor, and redrafted

10 The decision to restart Belene was first officially announced by Simeon Sax-Cobourg-Gotta on 6 April 2002, at a convention of his party, National Movement Simeon the Second (Natsionalno Dvizhenie Simeon Vtori – NDSV).

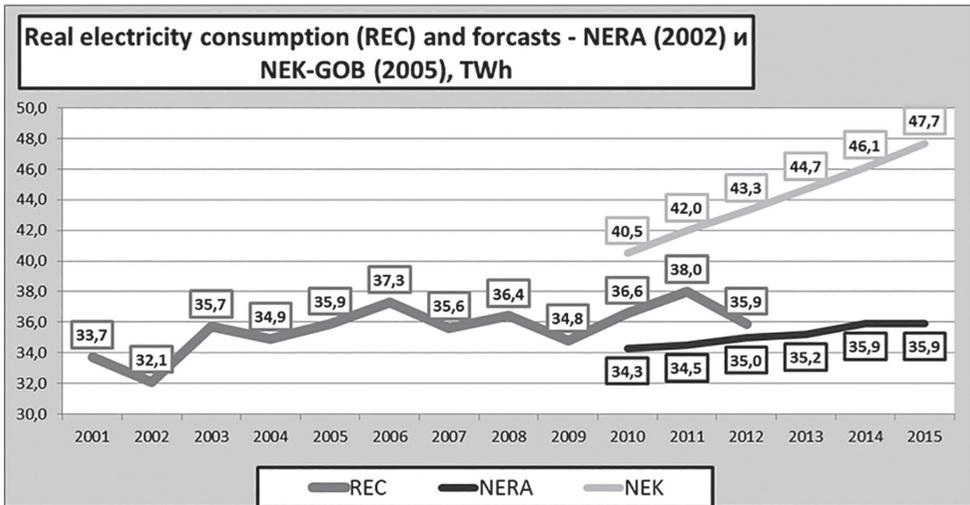
11 By the end of 2010 both plants became fully operational, and were the first in Bulgaria to fully comply with EU environment standards.

12 In fact, the first disclosure was a response to the Institute for Market Economics (IME) request for information: IME was given a disc with different presentations on the project with a warning "not for distribution" – the files were immediately made public. The full access to information was not granted for the public hearings, only after them the court ordered the Council of Ministers to open the dossier of the project, but the authorities never fully complied with access to public information standards; AIP had won four court cases dealing with access to information about Belene NPP (see a selection of publications describing the saga available at: <http://www.aip-bg.org/search.php?lang=en-us&q=Belene> [02.10.2015]).

the energy balance forecasts using newly and post-factum produced data by the state-owned National Electric Company, NEK.

The following table demonstrates the difference between the real electricity consumption and the forecasts of NERA Economic Consulting (a UK based company that assisted 2002 Energy Strategy) and of NEK.

Table: Real electricity consumption and forecast



Source: Ministry of Economy.

NEK forecast obviously exaggerates the need for an extensive development of Bulgaria's power sector. Its interest in the Belene project was one of ROSATOM¹³ project partner with 51% of the shares. By that time NEK has already borrowed EUR 320 mln from BNP Paribas to finance its stake and desperately needed a continuation of the project. NERA's forecast is much closer to reality, although the actual consumption after 2013 hovers below 34 TWh, and has little prospects of exceeding this threshold in the foreseeable future. The macroeconomic data also suggested that electricity consumption would

¹³ ROSATOM is a Russian state-owned holding, established in 2007 and uniting some 50 companies and organizations, in fact a reregistered Ministry of Nuclear Energy.

remain flat: the real GDP growth between 2001 and 2010 was 56%, while the real electricity consumption (which includes also exports) fluctuated around 35 TWh.

In this situation, the GOB took for granted the NEK forecast, which was 37% above the available outsiders' forecast for 2015 and 39% above the actual consumption for the same year.¹⁴

Similar to Burgas-Alexandroupoli pipeline Belene project had no clear and up-to-date economic or technical feasibility study. According to Bulgaria Nuclear Energy Law, Article 45, such a study along the assessment of socioeconomic impacts, seismic and radiation risks is a precondition to decide whether to plan construction of a NPP or not. Similarly, the Energy Law stipulates that new power stations should be built only when it is determined that there is a need to meet domestic consumption.

Three governments of the period 2002-2012 failed to deliver those studies in any acceptable and convincing version. Typically, they referred to different ideas like president Parvanov's "Grand Slam," of "Bulgaria as an Energy Hub," etc. One of the consultants, Parsons Europe, referred in 2004 to an estimate of project costs in the range between USD 1 and 4 bln. In support of the "Hub" argument, the proponents of the project spoke of "great export opportunities," irrespectively of the fact that foreign demand (exports) is a dubious justification for building a NPP with taxpayers money and for handling nuclear waste fuels at citizens' risk (the above quoted legal framework explicitly envisages a different approach).

The preparatory period for the project took some time, the formal decision was taken by the GOB in 2005, the assumed costs of the investment then were at the level of EUR 1 bln. The tender specification envisaged reactor type VVER/1000; no international supplier took part but Atomstroyexport (ASE), a subsidiary of ROSATOM; in 2006 it won a contract to build Belene. In 2007 RWE, German utility investor and operator, won a bid (with ten competitors) to contribute 49% of then estimated EUR 3.8 bln. After sixteen months of negotiation, in October 2009 RWE resigned from the project, referring to its

14 In the fall of 2012, parliamentary hearing on "Belene" had made GOB to admit that "the expectations were way too optimistic" and to recalculate more optimistic energy balance.

high integrity standards and unclear terms of financing. As World Nuclear News (WNN) reported: “Bulgarian national utility NEK was to take the controlling 51% stake, but the company and government have been unable to keep to the terms of a pre-construction finance deal with BNP Paribas, leading to penalties, and RWE had been unable to find a junior partner to share its stake.” This, continued WNN, is what “leaves a strange situation where private finance has turned its back on a large investment that has full government support. Furthermore, there is a total support from Russia for its reactor exports, and the leaders are happy to authorize loans to Bulgaria to make the project happen. Contracts for major components for the reactors were announced only yesterday, indicating very strong Russian confidence that Belene will still go ahead.”¹⁵

In early 2010, ASE asked for EUR 6.3 bln of loans and then, in 2011, reassessed the investment costs at EUR 8.2 bln. By that time, the project was already a full responsibility of NEK, its principal state-owned umbrella, the Bulgarian Energy Holding (BEH) and the GOB.¹⁶

The obvious lack of transparency¹⁷ enthused independent experts as early as in 2002 to start working on its own cost-benefit analysis of the project. The first fully-fledged report on the subject was published on 28 March 2011. It estimated the total construction costs of Belene at EUR 11.4 bln, assuming no delays, no kick-backs and no price increases due to post-Fukushima nuclear safety updates.

15 See: *RWE Pulls out of Belene*, “World Nuclear News”, 28.10.2009, http://www.world-nuclear-news.org/C_RWE_pulls_out_of_Belene_2810092.html [02.10.2015].

16 BEH was established in September 2008, when Bulgargaz Holding was renamed BEH and its capital was increased through an in-kind contribution at par value of all the shares in the capital of NEK, NPP Kozloduy, the lignite TPP Maritsa East 2 and Mini Maritsa Iztok (lignite coal mine). The idea to establish BEH was promoted by president Parvanov, besides public criticism, in order to promote the “Grand Slam.” In fact, the GOB needed a company with clean balance sheet to borrow from international private creditors because NEK, due mainly to its failing shareholding agreement with ASE and other ineffective projects, was brought effectively to a state of bankruptcy.

17 This approach generated diplomatic attention to the ways GOB handled the project, see, e.g. Wikileaks: *US Embassy Cables; More Troubles at Bulgarian Nuclear Power Plant*, “Novinite”, 21.12.2010, http://www.novinite.com/view_news.php?id=123409 [02.10.2015], a reprint from The Guardian. The cable mentions, between other things, that “the Bulgarians are still in the dark on actual details. Tosheva [CEO of Bulgaria Energy Holding] told us that she expects Russian PM Putin will dictate the loans terms directly to Bulgarian PM Stanishev.”

The IME report gave also a full account of the side effects and the history of the project from 1970s to present days.¹⁸

Public debates sparked by IME, AIP court cases against GOB refusals to disclose information on the project, activities of the Institute for Regional and International Studies (IRIS), Centre for the Study of Democracy (CSD)¹⁹ and a Belene-motivated pressure group, Movement for Energy Independence, eventually led to GOB reassessment of the project, for which it selected HSBC as a consultant (in April 2011).

In mid-July 2011, another private think tank, specializing in energy affairs, the Institute for Energy Management Institute (EMI), a private think tank supported by the power sector companies, published its Belene price estimate EUR bln but used a different methodology.²⁰ Around the same time, Russia's ex-Minister of Nuclear Energy and Deputy Chairman of the Institute of Natural Monopolies, Bulat Nigmatulin, calculated the project investment costs at EUR 14.5 bln. He too used a different methodology and took into account possible delays and updated security standards. In February 2013, he reconfirmed his calculations and provided a broader background assessment on Russia–Bulgaria energy projects in a speech before the Economic Policy Committee of the Parliament of Bulgaria.²¹

Eventually, in April 2012, HSBC submitted its assessment to GOB, which published the bank presentation but not the report; the costs were found to be at least EUR 10.26 bln²² or 13.99 bln (with added security costs).

18 See, in Bulgarian: Институт за пазарна икономика, *Какво да се прави с проекта АЕЦ «Белене». (Оценка на необходимостта, рисковете, разходите и въздействията)* [What to do with NPP Belene: Assessment of Needs, Risks, Costs and Impacts], София, ИПИ, 28.03.2011, http://ime.bg/var/images/NPS_Belene_Assessment_WTD.pdf [02.10.2015].

19 See: IRIS publications on the topic available at: <http://iris-bg.org/index/currentprojects/catid/2/itemid/53>, and a list of CSD publication and events available at: <http://www.csd.bg> [02.10.2015].

20 See: EMI assessment available at: <http://www.emi-bg.com/en/index.php?id=679> [02.10.2015].

21 See: Н. Нигматулин, *Правда об АЭС «Белене», «Pro-Atom», 12.02.2012*, <http://www.proatom.ru/modules.php?name=News&file=article&sid=4317&mdate=flat&order=1&thold=0> [02.10.2015].

22 It needs to mention that HSBC contracts included a success fee of 1% the total investment, provided the project is completed and the NPP is built. See estimates: HSBC Project Finance, *Project Belene Presentation of the Operational Model (prepared for BEH)*, Sofia-London 2013, http://www.mi.government.bg/files/useruploads/files/vop/belleville_financial_modelling_presentation_to_beh.pdf [02.10.2015]. The full text of the HSBC report was eventually published in 2013, after Sofia District Court, on 24 July 2013 decided positively on access to information claim by NDSV, Sax-Courburg-Gotta's political party (its government was the first access to Belene-related studies and reports), ordering GOB to publish it.

The story did not end here. The Bulgarian Socialist Party (BSP), whose previous chairman Parvanov believed Belene was a part of his Grand Slam whose incumbent chairman Stanishev was PM when the framework agreement with ASE/ROSATOM was signed, in order to boost its pre-electoral discipline and organization, collected 500,000 signatures and initiated a referendum on the continuation of the project. The question was misleading, merging two points – an approval for atomic energy as such and for the “new” NPP (without explicit mentioning of Belene).²³ Before the campaign, which coincided with Christmas and New Year holidays, some public opinion polls indicated about 60% approval rate for Belene. The vote took place on 27 January 2013, but was not valid: the law requires 60% voters’ turnout, only 20% actually voted (the result was 61% “yes” and 38% “no”). In such cases, the legislature should decide, and on 27 February it voted against Belene, the cabinet decision to stop the project was taken a month later, on 28 March 2013.

In the meantime, on February 20, in Sofia public protest started against “high” electricity prices; in a few days it grew into a protest about everything, and several young men were beaten by someone, allegedly the police. The incumbent PM used the occasion to resign and fresh election were scheduled for 12 May 2013.²⁴

1.3 South Stream

The preliminary agreement between Russia and Bulgaria on the South Stream was signed in January 2008, and ratified by the parliament

²³ Voters were asked the question “Should nuclear energy be developed in Bulgaria through construction of a new nuclear power plant?”

²⁴ It has never become clear what exactly motivated the street protests, Bulgaria electricity prices are the lowest in EU. They were raised by the regulator in July 2012, by 12-13%, because it was obvious that prices were kept artificially low, not covering production, large investment and distribution costs in the power sector. There was no major discontent until February next year, when for the first time three-month electricity bills were sent to consumers. The rhetoric about “poor Bulgarians” looted by “foreign electricity distribution monopolies become widespread” (Czech, German and Austrian companies operate the electricity retail). Several facts were omitted from the heated debates on electricity bills that February: a) the distribution companies do not set the electricity prices. The regulator does; b) a part of the “high” costs resulted from grandiose projects like Belene; and c) in 2002-2005 electricity prices were picking up by 15% per annum, while the real income of the households was almost 60% higher than in 2013.

in July that year. Bulgaria was the first EU country to reach such a contract. It was concluded by then PM Stanishev, leader of BSP then, now – of the European Socialists. This happened in some rush, again with little preliminary assessment of costs and benefits and with unclear financing.

The core idea of this element of the Grand Slam was to bypass Ukraine and a transit country in transporting natural gas to EU, create a leverage to exercise pressure on Kiev, and set a fast-track alternative to Nabucco. Last but not least, the Stream could increase the falling Russian export of natural gas to Europe.

Between 2002 and 2012 the average EU natural gas import dependency on Russia has been going down by almost 1/3, from 45.2 to 32%. However, for five EU countries – Bulgaria, Slovakia and the Baltic countries – it was above 94% for the same period, according to EU-ROSTAT.²⁵

For GAZPROM and other Russian exporters, this was a reasonable strategy to boost trade before the entry into force of the so called Third EU Energy Package (TEP), which requires liberalization of-, and third party access to the energy distribution infrastructure. In order to succeed, the ultimate prerequisite of this approach was to own the pipeline and have the right to exclude both competitors and “unfriendly” governments; control the volumes, prices and transit fees. Those who planned to invest in domestic natural gas exploration and production, conventional or shale, would be then required either to build their own pipeline or pay the existing operators.

In reality, however, the deeper and more tacit presupposition for the project was that in the countries on route there should be cooperative, “friendly” leaders and politically controlled companies ready to grasp the opportunity and launch the pipeline before the implementation of the (TEP). Since exclusive ownership and discrimination of access contradict the EU law (scheduled for implementation from 1 January 2016 onwards), these collaborative politicians should secure the legal framework for the stability of the pipeline operation.

25 See: Eurostat Statistics Explained, http://ec.europa.eu/eurostat/statistics-explained/index.php/Main_Page [11.10.2015].

It is disputable whether such expectation on behalf of GASPROM is at all reasonable in the first place, but this is exactly what happened in Bulgaria. In 2014, two Socialist MPs, both with high government post in the energy sector in the past, proposed amendments to the Energy Law, which: a) refer to “EU pilot projects” in the justification of the amendments; b) introduce a new concept of “sea gas-pipelines,” defined as “inter-systemic gas-pipeline;” and c) excludes from the EU jurisdiction the sea-rout and on-shore infrastructure of such pipelines. The draft was adopted at the first hearing, with almost no debate by the parliament on 4 April 2014.

This prompted extra-parliamentary opposition to look closely into the background of the initiative, and using procedures of the access to information law they obtained records from BEH-GAZPROM about 13 December 2013 talks regarding “South Stream Transit Co.” – the company set to build the pipeline, majority owned by GAZPROM. According to the record, the parties admit they are not obliged to give access to the pipeline to any third party. The wording and the argument of this agreement resembled to the very letter the justification and provisions of the law adopted in April.²⁶

The finding created a public outrage²⁷ and the European Commission declared it is launching an investigation on alleged breach of the EU law and jurisdiction.

All these happened after the official start of South Stream construction, with a ceremony involving Bulgaria’s PM Oresharski, the Energy Minister Stoynev and Russia’s Energy Minister, Novak, on 31 October 2013. The construction on Bulgarian soil, judging from the tender documentation, is 2.5 to 3 times more expensive than the construction of a similar North Stream pipeline on German territory. In order

26 See for some details: *Bulgaria’s Energy Minister Troubled by EU’s Procedure against South Stream*, “The Banker”, 23.05.2014, <http://www.banker.bg/briefs/read/bulgarias-energy-minister-troubled-by-eus-procedure-against-south-stream> [02.10.2015].

27 From June 2013 to early August 2014, Bulgaria was governed by a minority government sponsored by the Socialist, the Movement for Rights and Freedoms (MRF, a party which Bulgaria Muslims vote for) and nationalist and openly pro-Russian (it is an obvious contradiction in terms) political party ATAKA. The period in office of this government was accompanied by every-day street protests, denouncing one of its policy after another. See for details on political parties, leaders and public discontents related to that period: K. Stanchev, *Another Sort of Occupy Movement: Bulgaria*, “4Liberty”, 30.12.2013, <http://4liberty.eu/another-sort-of-occupy-movement-bulgaria/> [02.10.2015], an earlier version of this article was published in Polish.

to start the project, in July 2013 BEH (the ultimate principal of Bulgarian companies involved in the project) borrowed EUR 290 mln from private lenders.

Eventually, in early June 2014, bending to pressures from the EU, the constructor of the pipeline, PM Oresharski ordered all activities to stop. Later in the year, during a press conference in December in Turkey, President Putin announced Russia's withdrawal from the South Stream and its conversion into a Turk Stream, blaming the lack of success on the EU and Bulgarians. Besides all these public moves and rhetoric, the state-owned firm "South Stream Bulgaria," a junior partner in the GAZPROM consortium, is still in operation. It was not deregistered because there was no legal document by the main shareholder that operations had stopped and pipeline was not to be built. Meanwhile, 31 July 2015 Turk Stream talks were put in the freezer, until November.²⁸

2. Impact on the Power Sector

Not so much the oil pipeline but Belene NPP and South Stream projects have had a long term negative impact on Bulgaria's economy and its energy policy framework.

Designed for servicing a huge heavy industrial sector, Bulgaria's installed electricity production capacity has become rather obsolete with the disappearance of the COMECON protected market and bankrupted, loss making enterprises (as early as in the mid-1980s). Bulgaria's electricity distribution network was detached from that of COMECON/USSR in 1993, so the starting year of Bulgaria's electricity meter" is 1994. Since then, the country "enjoyed" electricity surpluses of at least 10% on average, which were difficult to consume or export. Strangely enough, in per capita terms Bulgaria still produces more electricity than European part of Russia (6.3 KWh per person versus 5.9 KWh in Rus-

28 See for detailed background EuroActiv list of publications on Turk Stream: <http://www.euractiv.com/topics/turkish-stream> [02.10.2015]. A somewhat optimistic assessment of the Turk Stream prospects has been recently published by Stratfor, see reprint by Natural Gas Europe, *How the Game Is Played: The Life and Death of South Stream*, <http://www.naturalgaseurope.com/how-the-game-is-played-the-life-and-death-of-south-stream-25486> [02.10.2015].

sia), even more than the neighbouring countries (Greece production is 5.1 KWh per person, Italy's – 5 KWh, Serbia – 3.9 KWh, Hungary – 3.7 KWh, Turkey 2.9 KWh and Romania 2.8 KWh).²⁹

2.1 Institutions

This legacy had three institutional impacts, which determined the context of the Russian energy project in Bulgaria.

First, there was little pressure to privatize and seek efficiency, prices were kept artificially low for years and still are relatively low in comparison to those in the EU. Compared to the regional electricity market, in 2012 Bulgaria's still administratively determined prices were 51% lower than in the Czech Republic, 47% less than in Turkey, 40% below the Greek prices, 61% lower than electricity prices in Hungary and about 12% below Romanian.³⁰ This situation, on one hand, created incentives to waste electricity: Bulgaria is the most energy wasting economy in Europe, with a relatively very high degree of import dependency. On the other hand, there is a disincentive to invest: the inputs in terms of technology, grid-line, equipment and meters are available on the international market but the domestic price hardly covers the costs.

Second, there was little reason to liberalize the electricity market, NEK as a single buyer remained and still is in place. Until 2001 the prices remained virtually untouched or at last they were not covering investment and maintenance costs. The electricity price was set to rise 45% for the period 2002-2005, thus opening doors to privatize (the electricity distribution was privatized in 2004) and liberalize (the respective preparation started, frameworks were adopted; and the start of the free market was planned for 1 July 2007). This did not happen.

Third, the wrong set of incentives made it all but impossible to invest and modernize, except in extensive projects requiring more capacity and resources, and financed on project-by-project bases (since

²⁹ See above quoted article by Bulat Nigmatulin.

³⁰ See: Eurostat Statistics Explained, *Energy Prices Statistics*, http://ec.europa.eu/eurostat/statistics-explained/index.php/Energy_price_statistics (the comparison for later years would be misleading because in most of the countries markets are already in an advanced stage of liberalization).

bankability was risky in a non-market environment). After more than 30 years of no development, in 2001-2002 power purchasing contracts were used to finance clean and state-of-the-art lignite TPPs. As mentioned above, they were planned substitution for the closure of old Kozloduy reactors and to comply with EU environment standards. Later, in 2008-2009, Bulgaria opted to comply with EU energy policy and set for subsidized wind and solar power plants. The NEK was and still is the single buyer of this new capacity.

In this situation, Russian state-owned companies were sort of a “dream partner,” ready to operate in such an environment. But the outcome was that these projects further worsened the performance and the governance of the sector.

The most important negative institutional impact of the Belene project. Launching it at the time of preparation of the electricity market for liberalization, the GOB needed a structure like NEK to play the role of both a core single buyer and a partner of ROSATOM in the project. If liberalization were really to happen in 2007, NEK would lose the position in the system which could guarantee power purchasing from the new NPP plant. So, the system and NEK became a hostage of the project.

2.2 Energy Dependency and Inefficiency

Bulgaria imports from Russia 100% of the nuclear fuel, and Russia (ROSATOM) recycles the fuel used in Kozloduy.

In 1998-1999, the largest oil refinery on the Balkan Peninsula, Neftochim in Burgas originally designed in 1960s to refine crude oil from Russia, was sold to Lukoil. Between 2000 and 2014 Bulgaria imports 98% of oil from Russia.

GAZPROM supplies 96% of natural gas; Russian and Ukrainian companies supply 42% of solid fuels, mostly non-lignite coal.

Currently, the overall energy import dependency from Russia is 72-73%. If Belene were to be built and operated, the dependency would rise to approximately 80%, with 76.6% of the electricity produced from Russian nuclear and gas with 71.15% Russian equipment.

Speaking energy dependency, we should also take into account the impact of the South Steam project. This should be considered first of all an institutional impact.

In 2010-2011, three concessions were granted to explore natural gas deposits, one of them for natural gas shale (Chevron won the tender) in North East Bulgaria, one from coal, and one unspecified. In January 2012, responding to a week of media campaign and one weekend of street actions by environmentalists in Sofia and some other big cities, the parliament overwhelmingly voted a ban on fracking. It happened without any specific discussion of pros and cons, with no account for costs and the side effects. The penalty of USD 66 mln was imposed, three times above signature fee for the concession permit. Even the geophysical and seismological tests and information gathering, totally harmless from environmental standpoint but needed for at least knowing the commercial viability of the deposits, became unreasonable.

The assessment of the probable socio-economic costs and impacts of Bulgaria's natural gas from shale potential was produced by a private team of experts (led by the author) only one year later, in March 2013. It found that, depending on the actual deposits, the natural gas dependency could be reduced to 50% or even 25-30%. In retrospect, it is obvious that the ban cleared the prospect for GAZPROM dominance and set potential South Stream advantages.³¹

After RWE pulled out of the Belene project and NEK remained the sole ROSATOM partner, the company balance sheet deteriorated. The full completion of Belene, even of the lowest ever quoted price of EUR 4 bln, would have meant nothing less than bankruptcy – by end of 2011, NEK's total assets were EUR 4.05 bln. By that time it has a debt to BNP Paribas of EUR 320 mln, a work and equipment on Belene of roughly EUR 1.2 bln, EUR 750 mln costs of hydro power station (completed in 2009) and, on top of it, outstanding payments on power purchasing agreements with newly build and put in operation TPP, solar and wind farms. It is difficult to access the exact volume of these areas, because regulations and prices changed several times and there are several court disputes on payments and regula-

31 See: K. Stanchev (ed. and team leader), *Natural Gas from Shale Socio Economic Impacts for Bulgaria*, KC2 Ltd., Institute for Management of Energy Sofia 2013, http://ime.bg/var/images/Natural_Gas_from_Shale_for_Bulgaria_KC2_Study_27-2-14_EditedENG.pdf [02.10.2015].

tions. In any event, the outstanding payments are estimated at the level of EUR 1.25 bln.

The continuation of the project would have led to immediate bankruptcy of NEK and the entire system. The closure of the project was justified only by this situation. However, even if we assume that NEK's financial condition was perfect, the operation of a second NPP station would mean closure of existing production capacity in the non-nuclear segment of the power sector, and social costs in terms of lost jobs and investment, plus a mess in the banking sector as the new TPP were built with roughly EUR 2 bln of syndicated loans (domestic and international banks) and, in their turn, the renewable sector has been financed with another 2 bln.

The reason is very simple: the system with four 1,000 MW reactors (two in Kozloduy and two at Belene NPP), with little to no opportunity to export at a price that covers the costs on investment in the system (Belene was totally unnecessary from the standpoint of the domestic consumption until at last 2025 and probably until 2030), the more flexible segments (coal and water power plants plus the renewables) would have to be non-operational for a period of four to five months a year. Another dubious alternative would have been to close Kozloduy.³²

2.3 Energy Sector and Bank Failures

2014 was a very odd year for the Bulgarian banking industry. The sector used to be very stable and well capitalized, deposits covered (and still do) all extended credits, saving rates are higher than ever (private savings are at the level of 60% of GDP), non-performing loans are the level of 19% and steadily go down after the butts of 2009, reserves are three times higher than EU average, and capital adequacy ratio was also better than the average. Unexpectedly, one bank – Corporate and Commercial Bank (CCB), the fourth bank in the country collapsed and there was a bank run on the third bank, First Investment Bank. The majority owner of CCB had fled the country, allegedly stripping it of EUR 1 bln of liquidity. CCB was declared bankrupt in October 2014, after four months of special supervision by the central bank.

³² See for details: Институт за пазарна икономика.

In an intricate manner, the story emerged from the ways by which the public sector of the country is governed and resulted from the difficulties of the above discussed energy project.

CCB, originally a boutique-agent in settling debt between Bulgaria and the Russian Federation, was capitalized and grew three times for a period of three-four years (2008-2013) by political and personal-political means.

The utilization of political connections in banking rested upon a 10-year old institutional arrangement; in 2004 the coalition government of monarchist NDSV and MRF, decided to stop the privatization of state-owned enterprises: electricity, gas and tobacco monopoly along with Railways and a couple of military SOEs were suddenly believed so “important” that they were listed as enterprises that could only be privatized by an act of the parliament.

The rise of CCB began with the next coalition of Bulgaria Socialist Party (BSP), NDSV and MRF that governed Bulgaria between 2005 and 2009; and then it continued under the new government of GERB.³³ The engine of this growth was a series of GOB decisions, as principal of above mentioned NEK, BEH, the companies to serve Belene and “South Stream” to transfer their accounts to CCB. In fact, two Socialists and centre-left (that of GERB) GOBs have been driving this engine.

The owner of CCB – it should be noted that the bank is almost a sole proprietorship – had a hobby of financing individual politicians and political parties and, due to old ties, had invited as a minority shareholder the Russian Vnesh-Torg Bank. VTB was the agent of the other side of the debt-settlement deal with the Russian Federation. The bank obtained a heavy political weight which helped in both attracting private depositors (announcing, at times, above 8% on deposits, while the average was hovering around 3%) and over-competing everyone else as a custodian of future large, government-sponsored projects, mostly in the power sector, and sponsored by Russian state-owned firms like GASPROM or ROSATOM. Or at least, CCB hoped it will be servicing such projects and companies.

33 GERB is an abbreviation of “Grazhdani za Evropejsko Badeshte za Balgaria” of Citizens for European Future of Bulgaria, GERB is a member of the European People Party.

The prime CCB political helper in these efforts, coordinator of the above efforts to rechannel government accounts to the bank, was and still is the MRF's MP who in 2008 served as a senior GOB executive in an insignificant ministry and whose nomination in June 2013 triggered the protest against then incumbent government.

This political clout that helped CCB growing from one of the smallest to the fourth bank of the country had recently entered into an internal conflict between the owner and the political helper in April to early May 2014: the conflict was over the credits of the helper, controls over some former public enterprises privatized and partially owned by VTB (e.g. the ex-tobacco and telecommunications monopoly). The bleak prospect for prompt construction of the South Steam pipeline by GAZPROM and eventual closure of the project was also an important factor: CCB was the custodian bank for the project. The account of the pro-GAZPROM construction arm is owned by one of the sanctioned Russian subjects in relation to the annexation of Crimea. The design of the contracts and the pipeline construction procurement contradicts the EU law, and triggered penalties from the Commission in Brussels. The project seems to have been put on hold, while Bulgarian subcontractors of GAZPROM were hoped to bring in more cash into the CCB.

The risks associated with these projects and conflict forced the GOB to withdraw some of the SOE accounts from CCB. The conflict and spitting between the two CCB gentlemen hit the media fan, private depositors panicked, asked for their saving and caused a liquidity problem.³⁴

It is now anybody's guess how deep the whole is: CCB's political connection meant that its projects and credits were allocated to non-competitive ventures. The incumbent GOB promises forensic audits report to be published by the end of 2015. However, CCB, because of the peculiar manner of its banking, had almost no exposure to other banks, especially foreign owned. When CCB was declared bankrupt

34 See greater details and statistics on the CCB case: K. Stanchev, *Reputation Matters: A Not-So-Typical June 2014 Bank Run in Bulgaria (A Public Choice Perspective)*, "4Liberty", 09.07.2014, <http://4liberty.eu/reputation-matters-a-not-so-typical-june-2014-bank-run-in-bulgaria-a-public-choice-perspective/> [02.10.2015].

and guaranteed depositors were paid by the Guarantee Fund, all these savings were redeposit in the system.

3. Instead of Conclusions: Impacts on the Political System

The above description of Bulgaria-Russian energy project allows for some conclusions. By no means is the analysis sufficient for revealing undisputable causality links. But there are some common and repeated phenomena that deserve further attention, not only in the Bulgarian context.

It is obvious that the main promoters of Russian state-owned companies' interest were a handful number of individuals around Socialist party leaders like president Parvanov and ex-PM Stanishev. These few individuals, however, because of democratically determined posts and the coalition nature of the political establishment, were and still are able to mobilize lairs of government, the legislature and other political parties in the pursuit of same or similar objectives. Thus, not only has the BSP (which is an heir of the former Bulgarian Communist Party, a proud heir) been involved in the promotion of the said interests. The ex-king and his party, besides the reasonable power sector reform they initiated, managed to destroy its own prospect for success and launched Belene and oil pipeline projects that eventually put at risk the entire economy of the country. Irrespectively the fact that the Socialist pushed for South Stream in the first place and attempted an infringement of the EU jurisdiction under GAZPROM dictation, all other political parties tried their best to keep it afloat for about four-five years. The Belene project is around for already 35 years, while Burgas-Alexandroupoli pipeline, the least harmful project, has been in the responsibility domains of three ordinary cabinets and two caretaker governments.

Once projects were set in motion, the next set of government typically sustains those using similar techniques of miss-governance of public interest. Typical techniques are the lack of analysis of socio-economic impacts, lack of information and/or refusal to grant access to public information, exaggeration of possible benefits and purposeful misleading of the public opinion.

It is also obvious, that the country has an immune system. In all cases, irrespectively the difficulties the above listed ways of public mismanagement and deceive of voters were overcome by strong and reasonable public opinion, which provided needed analytical expertise and organized resistance to crony ideas.

Needless to say, the EU law and democratic tradition had played a key role in fixing challenges related to Russian state-owned companies' interests. Some specific regulatory and energy policies of the EU, like those to subsidize renewables, have added much complication to the system: but they did so only because the domestic political establishment made the system inefficient in the first place, and then further mismanaged the complications.

During the period in question, the EU was an important player in rehabilitating the mess created by the South Stream project. But has, and could not have, any impact on the tacit connections between Bulgarian politicians and Russian company interests and politicians.

In the background of Mr. Stanishev as PM there was an interesting experience: he had run the country during its first two years in the EU. His image, however, soon suffered from alleged crony deals and nepotism related to EU subsidies when he attempted to cover up some irregularities of his administration. In order to overcome difficulties, he called an international advisory group to help improve Bulgaria's public governance, on the eve of the general elections of 2009.

The group was led by Dominique DeVillepin, and included experience politicians like Paul Demaret, Josep Pique, Aunus Salmi, Antonio Vitorino, and Casimir de Dalmau. The group worked in Bulgaria in April 2009 and delivered a report that made several key points about links between Bulgaria and Russian political establishments.

It mentions that Bulgaria-Russia relations, and underlines that: "it is particularly important for the EU to be able to rely on all its Eastern members when trying to develop a constructive approach towards Russia. On the other hand, a situation where some of these countries would fall again under strong Russian influence could cause a rift among EU members and need to be avoided."³⁵

35 D. DeVillepin et. al., *Bulgaria in the EU: Building a New Partnership*, May 2009, p. 104. The report is not available on the Internet, and it was not disseminated by the PM of Bulgaria who invited.

Mr. Stanishev has hid the report from the public. As a sponsor of the cabinet of Mr. Oresharski in 2013, his fellow MP, in relation to South Stream attempted exactly this – a rift among EU members.

For those who are familiar with the history of Bulgaria, the reviews experience should be additional evidence disavowing the myths about Bulgaria being a “close ally of Russia.”

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Vassilios Grammatikas

A Different Perspective? Russian Interpretation of the International Law in the Post-Cold War Era

Abstract: Despite the fact that both the US and the USSR systematically violated the international law and more specifically Art. 2 § 4 during the Cold War period, the attitude of the Russian Federation, after the collapse of the Soviet Union, changed towards the latter becoming a “champion” of the international law, slamming the West in cases of unilateral actions that constituted violations of the international law, with Kosovo being the most characteristic case. However, as Russia grew stronger it started itself acting according to its wider interests totally disregarding the international law (South Ossetia, Abkhazia – 2008, and Crimea – 2014) being the most characteristic cases. The article investigates into this behaviour and tries to draw conclusions regarding the future conduct of the Russian Federation *vis-à-vis* fundamental principles of the international law.

Keywords: The international law, Russian Federation, Kosovo, South Ossetia, just war

Political scientists often refer to the international law as a “paradox” of international relations.¹ Nevertheless, even those states who tend to frequently disregard the international law, usually aim at justifying their actions by reference to applicable norms of the international law. Thus, the attitude of states, especially the main international actors,

¹ See inter alia: C. Reus-Smit, *The International Law*, [in:] J. Baylis, S. Smith (eds.), *The Globalization of World Politics: An Introduction to International Relations*, Oxford University Press, Oxford 2005, p. 350-351.

towards the volume of the international law is still considered to be an important driving force towards the formulation of their international relations.

Introduction

It is probably beyond any doubt that the two superpowers, during the Cold War era, showed very little – if any – respect to the observation of fundamental principles of the international law. A few illustrative examples are sufficient to display this attitude.

As for the USA, one could refer to the invasion of Grenada (1983),² the invasion of Panama (1990),³ and the military and paramilitary activities in Nicaragua (1980s),⁴ while the USSR has been... credited with the invasions in Hungary (1956) and Czechoslovakia (1968) as well as Afghanistan (1980-1989). The reference is confined to the violations of the territorial integrity of other states for two main reasons: (a) it is considered to be the ultimate challenge to the UN system and values as it goes contrary to the cornerstone of the UN Charter, Art. 2 § 4 and (b) such activities are more comparable if one wishes to evaluate the behaviour of the authors of such violations.

If we wish to go further with portraying the attitude of the superpowers *vis-à-vis* the fundamental principles of the international law, one could also refer to the systematic vetoing by the US that blocked

- 2 UNGA Res. 38/7, 1983, adopted by 108-9-27 votes, "deeply deplores that US led intervention as a flagrant violation of the international law."
- 3 During the Panama invasion, the US President Mr George Bush justified the American action on four grounds: "to safeguard the lives of Americans, to defend democracy in Panama, to combat drug trafficking and to protect the integrity of the Panama Canal Treaty" (source: President Bush, *Address to the Nation Announcing United States Military Action in Panama*, 20.12.1989, [in:] *Bush Papers*, 1989, p. 1722 – para. 2). However, the vast majority of the international community was not touched by the ... moral causes and two consecutive GA Resolutions that were adopted on the occasion of the American invasion in Panama condemned the US action. UNGA Res. 45/150, 1990, adopted by 128-8-9 and UNGA Res. 45/151, 1990, adopted by 111-29-11 votes.
- 4 The illegality of the US conduct against Nicaragua was affirmed at the most official manner through the judgment of the International Court of Justice, which convicted the US for a wide range of activities, including arming and providing logistical support to the antigovernment guerillas (Contras) and mining ports of Nicaragua. Text of the Judgment: *Nicaragua vs United States [Military and Paramilitary Activities in and against Nicaragua]*, ICJ Reports, 1986, p. 14 et seq., <http://www.icj-cij.org/docket/?sum=367&p1=3&p2=3&case=70&p3=5> [12.10.2015].

multiple attempts of the SC to condemn Israeli armed reprisals against neighbouring Arab states during a period of more than two decades.

In a brief comment on the overall conduct of the USSR and the US, one can conclude that they advocated for the application of the international law only when it was in their favour (or to the disadvantage of the opponent). On the contrary, we can observe multiple, flagrant violations of the international law, on occasions when it was convenient for them. The impunity offered through the veto power in the UN Security Council ensured that such actions would not entail any international responsibility, but merely a manageable degree of political condemnation.

1 The Post-Cold War Attitude of the Russian Federation

● The collapse of the Soviet Union had a devastating effect upon its successor state – the Russian Federation (RF) – on all conceivable levels. It lost 5,000,000 km² of the former territory of the USSR, around 35,000,000 Russians were left outside its borders and the transition period had multiple adverse effects on the political, economic and military levels.

Being in a very difficult position, for several years the Russian Federation submitted to the basic parameters of decision-making processes dictated by the West. Thus, the Dayton agreements that “ended” the war in Bosnia & Herzegovina had the explicit approval of the RF, while the use of force against the Bosnian Serbs during the late phases of the Bosnian war was rendered legal through the consent of the RF in the Security Council.⁵

5 S/RES/819, 1993 which, among other provisions, condemned the Bosnian Serbs (only) for ethnic cleansing was adopted unanimously, while S/RES/820, 1993 that imposed heavy sanctions against the FRY was adopted through the abstention of Russia and China. Furthermore, S/RES/836 which authorized the use of force by the UNPROFOR forces was accepted by Russia, as well as S/RES/844, 1993 which authorized the additional use of air power to implement the provisions of Res. 836. It is highly doubtful whether Russia would adhere to these resolutions under different circumstances. For an overview of the relevant SC decision making process on Bosnia see: S. L. Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War*, Brookings Institution Press, Washington D.C. 1995, p. 415 et seq.; D. Sarooshi, *The United Nations and the Development of Collective Security: The Delegation by the UN Security Council of its Chapter VII Powers*, Oxford University Press, Oxford 2000, p. 254.

The fact that for a number of years after the collapse of the USSR there was only one superpower (the US) and given the very difficult position of the RF, it was extremely difficult for the latter to formulate an individual international law doctrine (or a foreign policy concept). The Russian Military Doctrine of 1993 refers to international cooperation to prevent conflicts and participation in the development of the international law efforts to prevent conflicts.⁶

This passive attitude of the RF gradually changed and this may be attributed to two major contributing factors: (1) Despite assurances given to Russia by various western stakeholders that NATO would not expand to Eastern Europe eventually NATO aggressively expanded to the east and south borders of the RF (1999 onwards),⁷ (2) The “sympathy” of the West to the Chechen separatist movement which, accompanied by the humiliating defeat of the RF during the first Chechen War (1994), probably gave a signal to the Russians that the West would be willing to accept or even promote further fragmentation of the RF.

2. Kosovo and Beyond

The Impact of Kosovo on the Russian Foreign Policy

However, it is accepted that the catalyst in the formation of the subsequent attitude of the RF on major issues of the international law was the 1999 NATO bombings of Yugoslavia over Kosovo. Just after the air campaign commenced, Russia submitted a draft resolution demand-

- 6 The relevant paragraphs read as follows: “[the RF] – cooperates in the efforts of the world community and various collective security organs in preventing wars and armed conflicts and maintaining or restoring peace; – participates in the further development of the international law and in the drafting, adoption, and implementation by all countries of a range of effective measures to prevent wars and armed conflicts,” <http://fas.org/nuke/guide/russia/doctrine/russia-mil-doc.html> [10.10.2015].
- 7 On the issue of broken (?) promises and its history see inter alia: M. E. Sarotte, *A Broken Promise? What the West Really Told Moscow about NATO Expansion*, “Foreign Affairs”, vol. 93, 2014, no. 5, <https://www.foreignaffairs.com/articles/russia-fsu/2014-08-11/broken-promise> [10.10.2015], but see contra the official 2014 NATO view on the issue, <http://www.nato.int/docu/review/2014/Russia-Ukraine-Nato-crisis/Nato-enlargement-Russia/EN/index.htm> [10.10.2015].

ing “an immediate cessation of the use of force against the Federal Republic of Yugoslavia.”⁸

During the discussion the Russian representative (and current foreign minister) Sergey Lavrov directly attacked the NATO countries saying that: “the aggressive military action unleashed by the North Atlantic Treaty Organization (NATO) against a sovereign State was a real threat to international peace and security, and grossly violated the key provisions of the United Nations Charter.”⁹ Russia maintained the same position throughout the duration of the bombings.

Thus, suddenly, Russia portrayed itself as a champion of the international law against the “opportunism and lawlessness” of NATO. At the time, it seems that Russia’s stand in defence of the international law had a dual purpose: Initially, Russia wanted to back its close ally Yugoslavia but lacked the resources and the will to do so through a direct confrontation with NATO. Even if Russia had the military capability, it is highly doubtful whether anyone in the Russian political or military establishment would be willing to risk a military confrontation with the US. Therefore, it supported the fundamental principles of the territorial integrity and political independence of states, which NATO flagrantly violated. Additionally, Russia probably saw support for the international law as a way to upgrade its international appeal and get rid of its Soviet past.

It is true that, despite achieving its short-term military and political aims (i.e. the removal of any Serbian authority on Kosovo) NATO countries found themselves in a difficult position in justifying – on legal grounds – their military campaign against the FRY, when compelled to do so. When Yugoslavia filed applications before the ICJ against the NATO countries that participated in the bombing campaign, very few NATO countries bothered to offer legal explanations on their actions. The most comprehensive justification was put forward by Belgium, which formulated an argument basing NATO action on the grounds of compelling humanitarian necessity, classifying it as: “an armed humanitarian intervention, compatible with Art.

8 UN Doc. S/1999/328 of 25.3.1999. The resolution was defeated as it attracted only 3 positive votes (Russian Federation, China, and Namibia) and 12 negative.

9 SC Press Release SC/6659 of 26.3.1999, <http://www.un.org/press/en/1999/19990326.sc6659.html> [10.10.2015].

2 § 4 of the Charter.”¹⁰ Similar explanations trying to apply a concept of humanitarian intervention as legitimizing resource to force were advanced by many western officials. However, all were citing that Kosovo was a unique case and should not be used as a precedent.

There were also scientific efforts aimed at providing the NATO action with a veil of legitimacy. In 2000, the Swedish Prime Minister set up a Commission to investigate the legal nature of the Kosovo campaign. The outcome was a lengthy report, the findings of which may be summarized in the phrase used by the Commission: “the NATO military intervention was illegal but legitimate.”¹¹ This Commission, as well as other western stakeholders, attempted to re-introduce a modern concept of the just war theories (*bellum justum*), which was predominant in the medieval era, but was left aside in favour of the *bellum legale* concept that followed the development of the international law norms to regulate interstate relations.¹²

10 <http://icj-cij.org> [10.10.2015]; D. J. Harris, *Cases and Materials on International Law*, Sweet & Maxwell, London 2004, p. 956.

11 The Independent International Commission on Kosovo, *The Kosovo Report*, Oxford University Press, Oxford 2000, p. 4. The Commission concluded that: “the NATO military intervention was illegal but legitimate. It was illegal because it did not receive prior approval from the United Nations Security Council. However, the Commission considers that the intervention was justified because all diplomatic avenues had been exhausted and because the intervention had the effect of liberating the majority population of Kosovo from a long period of oppression under Serbian rule.” Also in p. 164 the Commission underlines that it “also puts forward an interpretation of the emerging doctrine of humanitarian intervention. This interpretation is situated in a gray zone of ambiguity between an extension of the international law and a proposal for an international moral consensus. In essence, this gray zone goes beyond strict ideas of legality to incorporate more flexible views of legitimacy.”

12 The just war theories derive from the Roman law, it was sanctioned by Catholic scholars like St. Augustine (5th century AD) and St. Thomas Aquinas (13th century AD), but it was officially condoned by the Catholic Church in the course of the Crusades. Pope Urbanus declared the first Crusade himself in 1095 AD, while the Papal *Decretum Gratianum* of 1150 AD officially condoned the concept of just war. The just war theory was “undermined” by the creation of ethnic states who did not recognize a “higher authority” of religious or moral origin, such as the Pope. The evolution of the notion of sovereign equality between states resulted to the fact that states were the only competent authorities to judge the circumstances under which they could go to war without any control or authorization by a hierarchically superior organ. The just war theory was abandoned by the Treaty of Westfalia (1648), which ended the 30 Year War, and established a peace system based on the balance of power (*principe d’équilibre*). The treaty also recognized the sovereign equality of states, thereby accepting the existence of an international community comprising equal members, governed by a common legal system called “Law of Nations” or “International Law.” Thus, the Catholic Church and the Pope were officially removed from the conduct of international relations between states (see inter alia J. L. Kunz, *Bellum Justum and Bellum Legale*, 45 *AJIL* 528, 1951, p. 532 et seq.).

At about the same time, the Canadian Government set up another *ad hoc* organ the International Commission on Intervention and State Sovereignty (ICISS)¹³ to assess more general questions arising from the conduct of western states in Kosovo. The outcome of that initiative was the creation of a concept entitled “responsibility to protect” (R2P), which advocated that, in extreme cases and after all other means have been exhausted, unilateral armed humanitarian intervention would be acceptable. This concept became very influential in the attitude of states and, in 2005, R2P was incorporated in the UN World Summit Outcome Document (WSOD)¹⁴ but with two significant changes: (1) The WSOD limits the application of R2P to genocide, war crimes, ethnic cleansing and crimes against humanity. On the other hand, the ICISS report refers to a more general concept of “human security,” also using the terms “crimes and atrocities” without any further qualifications and (2) The ICISS report explicitly sanctions the unilateral use of force in enforcing R2P, while the WSOD renders any such possibility subject to the authorization of the SC (para. 139), thus retaining the Charter framework regarding the permissible uses of force.

Russia consistently stood against any attempt to introduce a right of unilateral humanitarian intervention. In an often quoted statement, the former Russian Prime Minister Mr Yevgeny Primakov said that “UN process, not humanitarian intervention is world’s new hope.”¹⁵ This position was reinforced by the fact that the vast majority of states rejected any reference to unilateral armed forces outside the UN Charter.

Russia (as well as other states) fiercely opposed the extension of the R2P concept in situations beyond the ones mentioned in the WSOD. Thus, when France tried to use R2P in order to persuade the SC to authorize the forcible distribution of humanitarian assistance to the victims of the cyclone Nargis in Myanmar (Burma) in 2008, the attempt was met with strong opposition not only from China and Russia but also from Panama, Slovenia and Japan.¹⁶

13 ICISS, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*, International Development Research Centre, 2001.

14 UN Doc. A/RES/60/1 of 28.10.2005. The Resolution was adopted unanimously, thus reflecting the global consensus on the issues covered.

15 “New Perspectives Quarterly”, 02.09.2004, http://www.digitalnpq.org/global_services/global%20viewpoint/02-09-04primakov.html [10.10.2015].

16 UN Doc. S/PRST/2008/18.

Even in the case of Libya, SC Res. 1973 (2011) which authorized the use of force to protect civilians invoking R2P, Russia merely tolerated it by abstaining from the voting procedure. The subsequent abuse of the resolution that led to a full scale offensive against the Libyan regime and eventually led to its collapse was severely criticized by Russia and was also used as an argument against the adoption of any similar resolution on Syria.

Although Kosovo has not been the only focal point of Russian foreign policy *vis-à-vis* the Balkans, it dictated, and still does, its official position regarding the preservation of the territorial integrity of Serbia and upholding the fundamental principles of the UN in general. Despite the fact that 111 states have recognized Kosovo so far it has not yet been accepted to any International Organizations and this is mainly because of the firm position of Russia (and China as well).

Russian Conduct “On the Ground”

Apart from becoming an advocate for the international law, the case of Kosovo was also the turning point for a new, more active presence of the RF in international affairs not close, but resembling the US conduct in many cases. An incident indicative of this change that has not attracted a lot of international attention is the occupation of the Pristina airport by Russian paratroopers, just prior to the deployment of NATO troops in Kosovo,¹⁷ which led to a near military confrontation between Russian and NATO troops.¹⁸ The deployment of troops as such was not meant to occupy the airport or establish an occupation zone in Kosovo but mainly to demonstrate that from that point onwards Russia would not be a bystander in international affairs but would assume a far more proactive role.

This attitude reached its peak in 2008 when, after the attack of Georgia upon the breakaway territory of South Ossetia Russia re-

17 A very interesting account of the facts is provided by one of the protagonists in that incident Gen. Mike Jackson, [in:] M. Jackson, *Soldier: The Autobiography*, Transworld Publishers, 2007, p. 214-254.

18 General Jackson (commander of KFOR) is quoted to have said to the supreme NATO commander for Europe Wesley Clarke that “I’m not going to start the Third World War for you” in response to the demand of the latter that NATO troops should block the runways in order to prevent further deployment of Russian troops, <http://news.bbc.co.uk/2/hi/europe/671495.stm> [10.10.2015].

acted in a manner the west probably never anticipated, secured the territory and even advanced deep into Georgian territory (in Abkhazia, too). The subsequent recognition of the two territories as independent states by Moscow displayed an effort to secure the vital interests of Russia regardless of the legal or political implications. This trend culminated in the annexation of Crimea in 2014.

Since the case of Kosovo, the actual conduct of Russia resembles that of the United States in the sense that, when the RF considered that a certain move would serve its strategic or broader geopolitical interests, it moved forward totally disregarding the principles of the international law that it so frequently advocated.

The main difference in the conduct of the Russian federation and the US in this respect is that the US is based on strong political support at various levels, while Russia has a very limited leverage. This is evident if one compares the cases of Kosovo and Abkhazia/South Ossetia. Kosovo has been recognized by 111 states¹⁹ so far, while, on the contrary, despite pressure exerted upon former Soviet states by Russia, the two breakaway regions of Georgia were recognized by 4 states (including Russia).²⁰ In terms of the international law, all cases constitute flagrant violations of the principle of territorial integrity but the different approach shows a rather limited political influence of Moscow in contrast to the US.

A New Approach to the International Law

Back in 1999, Sergey Lavrov stated that: “The Russian Federation reaffirmed the urgent need for a multilateral world order in which there would be no room for unilateral diktat.”²¹ This multipolar world concept has since been included in all strategic and foreign policy concepts of the Russian Federation,²² thus demonstrating the will

19 <http://www.kosovothanksyou.com> [10.10.2015].

20 https://en.wikipedia.org/wiki/International_recognition_of_Abkhazia_and_South_Ossetia [10.10.2015].

21 SC Press release SC/6686 of 10.6.1999, <http://www.un.org/press/en/1999/19990610.SC6686.html> [10.10.2015].

22 <http://www.idsa.in/eurasia/resources.html> [10.10.2015]. Also see the latest Foreign Policy Concept adopted in 2013, http://archive.mid.ru//brp_4.nsf/0/76389FEC168189ED44257B2E0039B16D [10.10.2015].

of the Russians to restore the position of Russia as a superpower but also to challenge the dominating position of the US in global affairs and its monopolar approach.

In reality, however, the more power the Russian Federation asserts, the more disregard for principles of the international law we can observe. Given the low international influence, Moscow frequently uses other types of “unconventional weapons” such as its energy resources to impose or facilitate its positions. The energy crises with Ukraine in 2007 and 2009 (and with Moldova as well) are indicative of this trend, which usually works due to its broader impact.

At the doctrinal level, Russia still advocates in favour of the international law but only when it is convenient. Its actual conduct comprises profound disregard of fundamental principles of the international law, which is evident in the violation of the territorial integrity of Georgia and Ukraine. When compelled to do so, it also applies moral arguments such as that the annexation of Crimea – in the words of president Putin – “corrected a historical mistake.”²³ The most basic argument however is the assimilation of these cases to Kosovo. In 2006 Putin said that: “If someone considers that Kosovo should be granted full independence, then why should the peoples of Abkhazia and South Ossetia not have the same right to statehood?”²⁴ Since there is no plausible response from the West (the theory of “illegal but legitimate” cannot be put forward as a serious response) this type of argumentation appears, in the eyes of Moscow, to be sufficient for justifying previous actions and a solid basis for its future conduct.

In reality, given the fact that 2015 is not 1993 and that Russia cannot tolerate the behavior of the West at that time, it seems that the Russian foreign policy dogma moves towards some kind of “equality in illegality” with the US and the West in general. If Kosovo is justified, so is Abkhazia and South Ossetia. The current foreign policy aspirations of Russia are described in the best way by the former US under-secretary of State Ronald Asmus: “the international community, and above all, the United States and the EU, did not take seriously Mos-

²³ <http://www.bbc.com/news/world-europe-26630062> [10.10.2015].

²⁴ Press Conference of 31.1.2006, The Kremlin, <http://en.kremlin.ru/events/president/transcripts/23412> [10.10.2015].

cow's threats that it would retaliate against Kosovo's independence by moving against Georgia ... How the conflict in Kosovo on the one hand, and in Abkhazia and South Ossetia on the other, became linked is a saga involving the international law, changing Western diplomatic priorities, and the dynamics of a resurgent Russia seeking to challenge the United States and Europe."²⁵

Unless some kind of rules – even in dealing with international illegalities in an equal manner – are found between Moscow and the US (or the west in general), this confrontation will continue with potential serious consequences for international peace and security.

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25 R. Asmus, *A Little War that Shook the World: Georgia, Russia and the Future of the West*, Palgrave Macmillan, New York 2010, p. 90.

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Russia in Global Politics in the Context of the Western Balkans

Abstract: The aim of this article is to look at the Western Balkan region from the perspective of foreign policy of the Russian Federation. Russia's political presence in the Balkans has a long tradition. Throughout the centuries as well as today, Russian interests were focused on the following issues: geopolitical rivalry with other powers, economic, security and cultural-religious aspects – Orthodox religion was followed by the Balkan nations. However, the Western Balkans is not the area of Russia's most vital interests. We can notice that Russian engagement in resolving contentious issues in the Balkans – mediation in Bosnia and Herzegovina and Kosovo – was instrumental and manifested its hypocrisy. On the one hand, Russia helped to stabilize the situation and guarantee security in the region. On the other hand, it defended the territorial integrity of Serbia and opposed the recognition of Kosovo's independence. Yet, the opposition did not prevent Russia to announce the independence of Georgian provinces of Abkhazia and South Ossetia in August 2008 (six months after Kosovo's declaration of independence).

Keywords: Western Balkans, Russia foreign policy, Russia's Balkan policy, security

Introduction

The aim of this article is to look at the Western Balkan region from the perspective of foreign policy of the Russian Federation.¹ Russia's political presence in the Balkans has a long tradition.² Through-

1 This paper was written while the author was undergoing research training at Harvard University in June–August 2015.

2 The Western Balkans composed of Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Kosovo.

out the centuries as well as today, Russian interests were focused on the following issues: geopolitical rivalry with other powers, economic, security and cultural-religious aspects – Orthodox religion was followed by the Balkan nations. However, the Western Balkans is not the area of Russia's most vital interests. We can notice that Russian engagement in resolving contentious issues in the Balkans – mediation in Bosnia and Herzegovina and Kosovo – was instrumental and manifested its hypocrisy.³ On the one hand, Russia helped to stabilize the situation and guarantee security in the region. On the other hand, it defended the territorial integrity of Serbia and opposed the recognition of Kosovo's independence. Yet, the opposition did not prevent Russia to announce the independence of Georgian provinces of Abkhazia and South Ossetia in August 2008 (six months after Kosovo's declaration of independence).

At the turn of the century, geopolitical situation of the Western Balkans changed dramatically. Integration with Euro-Atlantic structures – in particular with the EU, but also with NATO⁴ became a strategic objective of the states created after the collapse of the former Yugoslavia. The condition for integration with Western structures is to resolve the conflicts and disputes faced by individual countries of the Balkans – the problem of Bosnia and Herzegovina, Kosovo, etc. It seems that without Russia's involvement it will be hard to resolve these regional conflicts, and thus to change the situation in the region.

1 Russia's Relations with the West – General Observations

1. Generally speaking, the relations between the West (European Union, United States of America and NATO) and the Russian Fed-

3 A. Włodkowska, *Rosja na Bałkanach*, „Rocznik Instytutu Europy Środkowo-Wschodniej”, T. Kapuśniak (Stępniewski), A. Gil (eds.), 7 (2009), no. 1: *Region czarnomorski*, p. 113. See also: „Rocznik Instytutu Europy Środkowo-Wschodniej”, J. Olchowski, T. Stępniewski, B. Bojarczyk, A. Sobol (eds.), 12 (2014), no. 3: *Bosnia and Herzegovina and the Western Balkans; Bałkany Zachodnie a integracja europejska. Perspektywy i implikacje*, R. Sadowski, J. Muś (red.), Urząd Komitetu Integracji Europejskiej, Ośrodek Studiów Wschodnich, Warszawa 2008.

4 M. Babić, *Rosja na Bałkanach Zachodnich. Interesy narodowe i wpływy polityczne*, [in:] M. Babić, I. Jakimowicz-Ostrowska (eds.), *Bałkany w XXI wieku. Problemy konsolidacji i integracji*, Warszawa 2014, p. 54-55.

eration collapsed in the last two years. The war between Russia and Ukraine, destabilisation of the south-eastern regions of Ukraine and Crimea annexation by Russia violated the previous logic of the relations between the West and Russia.⁵ This is due to the changes on the political scene of the Russian Federation, as well as the need to adapt NATO to new challenges and threats of the twenty-first century, USA's search for its place in an increasingly complicated structure of international relations and changes in the institutional structure of the European Union. A rivalry for the "common unstable neighbourhood" or the area of Eastern Europe and the Southern Caucasus is also significant for EU–Russia relations.⁶ Launched in May 2009, the EU's Eastern Partnership initiative is a long-term project which is to contribute to strengthening political and economic relations between the EU and Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. This does not change the fact that the Eastern Partnership is very often seen by Russian policy makers as an attempt to compete for the shared neighbourhood. Changes in EU–Russia relations that took place in the years 2004–2014 partially result from the enlargement of the EU in 2004 towards the East, as well as from the aspirations of newly admitted countries from Central Europe to develop a common EU position towards Russia. Therefore, one cannot be surprised that the Eastern Partnership initiative was proposed by Poland (along with Sweden) in order to change and develop the existing relationship between the EU and the six Eastern partners.

Another challenge related to the relations between the West and Russia is associated with security issues, including energy security. Until the outbreak of the war between Russia and Ukraine we were witnessing a debate on new security architecture in Europe. On the one

5 Wider: A. Wilson, *Ukraine Crisis. What it Means for the West*, New Haven and London 2014; R. Menon, E. Rumer, *Conflict in Ukraine: The Unwinding of the Post-Cold War Order*, Cambridge 2015; R. Sakwa, *Frontline Ukraine. Crisis in the Borderlands*, London-New York 2015.

6 More in: H. Haukkala, *From Cooperative to Contested Europe? The Conflict in Ukraine as a Culmination of a Long-Term Crisis in EU–Russia Relations*, "Journal of Contemporary European Studies", vol. 23, 2015, no. 1, p. 25–40; N. Witney, S. Dennison, *Europe's Neighbourhood: Crisis as the New Normal*, "Policy Memo", no. 135, June 2015, European Council on Foreign Relations, www.ecfr.eu; 3. Станкевич, Т. Стемпневски, А. Шабацюк (ред.), *Безопасность постсоветского пространства: новые вызовы и угрозы*, Люблин-Москва 2014 / Z. Stankiewicz, T. Stępniewski, A. Szabaciuk (eds.), *Security of the Post-Soviet Region: New Challenges and Threats*, Lublin-Moscow 2014.

hand, we had a strong position of the majority of European countries (in particular the Central European countries) concerning the need to maintain the existing *status quo*, which is the current security architecture in which various organizations responsible for security are independent, but cooperate with one another. On the other hand, it was proposed to modify this architecture by a decision-making centre in the Kremlin and Russian intellectuals who indicate the need for a new European security architecture involving Russia. It is worth noting that the decreasing tendency of the USA to get involved in European security issues also contributes to raising the problem of the future shape of European security. As a result of Russia's wars, the perception of safety by individual EU and NATO member states, but also by the countries which are not members of military organizations, has changed.

On the other hand, the problem of energy security refers to, among others, attempts to create a common EU energy policy. In addition, energy issues emphasise the importance of transit countries (e.g. Ukraine⁷), their potential and possibilities to influence the situation in the region. The sooner we succeed in creating a common EU energy policy ("interconnectors" can be the first step), the more independent and less vulnerable the Union will become in case energy issues are used as a tool to fight for the interests of third actors (e.g. Russia).

A "reset" in the relations between the USA and Russia from the beginning of Barack Obama's term was a consequence of redefining strategic priorities and pragmatism of the United States of America in contemporary international relations. However, the significance of this "reset" turned out to be a failure from the point of view of Russia's interests in the region. This does not change the fact that Russia is trying to use the weakening of the USA's hegemony to push back the USA and NATO from the borders of Russia and the post-Soviet area, but also the Western Balkans. Russia's strategic goal is to weaken transatlantic ties.

Concluding, the West–Russia relations are based, on the one hand, on cooperation (e.g. non-proliferation of weapons of mass destruc-

7 More in: M. M. Balmaceda, *The Politics of Energy Dependency. Ukraine, Belarus, and Lithuania between Domestic Oligarchs and Russian Pressure*, Toronto-Buffalo-London 2015.

tion, successful completion of operations in Afghanistan, or solving the crisis of Iran's nuclear program),⁸ on the other hand, on confrontation (post-Soviet region and maintaining the zones of influences, Russia's opposition to NATO enlargement to the East, "gas wars," the war between Russia and Georgia in 2008, the war between Russia and Ukraine in 2014-2015, the development of the USA's missile defence shield in Central Europe, etc.). This does not change the fact that Europeanization (westernization) of Russia is in the interests of the West. In order to achieve this objective, Russia needs to be committed and willing to reform. Yet, it must be modernization in Western European, not Russian meaning. If Russia wants to fully participate in the newly emerging structure of international relations and it wants to make up for the lost time (technological and even civilization lagging) in relation to the most developed countries of the West and the world, it must engage in modernization that will bring benefits to Russia itself and its relationships with the West and the rest of the world.

2. Putin's Russia and its Foreign Policy

● Upon Vladimir Putin's coming to power (officially in 2000) foreign policy of the Russian Federation changed. It is worth noting that the strong position of the President in the Russian political system makes the president exert a large impact on both the internal situation as well as the external activity of this state, i.e. its foreign policy. Strong position of the president in relation to the government, and weak position of the parliament, result in the president being the head of the whole decision-making apparatus. Gleb Pavlovsky, former advisor to President Vladimir Putin, rightly noticed that political sciences know a position of a player who is neither a pawn nor a king, but the one that organizes the rules of the game and its space. This is how he referred to President Putin, who – according to Pavlovsky – is not only a player, but a master of the game, and its host.

8 Russia-Ukraine war resulted in numerous West-Russia joint projects to be cancelled or postponed.

Bearing in mind the position of the president in Russia's political system, he serves as a principal architect of the foreign policy of the Russian Federation, while – under the constitution – the implementation of guidelines and directions of this policy rest with the government. Considering the position of the president of the political system, the personality of the Kremlin's ruler is also significant. When Vladimir Putin took the office after his predecessor Boris Yeltsin, many politicians from Yeltsin's environment perceived him as a harmless person, a kind of puppet on the board of the state power. Analysing the first weeks in the office one could also have such a feeling. However, President Putin was the embodiment of will and energy as both the president and prime minister, a key role on the Russian political scene. Putin's taking up the power (or more accurately, with his team taking up the power) brought changes to Russia's policy. More emphasis is placed on pragmatism, bilateral relations with individual countries of the CIS (in terms of "near abroad"), as well as individual countries and/or regions of interest (including the Balkans). Therefore, in the foreign policy assumptions of June 2000 a statement that "the primary area of Russia's foreign policy is a multilateral and bilateral cooperation with the Member States of the CIS" can be found. After taking the office, President Putin pays an official visit to Kiev, Minsk, and then to London (May 2000). In politics, Putin was also a pragmatist, thus he quit the policy of concessions and even subsidies to Ukraine (i.e. limiting the export of Ukrainian pipes).⁹

Russia's foreign policy – breaking up with the doctrine of Yevgeny Primakov's multipolarity after 11 September 2001 – openly changes the vector of efforts to pro-Western policies,¹⁰ while strengthening economic and political relations with selected CIS countries, particularly Ukraine. It should be noted that after 11 September 2001, a qual-

9 A. Moshes, *The Evolution of Relations within the Slavic Triangle: A View from Russia*, [in:] A. Moshes, B. Nygren (eds.), *A Slavic Triangle?*, Stockholm 2002, p. 62-65. See also: N. Babayan, *The Return of the Empire? Russia's Counteraction to Transatlantic Democracy Promotion in its Near Abroad*, "Democratization", vol. 22, 2015, no. 3, p. 438-458.

10 Pro-western vector of Russia's activities effected mainly in the relations with USA, and less in the policy towards Ukraine.

itative change in relations between Russia and the NATO arose.¹¹ In addition, Putin's team put the foremost emphasis on strengthening Russia, raising it from 1990's crises – as it is commonly a period of Boris Yeltsin's presidency – strengthening its international position as an active player, which not only has its own interests but is also able to defend them. An example of radical change in Russia's foreign policy can be seen in the recent developments in the East – the war with Georgia in 2008 and the separation of two Georgian provinces of Abkhazia and South Ossetia, the war with Ukraine and the annexation of the Crimea. Therefore, Russia violated the principles of international law and the logic of the contemporary international system.

3. Russia in the Western Balkans

According to Dušan Reljić, we can identify three pillars of Russia's commitment in the Western Balkans.¹² The first pillar is to have a permanent seat on the UN Security Council and therefore the ability to block all processes and activities in the Western Balkans which are contrary to the interests of Russia. The second pillar concerns a growing economic importance of Russia in the region – particularly on energy issues, but also as an investor and trading partner. The third pillar is the historical backgrounds, cultural and political ties between Russia and the countries of the Western Balkans. The countries which are particularly vulnerable to Russian influence are Serbia and Montenegro.

When analysing Russian influence in the Western Balkans – in the opinion of Marko Babić – one should keep in mind the existence of a kind of EU–Western Balkans–Russia triangle, where the weakening of relations with the EU entail an increased involvement of Russia in this area.¹³ This regularity concerns particularly Serbia – a key Balkan state for Russia's interests.

11 We should mention Vladimir Putin's speech on 5 March 2000 when he stated that „political membership of Russia in NATO is not impossible in the future” (source: <http://www.president.kremlin.ru/>). Interestingly, in 2015 it seems literally impossible.

12 For reference see: M. Babić, *op. cit.*, p. 55.

13 *Ibidem*, p. 64.

One might also look at the energy situation of the Western Balkans. Maps of oil pipelines and pipeline projects, as well as natural gas pipelines and main pipeline of projects in the Western Balkan are presented below (Map 1 and 2).

Importantly, energy plays an important role in Russia's foreign policy. By making individual Balkan states dependent on Russian raw materials, Russia increases its political influence in the region. It also uses energy dependence of each of the Balkan countries in order to boost further energy projects that have maintained a dominant position of Russia in the region of South-Eastern Europe. In addition, various energy projects submitted by Russia (such as the South Stream, the Blue Stream) are also directed against the projects planned by the European Union (Nabucco, whose implementation seems unlikely). Therefore, the rivalry between the powers in the Western Balkans is particularly evident in the energy and planned energy routes in the area.

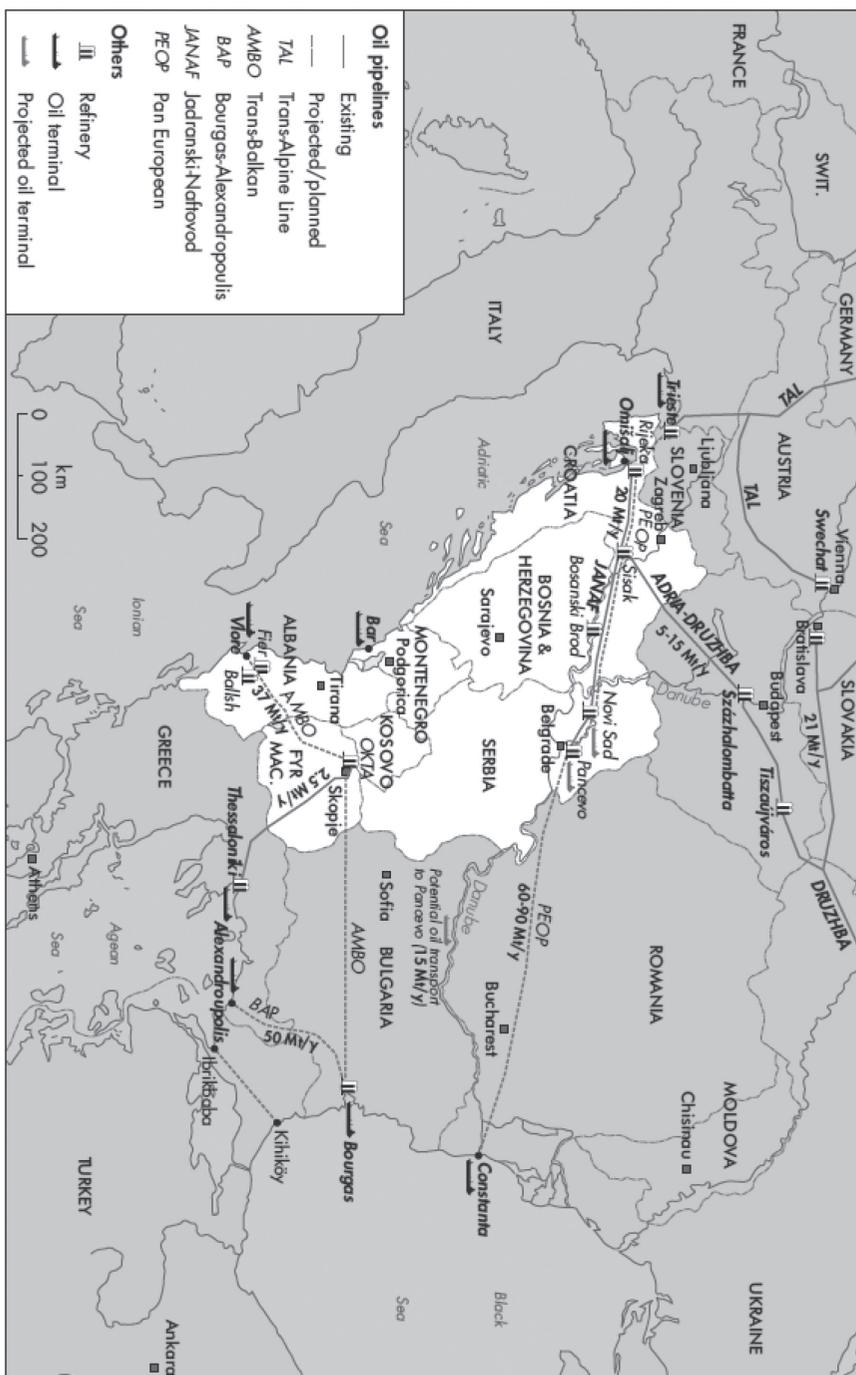
4. Conclusions: Russia in the Claws of Geopolitics and the Western Balkan Issues

The beginning of the twenty-first century is marked by the global struggle for energy, and Russia is known as one of the countries leading "petro-policy."¹⁴ But the main purpose of this geo-strategy at the time of Putin's Russia was to rebuild influence on their periphery, lost due to the collapse of the USSR, including the Western Balkans. One possible way to stop the imperialist tendencies of Russia – according to Zbigniew Brzeziński – is the emphasis on the creation of European security along the lines of: Paris–Berlin–Warsaw–Kiev. It is therefore vital to support the authorities in Kiev, Minsk, Chisinau in building democratic states, which may contribute to the containment of Russia.¹⁵

14 Cf. M. M. Balmaceda, *Energy Dependency, Politics and Corruption in the Former Soviet Union. Russia's Power, Oligarchs' Profits and Ukraine's Missing Energy Policy, 1995-2006*, London–New York 2009.

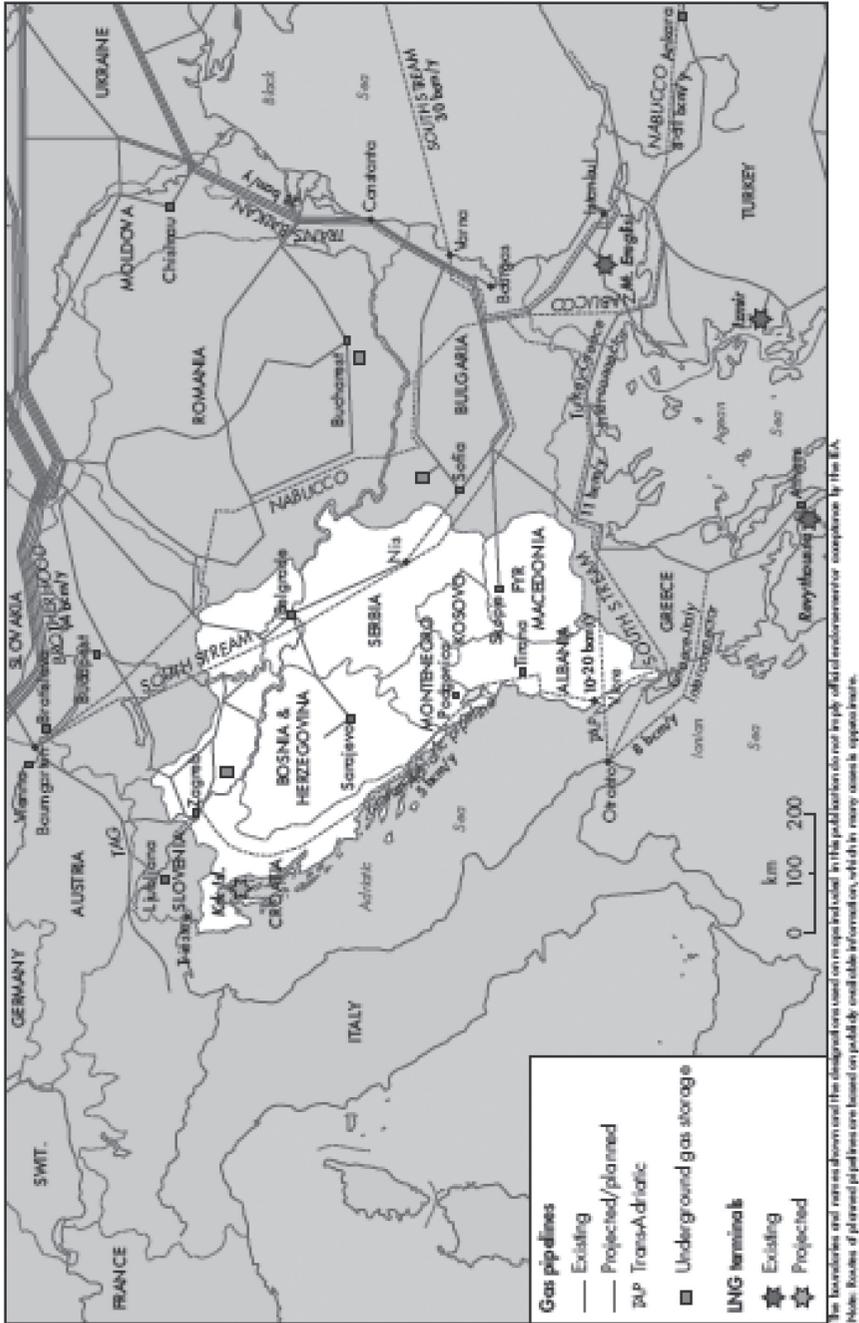
15 Z. Brzeziński, *Skazani na współpracę*, "Rzeczpospolita", 2003, no. 214; idem, *Historia Europy toczy się dalej*, "Tygodnik Powszechny", 1996, no. 27. More in: M. Klatt, T. Stępniewski, *Normative Influence. The European Union, Eastern Europe and Russia*, Lublin–Melbourne 2012, p. 115-136.

Map 1: Oil pipelines and pipeline projects in the Western Balkan region



Source: *Energy in the Western Balkans: The Path to Reform and Reconstructions*, The International Energy Agency (IEA), in co-operation with the United Nations Development Programme (UNDP), Paris 2008, <http://www.iea.org>, p. 76.

Map 2: Natural gas pipelines and main pipeline projects in the Western Balkan region



Source: *Energy in the Western Balkans. The Path to Reform and Reconstructions*, The International Energy Agency (IEA), in co-operation with the United Nations Development Programme (UNDP), Paris 2008, <http://www.iea.org>, p. 84.

Conflicts with Russia's neighbours – in particular the war with Georgia in August 2008, and Ukraine 2014 and now – support the thesis that Russia still reaches willingly for the old methods, the means of pressure and blackmail in order to pursue its optimal strategies.¹⁶ The evolution of Russian policy, based on the ideology of military strength and the use energy as a lever, forces the actors (in particular the countries of “near abroad”) to accept new rules of the game. A strategic goal of Russia is to use these opportunities to enlarge its political influences in other states. Speaking about the Balkans, it should be noted that, on the one hand, we have to deal with an increasing importance of Euro-Atlantic institutions in the Western Balkans and thereby weakening the position of Russia. On the other hand, as noted by M. Babić, Russia has some plans for the future membership of some of the Balkan countries in the European Union and thus the possibility to gain certain political and economic benefits from such a situation.¹⁷ This is due to historical, cultural, religious reasons, which result in Russia being perceived by some countries of the Balkans as a fairly close ally and makes them open to working with it in the future.

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16 Cf. A. Tsygankov, *Vladimir Putin's Last Stand: The Sources of Russia's Ukraine Policy*, “Post-Soviet Affairs”, vol. 31, 2015, no. 4, p. 279-303; G. Pridham, *EU/Ukraine Relations and the Crisis with Russia, 2013-14: A Turning Point*, “The International Spectator: Italian Journal of International Affairs”, vol. 49, 2014, no. 4, p. 53-61; K. Giles, P. Hanson, R. Lyne, J. Nixey, J. Sherr and A. Wood, *The Russian Challenge*, Chatham House Report, London, June 2015, <https://www.chathamhouse.org/>; G. Gressel, *Russia's Quiet Military Revolution, and What It Means for Europe*, “Policy Brief”, no. 143, The European Council on Foreign Relations, London, October 2015, www.ecfr.eu

17 M. Babić, op. cit., p. 66.

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Russian Influence in the Western Balkans. Carrot or Stick?

Abstract: This paper illustrates the influences that the Russian Federation has in the Balkans and particularly through using the Kosovo situation and Serbian implication. The Russian Federation attempts to oppose the EU and the US through using Serbia and Kosovo, often using soft and hard power by offering both humanitarian aid for Serbia but also by helping Serbia in military and defence aspects. This paper uses international relations theories to explain the development of Russia's influence in the Balkans from a historic perspective to continue with modernization of such relations through Russian representation in international organizations such as a UN permanent seat and an observation seat on the NATO Parliamentary Assembly. Furthermore, this paper will use game theory to explain the international relations and indirect influence through Kosovo and Serbia in the EU and US.

Keywords: Russia, Serbia, Kosovo, military, peace, soft power, interventionist, realism, constructivism, doctrine of state responsibility, game theory

Introduction

Vladimir Putin's Russia is definitely the elephant that nobody likes to talk about in the international relations context and yet certainly in the Balkans it plays a crucial role in Serbia's behaviour toward its neighbours. As such, it influences the entire Balkans. Russian Foreign Policy in the region has two approaches that interlink among each other in the form of doing favours to one another. These approaches have been developed for a longer period of time and were manifested also under the former Yugoslavia.

The first approach is that of military presence and hard politics, which has its genesis both in cultural and military terms with Serbia but also with Yugoslavia as the leader and founding state of the Non-alignment Movement. Russian ambitions however for the Balkans date even before that; after the fall of Berlin Wall, Russia reinvented itself in the Balkans with the strong presence in diplomacy during the war in Croatia and Bosnia and Herzegovina. The real involvement and clash between the Russian Foreign Policy in the Balkans as hard politics has happened in the middle of 1999 with the early unauthorised deployment of Russian military in Prishtina Airport. After avoiding World War III, NATO and the Russian Federation agreed on a small military presence in Kosovo under the NATO command which in a way illustrates also Boris Jeltzin's foreign policy.

The second approach is that of soft power through covert humanitarian aid which is camouflaged to look like a humanitarian aid but is military aid. When Serbia declared "neutrality" *vis-à-vis* NATO, it did not keep the same neutrality with the Russian Federation because according to media coverage, Russia is building a military base in Serbia. These information have been denied by the Serbian Government but situation on the ground is contradicting.

Both approaches have been amalgamated in the Russian foreign policy with regard to the Balkans being in the United Nations, NATO or in the European Council. When Kosovo was admitted in the NATO Parliamentary Assembly in 2014,¹ a Russian representative announced Russia's withdrawal from such institution as a sign of protest. Naturally, Serbia does play a huge role in the process but it is not one-sided interest of Serbia only. Russian interests in the Balkans are guarded via Serbian government by opposing NATO and American presence in the region.

Vladimir Putin's unpredictability scares the Balkans leaders, including Serbia, because the scenarios of Georgia and Ukraine are easily copied to the Balkans through Serbia. During the last visit of Putin in Belgrade, Prime Minister of Serbia Aleksandar Vučić²

1 E. Tota, *Kosovo is Officially Accepted in the NATO Parliamentary Assembly*, "Independent Balkan News Agency", 31.05.2014, <http://www.balkan.eu.com/kosovo-officially-accepted-nato-parliamentary-assembly/> [29.09.2015].

2 Current Prime Minister of Serbia.

asked the Russian President for his permission to speak in a public gathering. This shows that fear from Russia is practically manifested in many aspects because Serbia benefits from Russian support and gains from European Union demands to fulfil conditions to align toward the EU goals. A regional cold war has developed throughout the 1990's and the 2000's with the dismantling of Yugoslavia and NATO interventions through Russian foreign policy both in the form of carrot and as a stick. Therefore, this paper sheds light to a new analysis of the Russian foreign policy, looking at it from theoretical perspectives, and strategic and policy viewpoints, trying to explain Russia's impact on the politics, economy and international relations in the region.

1 Theoretical Framework

1. The involvement of Russia in the Balkans constitutes a challenging research topic, on the one hand, and a thrilling process of inquiry to widen the understanding of world politics, on the other hand. As the paper explores the interaction between Serbia and Russia, effects on the region, their common activities and interests, choosing the appropriate ontological approach within the theories of international relations and philosophy of science, remains an important process toward understanding and explaining the outcomes of growing influence of Russia in the Balkans.

On the light of recent developments on International Politics, the growing involvement of Russia in the Balkans is a "Trojan Horse" against the influence of the Western Powers and with negative impact on integration of Western the Balkans in European Union, while the former is on an offensive campaign to increase its influence in the strategic realm of world politics, the latter are on the defensive mode to maintain the actual influence in the world. Such influence and implication, as we will conclude in this paper, is a threat that may result in a breach of regional peace and security. In Katzenstein's words, Western such Balkans states as Albania or Kosovo are on "Grotian" state of nature trying to eradicate Russian influence in the region and cooperating with EU to maintain peace and security and rule of democratic values and international law.

Therefore, to create a clear idea of Russian influence and its possible outcomes, interaction of Russia with Serbia will be tackled through constructivism as *scientific ontology*³ in the sense of the theoretical framing of this paper. Constructivism, as more an approach than a theory,⁴ gives one more chance to navigate and produce a clearer image in the epistemological context.

In the view of constructivism, states are principal units for international political theory, with intersubjective key structures in the state system, with identities and interests constructed by the social structures,⁵ and if we go further to holistic constructivism, states interests are not only shaped by social structures but also by global cultural and political phenomena.⁶ According to the constructivist approach, states interests are based on social determinants of social and political agency in action.⁷ Furthermore, Finnemore stipulates that understanding of state interests and state behaviour is achieved through investigating meanings, social values and structures of power constructed through social interaction.⁸

While “identities are the basis of interests,”⁹ a view on the history of Russian Foreign Policy and its implications in the Balkans since the nineteenth century, and Russian-Serbian cooperation and their territorial claims toward other states, the idea of so called “Slavic Brotherhood,” can explain the Serbian hesitation to shift its interests toward “the Western hemisphere.”

Thus, we can go even further assuming that the use of similar methods to achieve strategic goals can establish such a common identity and create not only systems, but a society as constructivists believe.

- 3 P. Th. Jackson, *The Conduct of Inquiry in International Relations*, Routledge, London 2011, p. 203.
- 4 A. Wendt, *Social Theory of International Politics*, Cambridge University Press, Cambridge 1999; N. Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations*, University of South Carolina Press, 1989; P. J. Katzenchtein, *The Culture of National Security Norms and Identity in World Politics*, Cambridge University Press, Cambridge 1996; F. V. Kratochvil, Y. Lapid (eds.), *The Return of Culture and Identity in IR Theory*, Lynne Rienner Publishers, 1996.
- 5 A. Wendt, *Collective Identity Formation and the International State*, “American Political Science Review”, vol. 88, 1994, no. 2, p. 385.
- 6 C. Weber, *International Relations Theory, A Critical Introduction*, Routledge, London 2005, p. 26.
- 7 Ibidem, p. 199.
- 8 M. Finnemore, *National Interests in International Society*, Cornell University Press, New York 1996, p. 2.
- 9 A. Wendt, *Anarchy is What States Make of It: The Social Construction of Power Politics*, “International Organization”, vol. 46, 1992, no. 2, p. 398.

Similar practices used by Serbia and Russia, outsourcing unlawful activities to private actors, such as Serbia's political and logistic support to Republika Srpska in Bosnia, and Russia's support separatists in Ukraine, and mutual support between Russia and Serbia, constitutes in Kratochwil words "political action in terms of meaningful rather than purely instrumental action."¹⁰

While states "act toward objects and actors on the basis of the meanings that objects have for them"¹¹ the meaning arises out of interaction¹² producing identities and interests out of "situated activity."¹³ Thus, Russian interests in the Balkan energy sector, to balance the powers in the region, Serbian profit from Russian humanitarian aid, direct investments and its supports toward Serbia's political goals, produces identities and interests out of "situated activity."

The Russian goals to influence the Balkans through the use of soft power is clearly emphasized in the Declaration on Strategic Partnership between the Russian Federation and the Republic of Serbia, which indicated cooperation from political coordination and cooperation, defence and military technical support, to the economy, trade exchanges and investments, culture, education and linguistic affairs.

Through such a wide cooperation, in Finnemore's words, Russia and Serbia have constructed social values and a structure of powers through social interactions. The problem overcomes the effects of Russia's implication on the Balkans, at the concern of the EU states that such influence will have negative impact on the regions integration in the EU. Nevertheless, even if such integration happens, Elmar Brock, Chairman of Committee on Foreign Affairs of European Parliament said for *Der Spiegel* that: "Putin's goal is to exert so much pressure on the Balkan states that they either back away from EU membership or that, once they become members they will influence EU resolutions in a pro-Russian manner."¹⁴

10 F. V. Kratochwil, *The Embarrassment of Changes: Neo-Realism as the Science of Realpolitik without Politics*, "Review of International Studies", vol. 19, 1993, no. 1, p. 65.

11 A. Wendt, *Anarchy is What States Make of It*, p. 135.

12 *Ibidem*, p. 403.

13 *Ibidem*, p. 144.

14 *Putin's Reach: Merkel Concerned about Russian Influence in the Balkans*, "Spiegel Online International", 17.11.2014, <http://www.spiegel.de/international/europe/germany-worried-about-russian->

The Balkans, as a fragile region where consociational democracy has failed, with ethnically divided societies in Bosnia and Herzegovina and Kosovo, remain a concern but also a tool with high chances of destabilization.

The outcomes of Russian influence remain unknown for the region; however there exists a dose of predictability. Through adding assumptions and using game theory, we will model possible effects and outcomes of Russian involvement in the Balkans. Russian presence in the Balkans, humanitarian and military aid of Russia toward Serbia, Russian Energy interests, and impact of Russian involvement in the Balkans toward other actors, will be evaluated in the following chapters, using theoretical approach explained in this chapter.

2. The Escape from State Responsibility

Regardless of its involvement in threats and breach of peace and security in Eastern Europe, Russia is not being held responsible for its involvement in Ukraine Crisis and for a breach of international law, and it uses outsourcing doctrine to accomplish its political interests.

According to the Article on State Responsibility for Internationally Wrongful Acts, a wrongful act of the state entails international responsibility of the state¹⁵ in case of an action or omission that is attributable to the state under the international law and constitutes a breach of international obligation of the state.¹⁶

Moreover, Article 12 stipulates that there is a breach of an international obligation by a state when an act of that state is not in conformity with what is required by that obligation regardless of its origin or character.¹⁷

influence-in-the-balkans-a-1003427.html [29.09. 2015].

15 "Every internationally wrongful act of a State entails the international responsibility of that State." Article 1, Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries, [in:] Report of the International Law Commission on the Work of its Fifty-third Session, Official Records of the General Assembly, Fifty-sixth session, Supplement no. 10 (A/56/10), chp.IV.E.2.

16 *Ibidem*, article 2.

17 *Ibidem*, article 12.

Articles 1, 2, and 12 establish the formula that activates state responsibility in case of a wrongful act.¹⁸

According to the Articles, states are considered legal abstractions and are capable to act wrongfully only through their agents and representatives.¹⁹ In this spirit, when persons committing an international wrongful act are not qualified as agents of the state and do not have any link with the state, the conduct is not attributable to the state.²⁰ According to Article 4 of ILC Articles on state responsibility for internationally wrongful acts, “conduct of any State organ shall be considered an act of that State under international law, whether the organ exercises legislative, executive, and judicial or any other functions, whatever position it holds in the organization of the State.”²¹

Article 5 covers the conduct of private actors “empowered by the law to exercise governmental functions.” But Article 5 is limited to the duties performed on the capacity of the governmental functions and cannot be applied in other circumstances.

Article 7 attributes responsibility to the state for all violations of international law committed by the organs of the state or persons empowered to exercise elements of governmental authority even if they exceed authority transferred by the state, therefore, all acts committed by private actors with directives and instruction of the states will be attributed to the state.

Hence, Article 8 stipulates that “the conduct of a person or group of persons shall be considered an act of a State under international law if the person or group of persons is in fact acting on the instructions of, or under the direction or control of that State in carrying out the conduct.”²²

18 See: M. N. Shaw, *International Law*, Cambridge University Press, Cambridge 2008, p. 781-789.

19 Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries, [in:] Report of the International Law Commission on the Work of its Fifty-third Session, Official Records of the General Assembly, Fifty-sixth session, Supplement no. 10 (A/56/10), p. 35; see also: M. N. Shaw, *op. cit.*, p. 786.

20 The state is not responsible under International Law for all acts performed by its nationals; see: *ibidem*.

21 *Ibidem*, p. 84.

22 Article 8, Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries, [in:] Report of the International Law Commission on the Work of its Fifty-third Session, Official Records of the General Assembly, Fifty-sixth Session, Supplement no. 10 (A/56/10).

Commentary on Article 8 of ILC Articles on State Responsibility identifies two situations where misconduct can be attributed to the state and engage responsibility of the state.

The first involves private persons acting on the instructions of the states in carrying out the wrongful act, and the second deals with the situation where private actors act under the state direction or control.²³ To make it more difficult, the Commentary emphasizes that “such conduct will be attributable to state only if it directed or controlled the specific operation and the conduct complained of was an integral part of the operation.”²⁴ In the same time the Commentary suggests while the link between private persons and state exists, it is not important if they conduct qualifies as exercising governmental authority or not.²⁵ Furthermore, the main problem to be solved with regard to this issue is whether the “instructions” of the state are sufficient to hold the state responsible under the international law or there should be direct control of the state over private entity.

Even with sufficient *case law* on determining an attribution rule to the state of acts performed by private actors not in the capacity of exercising governmental functions, the main issue to this matter consists on different contradictory practices of International Court of Justice (ICJ) and International Criminal Tribunal for Yugoslavia ICTY. ICJ applies the effective control test in order to attribute acts committed by private actors, setting a high threshold almost impossible to address positively to the problem of attributing separatists’ misconduct to the state supporting them.

The later is the approach of ICTY which applies overall control, an approach which is used to establish individual criminal liability and does not require as high threshold as ICJ approach, and the both tests are disjunctive to each other.²⁶

23 Draft Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries, [in:] Report of the International Law Commission on the Work of its Fifty-third Session, Official Records of the General Assembly, Fifty-sixth Session, Supplement no. 10 (A/56/10), chp.IV.E.2, p. 104.

24 ILC Commentary 2001, p. 104, para. 1; cited at: M. N. Shaw, op. cit., p. 790.

25 Ibidem, para. 2.

26 A. Cassese, *The Nicaragua and Tadic Tests Revisited in the Light of ICJ Judgment on Genocide in Bosnia*, “European Journal of International Law”, vol. 18, 2007, no. 4, p. 649, 650.

Two grounds for attribution set by Article 8 – the first one is the “instructions” given by the state and the second one is “direction” and “control” by the state taken apart – are supportive to the effective control test and overall control test.

The ground for attribution for conduct under the direction and control of the state was evaluated by ICJ in several cases.

In the *Nicaragua Case*, even that instructions and support by United States to *Contras* was proved, the court held that:

[T]o give rise to legal responsibility of the United States, it would in principle have to be proved that that State had effective control of the military or paramilitary operations in the course of which the alleged violations were committed.²⁷

Court goes further by adding that:

The Court does not consider that the assistance given by the United States to the *contras* warrants the conclusion that these forces are subject to the United States to such an extent that any acts they have committed are imputable to that State. It takes the view that the *contras* remain responsible for their acts, and that the United States is not responsible for the acts of the *contras*, but for its own conduct *vis-à-vis* Nicaragua, including conduct related to the acts of the *contras*.²⁸

Therefore, the court set a very high threshold to attribute conduct of *Contras* to USA and to hold USA responsible for the *Contras* acts.

According to the ICJ approach in the *Nicaragua Case*, in order to attribute wrongful acts to a state, the private parties conducting them must be completely dependent and under state’s direction and control, even in case of violation of human rights and humanitarian law, a state is not responsible until it is proven that the conduct was under its direction and enforcement.²⁹

27 Case Concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua vs United States of America), Merits, ICJ Rep. 1986, para. 220; see also: para. 115.

28 Ibidem, para. 116.

29 Ibidem, para. 115.

Moreover, ICTY rejected the ICJ approach considering it as unconvincing toward the logic of the entire system of the international law on state responsibility.³⁰

In order to prevent the undermining the applicability of Article 8, ICTY took the overall approach by arguing that:

[In] organized and hierarchically structured group, such as a military unit or, in case of war or civil strife, armed bands of irregulars or rebels. ... [for] the attribution to a State of acts of these groups it is sufficient to require that the group as a whole be under the overall control of the State.³¹

The ICTY went further by adding that:

Control by a State over subordinate armed forces or militias or paramilitary units may be of an overall character (and must comprise more than the mere provision of financial assistance or military equipment or training). This requirement, however, does not go so far as to include the issuing of specific orders by the State ... The control required by the international law may be deemed to exist when a State (or, in the context of an armed conflict, the Party to the conflict) has a role in organizing, coordinating or planning the military actions of the military group, in addition to financing, training and equipping or providing operational support to that group. Acts performed by the group or members thereof may be regarded as acts of de facto State organs regardless of any specific instruction by the controlling State concerning the commission of each of those acts.³²

The approach of ICTY on the rules of attribution is more convenient with the recent developments in the international law. The overall control test is positively applicable in order to attribute the breaches of international law to Serbia in Bosnia and Croatia, and to Russia in case of Ukraine.

On the other hand, an overall control test lowers the threshold set by ICJ in Nicaragua case; therefore, the issue of state responsibility

³⁰ Prosecutor vs Tadic, Case No. IT-94-1-A, ICTY, Judgment, para. 116.

³¹ Ibidem, para. 120.

³² Ibidem, para. 137.

for actions of private actors under instruction but not in the capacity of exercising governmental functions would be more accessible.

The problem remains while ICJ reconfirmed its position on the rules of attribution in the Case concerning armed activities in the territory of Congo³³ and in Bosnian Genocide Case.³⁴

Thus, use of outsourcing doctrine by the states, in this case by Russia in Ukraine, and possible use of Serbian minorities in the Balkans as tactic to diminish western influence in the region, keeps Russia and Serbia outside the scope of international law, however not outside the scope of possible sanctions.

3. Russian Foreign Policy in the Balkans

When NATO began its 1999 air campaign in Kosovo without the UN Security Council approval, Russians perceived this as a part of “NATO’s drive for unilateral security in Europe” (Blank 2000). The Russian Federation feared that this military campaign signalled U.S. and European domination in the international system, but also a breach of the norm of sovereignty in international relations. This is the moment when tensions between NATO and the Russian Federation started to rise and the impact is still long term, affecting Kosovo’s foreign relations.

With the most recent mediation of the European Union between Kosovo and Serbia in February, Kosovo is in a much better situation in negotiating and being represented in regional initiatives. This shows that “the carrot and the stick” game played by the EU in Serbia is working well and that Serbia has no choice but to move incrementally toward the EU. In the constructive relationship between Serbia and the EU, Kosovo plays a very important role, as Serbia cannot join the EU without resolving the issue of Kosovo.

The Russian position over Kosovo hasn’t changed at all, even after such agreements with Serbia have been reached. This shows that Russian policy toward Kosovo is not only to support Serbia but to (mis)

³³ Case Concerning Armed Activities in the Territory of Congo (DRC vs Uganda), ICJ, Judgment, 2005, para. 160.

³⁴ See: Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia & Herz. vs Serbia), ICJ, 2007, para. 120, 379, 401, 403, 415.

use Serbia for its own great power ambitions in international relations. The Russian position seeks to continue blocking any decision in the United Nations Security Council (UNSC), and not only to block Kosovo as entity but to demonstrate its veto power against the other permanent members of the UNSC.

Russia seeks to play the role of a watchdog of the international law in international affairs. It wants to be seen as the antidote to the failures of international law in Afghanistan and Iraq, and a barrier to a wave of democracy-promotion and the Arab Spring. Kosovo plays a very important role in shaping Russian foreign policy, as it was the first international intervention carried out without the authorization from the UN and despite Russia's absence in the UNSC.

In November 2011, Dmitry Rogozin, Russia's ambassador to NATO, announced at the NATO headquarters that about 21,000³⁵ (quoting Serb sources only) Kosovo Serbs are seeking to get Russian citizenship. However, this policy changed slightly after a series of senior governmental meetings dealing with this issue, as reported in a briefing by the Russian Ministry of Foreign Affairs: "We will continue to help secure through politico-diplomatic means the legitimate rights and interests of the Serbs living in Kosovo."³⁶ By doing this, Russia shows how it uses Serbia as its own stick to flex its power while at the same time guaranteeing Kosovo Serbs' well-being according to the Foreign Policy Concept "to provide comprehensive protection of rights and legitimate interests of Russian citizens and compatriots abroad."³⁷

When he visited Kosovo Serbs in 2011, Rogozin posted on his Twitter account that: "Local Serbs have lived [in Kosovo] isolated from Serbia for a long time and trust no one but Russians."³⁸ He was repre-

35 B. Barlovac, *Kosovo Serbs Urged to Emigrate to Russia*, "BalkanInsight", 11.11.2011, <http://www.balkaninsight.com/en/article/russia-reviews-kosovo-serbs-request-for-citizenship> [29.09.2015].

36 Eurasian Law, *21,000 Kosovo Serbs Seek Russian Citizenship*, 15.11.2011, <http://eurasian-law-breaking-news.blogspot.de/2011/11/21000-kosovo-serbs-seek-russian.html> [07.10.2015] and Official Website of the Ministry of Foreign Affairs of the Russian Federation, *Briefing by Russian MFA Spokesman Alexander Lukashevich*, 01.12.2011, http://www.mid.ru/bdcomp/brp_4.nsf/e78a48070f128a7b43256999005bcb3/188d4badea45d06d4425795a00577257!OpenDocument [29.09.2015].

37 Foreign Policy Concept of the Russian Federation, 12.07.2008, <http://archive.kremlin.ru/eng/text/docs/2008/07/204750.shtml> [29.09.2015].

38 D. Rogozin, *Местные сербы давно живут в изоляции от остальной Сербии и верят только России*, Twitter release <https://twitter.com/#!/Rogozin/status/149453041471471617/photo>

senting Putin whilst meeting with the Kosovo Serbs, and did not meet anyone from the Kosovo Government. This also shows how Russia's policy in Kosovo has developed, and how states use ethnic minorities to exert influence in the international system. If Rogozin had really been interested in settling issues between Serbs and Albanians in Kosovo, he would at least have met with both sides.

Even today, when Kosovo and Serbia agree day-to-day on many things, including the Integrated Border Management and regional representation of Kosovo, Russia still doesn't agree. From the Russian point of view, no human right or any other legal right is more important than the concept of "sovereignty and territorial integrity" of Serbia as prescribed by the UNSC Resolution 1244.³⁹

During UN Security Council meetings, Russia has held very strong positions against Kosovo. With such a stance, Russia opposes not only Kosovo but also the US, the UK and other EU states which support its independence. Kosovo is only represented in the UN by the Special Representative of the Secretary General (SRSG), and can only speak through the SRSG.

In fact, not only does Russia oppose all progress that has happened in Kosovo, but it has also tried to physically stop the Foreign Minister of Kosovo, Hoxhaj, from speaking in the UN media corner. While Hoxhaj was addressing the media, Churkin, the Permanent Representative of Russia to the UN, told Hoxhaj: "You are not able to talk here at all without UNMIK person, I'm sorry sir."⁴⁰ Hoxhaj smiled and replied: "Ok, then you can ask UNMIK to come here" and Churkin admitted later that "it was just a friendly reminder."⁴¹

This anecdote shows how Russia is even *physically* opposing Kosovo's diplomatic representation on the international stage, not purely because of Kosovo, but because the United States supports it. This is also illustrated by Rogozin's view of global relations, as exemplified

to/1 [29.09.2015].

39 Resolution 1244 (1999), adopted by the Security Council at its 4011th meeting, 10.06.1999, <http://www.nato.int/kosovo/docu/u990610a.htm> [29.09.2015].

40 *Ambasadori Rus, Churkin, pengon ministrin Hoxhaj ne konferencen per Media*, "Daily Motion", 16.09.2011, http://www.dailymotion.com/video/xl4v85_ambasadori-rus-churkin-pengon-ministrin-hoxhaj-ne-konferencen-per-media_news [29.09.2015].

41 *Russian Ambassador Churkin at the SC Media stakeout talking to journalist*, "You Tube", 24.01.2012, <http://www.youtube.com/watch?v=OcjTRuSclg> [29.09.2015].

in his Twitter post: “The world is ruled by fear and interests. Everything else is propaganda.”⁴²

Russian foreign policy in the Balkans can be seen as a part of the traditional international relations approach of deterrence. Eventually Serbia’s stand on Kosovo will change in an incremental manner and this, by definition, will have an impact on Russia’s policy toward Kosovo. However, Russia will still maintain a high-profile denial of Kosovo’s independence, attempting to stop Kosovo by any means from accessing the international stage.

4. Russian Security Implications in the Balkans

John Kerry, the US Secretary of State, issued a stark warning that Kosovo is one of a number of European countries which are in line of fire⁴³ when it comes to relations between the US and Russia. While this message, delivered when he appeared before a US Senate sub-committee in February 2015, may or may not be true, Russia remains very much involved in the Western Balkans, on both political and operational level.

Politically, Russia considers the Rusosphere to comprise the entire former Yugoslavia – particularly Serbia. The conflict in Kosovo is an issue which divides the international community, despite its undoubted progress since NATO’s military intervention in 1999 and its declaration of independence from Serbia in 2008.

Russia has been seen as a potential threat to NATO since it deployed troops in Kosovo in June 1999 without NATO’s permission. The incident almost led to World War III, according to the British Lieutenant General Sir Mike Jackson, who over-ruled the then NATO supreme commander General Wesley Clark by refusing to block the runways of Pristina Airport, which would have isolated Russian troops there.

Russia has attempted to expand its sphere of influence in Kosovo because it counters both American and European interests. Russia’s

42 D. Rogozin, *The World is Ruled by Fear and Interests. Everything Else is Propaganda*, Twitter release, 04.12.2011, <http://twitter.com/#!/DRogozin/status/143347218001301505> [29.09.2015].

43 *Serbia and Russia Stage Joint Military Exercise*, “BalkanInsight”, 14.11.2014, <http://www.balkaninsight.com/en/article/serbia-russia-stage-a-join-military-drill> [29.09.2015].

position on Kosovo remains unchanged, despite Russian President Vladimir Putin's comparisons of the country with South Ossetia and Abkhazia, in Georgia. It also seeks to block politically any progress of Kosovo on the international and regional stages, both through the United Nations Security Council and through Serbia.

Russia did not veto the decision to approve UNSCR 1244, which was adopted in June 1999 and established Kosovo as a state, but it is now using this resolution to stop progress in Kosovo. With this, Russia is using Serbia as a carrot and stick in Eastern Europe. In 2011, Zlatibor Djordjevic, a spokesman for the Old Serbia movement, claimed that about 21,000 Kosovo Serbs were seeking Russian citizenship. This demonstrates how Russia focuses very closely on Kosovo both from a strategic and political point of view.

In 2010, Russia built the largest military base outside Russia since the end of the Cold War. This military base in Nis in the southeast of Serbia was established as a humanitarian base from which a Russian aircraft would operate in times of natural disasters.

It has the capacity to undertake surveillance and espionage on the US military base in Romania, as well as accommodate Russian forces in an eventual deployment to cooperate with special units of the Serbian military in Nis. Added to that, being able to co-ordinate with two other brigades in Raska and Vranje in Serbia, where each brigade has 11 battalions of combined forces which are already on the border with Kosovo, demonstrates that there is significant capacity for collaboration. In fact, joint military exercise has already occurred in the municipality of Ruma in the form of a joint anti-terrorist drill.

This Russian Bondsteel (the US Camp Bondsteel in Kosovo was the biggest newly-built US foreign base since the Vietnam War) is built strategically close to Kosovo. Military experts claim that there are more than humanitarian reasons behind the base at Nis just 100 km from the Kosovo border. According to a Serbian journalist, Dimitrije Boarov, "This is an example of one of those bases that goes hand in hand with major geopolitical and/or energy projects, such as linking gas pipelines."

Kosovo presents an ideal scenario for Russian interests to initiate another conflict: there is international presence; Serbia's territorial claims can be fuelled by Russian influence in the region for another conflict – as it did in Ukraine. While the rest of the world

is preoccupied with both ISIS threats and the conflict in Ukraine, the threat that Russia will initiate another conflict in the Balkans remains high.

5. The Economic Dimension

During the visit in Moscow in September 2012, Serbian President Tomislav Nikolić said: “The only thing I love more than Russia is Serbia.”⁴⁴ The declaration of Serbian President, and promises of President Putin, confirm the good relations between two countries and political will of Serbia to attract Russia interests toward the Balkans.

Therefore, Russia’s use of soft power in the Balkans can be detected by analyzing three main categories of Russian involvement, in three countries in the Balkans. Russia has found cooperation with three states, Serbia, Montenegro and Bosnia and Herzegovina, with the exception that in Bosnia its activities have been focused on the territory of the autonomous Republica Srpska.

The Balkans as a politically fragmented region, with multiethnic states like Bosnia and Macedonia that are politically unstable and with a fragile security, create an comfortable environment for Russian influence. For Serbia, Russia remains one of primary partners in trade and investment, overpassed only by CEFTA countries and the EU.

In 2013, bilateral trade between Serbia and Russia reached US\$ 3,034 million, compared to US\$ 2,719 in 2012.⁴⁵ Moreover, Russian direct investment in Serbia only from 2005 to 2012 amounts US\$ 785 million.⁴⁶ In 2013, struggling to cut budgetary deficit, Serbia

44 *To Russia with Love*, “The Economist”, 18.09.2012, <http://www.economist.com/blogs/easternapproaches/2012/09/russia-and-serbia> [29.09.2015].

45 J. Simic, *Economic Aspects of Strategic Partnership between Serbia and Russia*, “The New Century”, 2014, no. 6, p. 22-32.

46 Multiple authors, *Serbia Honours Russia’s Putin with Military Parade*, “Bloomberg”, 16.10.2014, <http://www.bloomberg.com/news/articles/2014-10-15/serbia-to-honor-putin-with-military-parade> [07.10.2015].

received by Russia a loan on the amount of 344 million Euros, ignoring the less favourable terms than the loan offered by China.⁴⁷

Russian-Serbian economic relations are an object to the Free Trade Agreement signed in 2000. Even though European countries remain the most important partners of Serbia in economic relations, the growing cooperation between two countries is promising for growth of Russian involvement in the Balkans. Moreover, Russian Lukoil owns 80% of Serbian gas stations chain Beopetrol with Gazprom as distributor,⁴⁸ and 98% of gas in Serbia is supplied by Russia.⁴⁹

One of major projects involving two countries is South Stream project, an oil pipeline that used to pass through the Balkans, particularly through Bulgaria, Serbia and so on, to the EU member states.⁵⁰ With respect to the South Stream project, Gazprom would invest 1.5 billion, creating 2500 jobs in Serbia⁵¹ – a project that was strongly opposed from European Union and was cancelled in 2014.

The involvement of Russia in Montenegro is of a significant level as well, one third of companies are controlled by Russians, and 7000 Russian citizens have permanent residence.⁵² Russian state-run Sberbank has a clientele of 600,000 people from Serbia, Montenegro, Bosnia and Herzegovina, Croatia and Slovenia, thus providing loans and development aid in the states of the region with focus in agriculture and infrastructure.⁵³

Given the economic dimension of economic relations between Serbia and abovementioned Balkan countries, a very important aspect of Russia's involvement in the Balkans is humanitarian aid, specifically humanitarian aid given to Serbian communities living in Kosovo and Bosnia Herzegovina.

47 M. Szpala, *Russia in Serbia – Soft Power and Hard Interests*, Ośrodek Studiów Wschodnich, Commentary, 2014, http://www.osw.waw.pl/en/publikacje/osw-commentary/2014-10-29/russia-serbia-soft-power-and-hard-interests#_ftn15 [29.09.2015].

48 *Putin's Reach: Merkel Concerned about Russian Influence*.

49 M. Szpala, op. cit.

50 South Stream, <http://www.gazprom.com/about/production/projects/deposits/serbia/> [29.09.2015].

51 Ibidem.

52 *Russia in the Balkans, Conference Report 2015*, LSE Research on South-Eastern Europe and SEESOX South East European Studies at Oxford, p. 8.

53 Ch. T. Barber, *Russian Soft Power in Balkan Peninsula*, p. 8, https://www.academia.edu/12126562/Russian_Soft_Power_in_the_Balkan_Peninsula [29.09.2015].

During the floods of 2014, Russia sent about 70 tons of humanitarian aid and teams of rescuer units only in Serbia, thus strengthening the public impression toward Russia. In 2011, beneficiaries of Russian aid were also Kosovo Serbs, where 25 cargo trucks entered Kosovo territory to deliver the aid to the Serbian minority.⁵⁴ While Serbian Minorities remain the main tool of Serbia to influence Kosovo and Bosnia and Herzegovina, and at the same time profiting from the dispute with Kosovo to gain advantage in international affairs, they also remain as a tool of Russia to blackmail and balance the West.

Russian involvement in the Balkans, more than a “Slavic Brotherhood,” is a strategic move to counter the spreading influence of European Union in the Eastern Europe. Therefore, in the design of Russian Soft Power policies, the Balkans are nothing more than stick in the hands of Russia to threaten the west. In the other hand, cooperation of Balkan states and the possible shift of their policies toward Russia, not only would diminish the European future of the Balkans, but also would create a battleground between the Russian and the European and American interests.

The effects of Russia’s influence in the Balkans in terms of economy, and the coordinated interests of Russia and Serbia in the international milieu, military cooperation and support given to Serbian entities in other Balkan states for the Greater Serbia cause, create the terrain of uncertainty in the region.

6. Discussion

Kremlin under the leadership of Vladimir Putin established expansionist policies as a counter effect to the European Union and the United States growing influence in Eastern Europe. However, the Russian expansionist policies do not have a territorial limitation, as in their application they intent to create a more favourable environment for Russia to succeed on its game with the West. Those poli-

⁵⁴ *Aid Delayed: Russian Convoy Blocked at Kosovo Border*, RT.com, 14.12.2011, <https://www.rt.com/news/russia-aid-serbia-kosovo-733/> [29.09.2015].

cies, differ in nature with regard to the territories they are applied to, as in Eastern Europe Russia has used hard power and military power to achieve its interests. But in the Balkans Russia is using soft power to expand its influence as a tool for domination toward the West.

The conflict in Eastern Ukraine is only one side of the Putin's approach that Western states have failed to address appropriately, and they are doing the same in the Balkans by not using all pressure measures to pre-empt the growing influence of Russia in the Balkans. On the other hand, Russia is using all legal loopholes in the international legal order, by using private actors to initiate internationally wrongful acts.

Also, Russia remains one of very few supporters of Assad's regime, opposing the Western approach toward the Syrian Government, and thus by blocking any possible authorization for intervention under Article 42 of United Nations Charter, and by supplying the Assad's regime with weapons in the other hand.⁵⁵

Furthermore, the threat against the territorial integrity and independence of the Baltic States came in another form – the form of questioning the legality of their independence. Even though Kremlin distanced itself by this initiative, when in June 2015 the Russian Prosecutor-General's office accepted a request to review the decision by the Soviet Union's State Council, the highest organ of state power, in the last months of the Soviet empire that recognized the break of the Baltic States from the Soviet Union.⁵⁶ Even though there are no legal consequences of this review in the international setting, the review itself is a means to spread fear in the Baltic States as, even though they are part of NATO and the EU, they have a considerable percentage of Russian minority in their territories.

Given that the Baltic States form a part to two treaties of Collective Self-defence, NATO and the European Union, the only region that fulfils the condition of Russia to act and confront the Western influence remains the Balkans. Ethnically divided, struggling with a post-

55 K. Golubkova, *Russia to "Continue Supplying Arms" to Assad*, "Independent", 13.09.2015, <http://www.independent.co.uk/news/world/middle-east/russia-to-continue-supplying-arms-to-syria-10498761.html> [07.10.2015].

56 M. Tsvetkova, *Russia Tries to Soothe Baltic States over Independence Review*, "Reuters", 01.01.2015, <http://www.reuters.com/article/2015/07/01/us-russia-baltics-idUSKCN0PB4M520150701> [07.10.2015].

conflict management situation, with territorial claims and separatist movements within the Balkan states where a part of the population welcomes the Russian influence in the region, and with international presence, the Balkans are the next Russian battlefield in Putin's quest for domination in the world. Therefore, Russia's ties with Serbian minorities in Kosovo and Bosnia, and the support of Moscow and Belgrade to the cause of Greater Serbia, especially with the open declaration opposing Kosovo's independence, fuel the minorities ideals for separatism.

However, since a confrontation between the West and Russia is of low intensity, the Balkans will be the arena for the establishment of Russian instruments to keep the pressure of the West toward Kremlin low. This is because of a threat that the use of the Serbian minorities in Kosovo and Bosnia may destabilize the region and so throw away 20 years and billions of dollars of Western spending on the peacekeeping, post-conflict management and state-building programs.

As a separated autonomous Serbian society has emerged in Bosnia since the end of the war, Kosovo is still struggling to integrate Serbian community and to establish state sovereignty over the northern part, a part with a Serbian majority that functions separated from the rest of Kosovo. Even though there has been progress since the negotiations between Kosovo and Serbia began, there is a dark side that opens possibilities of constituency of Serbian governance autonomous from central state authority that could fuel a new conflict of limited nature in the region.

Those possibilities do not affect any of the supporting states, Serbia and Russia, since, according to the international law, states cannot be held responsible for action of actors not affiliated with the states. Thus, outsourcing of military activities to private actors is a method that Serbia and Russia have used in the past.

The method overpasses the concept of Limited War, since it dictates to use only limited resources to conduct a war in a limited territorial scope, in Clausewitz words, to achieve limited political goals, brings us to the development of new approaches toward conflicts, concluding that the new forms of warfare are developed under the pressure of international legal norms on war prohibition.

Thus, since the International Court of Justice has established the effective control test as rules of attribution of internationally wrongful

acts to states, the use of private actors such as separatist movements, private military companies and other possible actors not affiliated with the state, it is very hard to attribute responsibility to the states according to the doctrine on the state responsibilities.

Conclusion

According to Collier, societies at greatest risk from a civil war are the societies that have just had a civil war.⁵⁷ Thus, after the fall of Yugoslavia and the end of Kosovo war, the Balkans represent a delicate region that needed positive action with regard to post-conflict management. The necessity of involvement of other actors shows the fragility of peace of security in the Balkans, since few of the Balkans states are in an ongoing process of state building.

Except for a region where positive action to maintain peace and security is required, the Balkans also are a vulnerable region for an outbreak of violence and a breach of peace and security. In a 10-year period, from 1999 to 2009, only the EU donated to Kosovo 1.8 billion euro in its involvement in a post conflict management and state building process, and an initial 800 million donated in its Common Security and Defence Policy mission on the rule of law (EULEX).⁵⁸ The EU, NATO and the US's involvement, and their investment in peace and security in the Balkans, entails a 20-year long campaign, with the cost of billions of dollars from the West.

In the eyes of Russia, the Balkans are an opportunity to blackmail the West, since the region is politically unstable, and its states are hostile toward each other with little progress toward cooperation and establishment of friendly relations. Considering Putin's aggressive foreign policies, the shift of the US interests to Eastern Europe and the Pacific, the Balkans are a perfect environment for a confrontation between Russian and Euro-Atlantic interests.

57 P. Collier, *Development and Security*. 12th International Bradford Development Lecture, Bradford Centre for International Development, 2004, p. 4, [http://www.brad.ac.uk/ssis/media/ssis/ssisnew/12-Bradford-Development-Lecture,-Professor-Paul-Collier-\(11-Nov.-2004\).pdf](http://www.brad.ac.uk/ssis/media/ssis/ssisnew/12-Bradford-Development-Lecture,-Professor-Paul-Collier-(11-Nov.-2004).pdf) [07.10.2015].

58 J. Hughes, *Paying for Peace: Comparing the EU's Role in the Conflicts of Northern Ireland and Kosovo*, "Ethnopolitics", vol. 8, 2007, no. 3-4, p. 297.

However, the European Union, as an actor that would be the organization most affected by a successful russianization of the Balkans, should be the first to take positive actions against a consolidation of Russian influence in the Balkans. Pressure toward the governments of the Balkan states to follow pro-European policies and to be in the EU agenda should emerge with the growth of Russian influence in the Balkans.

Integration of the region is one of the most important tools that would prevent a possible use of the instability of the Balkans by Putin to achieve his goals. On the other hand, the Balkan states should create a spirit of cooperation between each other and take positive steps toward normalization of the region as a whole. Policies of denial toward the existence of neighbouring states only feed the insecurity and possibility of another conflict, and do not contribute to the peace and security in the region. A common agenda of the region should contribute to the stabilization of the Balkans, since it is not in the interest of the Balkan states to create an arena for a Clash of the Titans.

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Orlanda Obad

Mental Maps on the Negotiating Table. Symbolic Geographies in Croatian Accession to the European Union¹

Abstract: Some of the seminal concepts which examined the “patterns of representation” in and of the Balkan region within the “critique of Balkanism” in the 1990s were once again used and interpreted in the following decade within the body of literature that critically approached the era of the two enlargements of the European Union. A number of authors attempted to examine the EU’s application of the conditionality policy in relation to the discourses which perpetuated various “gradations of Europeanness”, but also in relation to the national myths of many East-Central European countries, according to which their own eastern border is envisaged as Europe’s “last outpost”. Even today, when many of the formerly “Eastern European” countries have been EU members for more than a decade, the discursive threads related to the symbolic power relations retain their relevance. This paper will draw upon the examples from research performed in the pre-accession period in Croatia in order to demonstrate how the fuzzy and porous cultural and civilizational borders of Central Europe and the Balkans are envisaged and deployed in national, regional and continental symbolic geographies. It will also engage with the metaphor of “tidemarks” (Green), which attempts to include both space and historical time in the analysis of the border-related practices.

Keywords: symbolic geography, European Union, Croatian accession process, Central Europe, the Balkans

1 This study was originally developed and written as a working paper within COST Action IS0803 *Re-making Eastern borders in Europe: A network exploring social, moral and material relocations of Europe’s Eastern Peripheries* (2009-2013). This chapter is a somewhat altered version of that text. See: O. Obad, *The Importance of Being Central European: Traces of Imperial Border(s) in Croatian Accession to the EU*, “EastBordNet Working Papers”, 2010, http://www.eastbordnet.org/working_papers/open/documents/Obad_Importance_of_being_Central_European_101005 [05.10.2015].

At one point in her book titled *Imagining the Balkans*, Maria Todorova, the author who first named and described Balkanism as a discursive formation of a decisive impact on the perception of the Balkans in the West, states that: “[i]n the ambiguous relation between geography and politics within the concept of geopolitics, the latter seems to have the upper hand.”² “Europe,” after all, “ends where politicians want it to end,”³ is Todorova’s conclusion in a passage which primarily addressed the perils of political abuse of irresponsible scholarship, and which later became a popular quote in various academic accounts of the relationship between symbolic geography and politics. Among others, there is Liotta’s assertion according to which “the mental maps that decision makers use have everything to do with how and where they draw the line.”⁴

The changed political context, as I will attempt to demonstrate in this chapter, may elicit changes in the interpretations of historical and cultural legacies and it may also lead to the introduction of entirely new notions related to national/regional symbolic geographies. Some notions demonstrate resilience even in the face of transformed political and societal circumstances, or they continue to function, albeit with slightly altered, mutated meanings. At other times, they are dormant until a new opportunity, one which will put them back into public circulation, arises. In this paper I will present some of the modes in which several key notions related to national, regional and continental symbolic geographies – such as Central Europe or the Balkans – were deployed in discourses which accompanied the political and bureaucratic process of Croatia’s accession to the European Union. Instead of following the diverse discursive threads which were uncovered throughout my long-term research into perceptions of the European Union, I will focus on the ways in which borders are imagined, employed and maintained within the different levels of symbolic geographies.

Since 2007, I conducted several sets of semi-structured interviews with groups of interviewees who were in various ways related

2 M. Todorova, *Imagining the Balkans*, Oxford University Press, New York 2009, p. 139.

3 Ibidem.

4 P.H. Liotta, *Imagining Europe: Symbolic Geography and the Future*, “Mediterranean Quarterly”, vol. 16, 2005, no. 3, p. 69.

to the European Union: from the Croatian negotiators with the EU, via the law students who attended a class on the European Public Law, to agricultural entrepreneurs who applied to the EU pre-accession funds in agriculture, and Croatian EU officials, who were employed in EU institutions since the country became member of the Union in 2013. I deliberately chose groups of interviewees who varied greatly in terms of age, gender, education and social status. The problem with narrowing the research solely to the groups of eloquent and well-informed collocutors such as “intellectuals of statecraft,” is that they “tend to draw on and embellish a loosely coherent set of myths about nature, culture, and geography, even when they do not work in the same end of the political spectrum.”⁵ My research confirmed such claims: some of the most intriguing – and, also, most difficult to analyze – “imaginings” came from students and agricultural entrepreneurs, who related to the predominant discourses in indirect and unexpected ways. Nonetheless, since I intend to examine the overlap between the symbolic and the political, and especially in relation to the border-making practices, this chapter will primarily be based upon the examples from the interviews with Croatian negotiators with the EU, since they offer the richest material for such analytical purposes.

In all of the interviews I guaranteed anonymity to the interviewees, for many times throughout the conversation their responses would have most likely been phrased more carefully or diplomatically had they not been promised such confidentiality. At times, I also left out certain parts of the interviews which could have, and especially in the case of negotiators, exposed the interviewees’ identity through circumstantial information, such as their area of expertise or career trajectories.

5 Gusterson and Besteman referred to in: M. Kuus, *Critical Geopolitics*, The International Studies Association Compendium Project, http://www.isacomps.com/info/samples/criticalgeopolitics_sample.pdf [28.09.2015].

1 Lesser, Semi-developed, Liminal ... Europe

Several key studies, which analyzed the discourse within and about the Balkans, were published throughout the 1990s in the context of wars on the territory of the former Yugoslavia, which reinforced these works' academic prominence.⁶ For the purposes of this text, I will examine several works which have, in the past decade, confirmed their interpretive value in a number of critical analyses of the EU enlargements. First is the aforementioned Todorova's work on Balkanism, in which she traces the origins of stereotypes about the Balkan Peninsula, represented as "a bridge between stages of growth, which invokes labels such as semi-developed, semi-colonial, semi-civilized, and semi-oriental."⁷

Geographically inextricable from Europe, yet culturally constructed as "the other," the Balkans became, over time, the object of a number of externalized political, ideological and cultural frustrations and have served as a repository of negative characteristics against which a positive and self-congratulatory image of the "European" and "the West" has been constructed.⁸

Mapping out the representations of the Balkans in various stages, such as the "discovery" of the peninsula by European travellers in the late 18th century, the Balkan Wars (1912-1913) which incited *news of the barbarities* that upset the neighbouring, Western "civilized world," all the way to the more recent accounts of the wars on the territory of ex-Yugoslavia in the 1990s,⁹ Todorova comes to a conclusion that the legacy of the Ottoman rule has been decisive for the Balkan peninsula and that the *Ottoman elements*, or at least those features which were perceived as such, "have mostly invoked the current stereotypes."¹⁰ And unlike Orientalism, "which is a discourse about an imputed opposition," Balkanism is "a discourse about an imput-

6 Cf. O. Obad, *On the Privilege of the Peripheral Point of View: A Beginner's Guide to the Study and Practice of Balkanism*, [in:] T. Petrović (ed.), *Mirroring Europe: Ideas of Europe and Europeanization in Balkan Societies*, Brill, Leiden-Boston 2014, p. 20-38.

7 M. Todorova, *Imagining the Balkans*, p. 16.

8 Eadem, *The Balkans: From Discovery to Invention*, "Slavic Review", vol. 53, 1994, no. 2, p. 455.

9 N. Lindstrom, *Between Europe and the Balkans: Mapping Slovenia and Croatia's "Return to Europe" in the 1990s*, "Dialectical Anthropology", vol. 27, 2003, no. 3-4, p. 315.

10 M. Todorova, *Imagining the Balkans*.

ed ambiguity.”¹¹ While Orientalism deals with “a difference between (imputed) types, Balkanism treats the differences within one type”¹² so that, from the Balkanist perspective, people in the Balkans are not necessarily regarded as essentially different from Europe, but less, or incompletely European.

In the examining of the symbolic geography of Europe, several authors have depicted a hegemonic discourse in which notions of “Europeanness” and civilization gradually diminish from the West toward the East. Related to them is the concept of “nesting orientalisms,” which was first applied in the context of the breakup of Yugoslavia by Milica Bakić-Hayden and Robert Hayden.¹³ The concept refers to a discursive mechanism through which the Western Orientalizing gaze, with its tendency to instil various dehumanizing stereotypes such as “primitivism” or “backwardness” is continuously passed on and reproduced, predominantly in the (south)-eastern direction.

The gradation of “Orients” that I call “nesting orientalisms” is a pattern of reproduction of the original dichotomy upon which Orientalism is premised. In this pattern, Asia is more “East” or “other” than eastern Europe; within eastern Europe itself this gradation is reproduced with the Balkans perceived as most “eastern”; within the Balkans there are similarly constructed hierarchies.¹⁴

Among other things, these studies present the ways in which Habsburg legacy, along with other “markers” of Westernness, was used as a proof of higher developmental rank among the nationalist elites in Slovenia and Croatia. On the other hand, citizens of those parts of former Yugoslavia who were placed lower on that same scale invented their very “own ‘others,’ whom they perceive as even lower.”¹⁵ Thus, for example, “Eastern Orthodox peoples perceive themselves as more European than those who assumed identities of European

11 Ibidem, p. 17.

12 Ibidem, p. 19.

13 M. Bakić-Hayden, R. Hayden, *Orientalist Variations on the Theme “Balkans”: Symbolic Geography in Recent Yugoslav Cultural Politics*, “Slavic Review”, vol. 51, 1992, no. 1, p. 1-15; M. Bakić-Hayden, *Nesting Orientalisms: The Case of Former Yugoslavia*, “Slavic Review”, vol. 54, 1995, no. 4, p. 917-931.

14 M. Bakić-Hayden, op. cit., p. 918.

15 Ibidem, p. 924.

Muslims and who further distinguish themselves from the ultimate orientals, non-Europeans.”¹⁶

The aforementioned importance of Habsburg legacy in the national and regional symbolic geography is intertwined with the notion of Central Europe. In his essay on the “tragedy of Central Europe,” originally published in 1983, a Czech writer Milan Kundera describes the predicament of the Central European nations in the following manner: politically, they are subject to Soviet domination, yet culturally they still belong to the West, which had abandoned them in spite of their enormous contribution to “Western” or “European” culture, or, precisely because the West itself no longer cared for culture as the fulfilment of its highest civilizational values. Interestingly, most of the peoples mentioned by Kundera as the ones belonging to Central Europe at the time are today among the “newer” – or, as in the case of Croatia – “newest” members of the European Union.

Some of the authors who have attempted to deconstruct the romanticized imaginings of Central Europe emphasize that it is a sort of region which is “not a place, but an intellectual and political project that functions to pass alterity further east,” and that its distinguishing from Eastern Europe was based on the “moral superiority of the civilized Central Europe over the less civilized Russia.”¹⁷ Attila Melegh, on the other hand, asserts that the notion of Central Europe reappeared in public discussions “in the late 1970s and early 1980s.”¹⁸ The notion played an important – although not uncontested – role in the political call for the “return to Europe” in Eastern European countries, and “is linked to the hierarchization of Eastern Europe, with practical consequences for the more ‘Eastern’ parts of Europe such as Russia and the Balkans.”¹⁹

In the studies which discuss the usage of Central European identity in the predominant discourse of Croatian social and political elites in the 1990s, it may be noted that the call for the “return to Europe” –

¹⁶ Ibidem, p. 922.

¹⁷ M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*, “Progress in Human Geography”, vol. 28, 2004, no. 4, p. 480.

¹⁸ A. Melegh, *On the East-West Slope: Globalization, Nationalism, Racism and Discourses on Central and Eastern Europe*, CEU Press, Budapest, New York 2006, p. 44.

¹⁹ Ibidem, p. 46.

which was, in case of Croatia, interrupted by the war – acquired an even more important meaning of the “escape from the Balkans”²⁰. Rihtman-Auguštin, in an article published in the second half of the 1990s, asserts that the Balkans were abhorred not only by the ruling party, but by the representatives of the opposition as well. The author puts it this way: “while the ruling party threatened *the people and the opposition with the Balkan black hole*, the opposition proved that it was *the government itself that behaved in a Balkan manner*, which led into that same black hole.”²¹

As it may be observable from the literature review presented this far, in order to understand multiple levels of symbolic geographies in Croatian context, one needs to take into account entities of various sorts: imaginary as well as geographical regions, the once-existing empires as well as the politically-produced entities, such as the Western Balkans.²² However, in what ways such heterogeneous entities are called upon to participate in the border-making processes, and, even more, what is the nature of such borders, remains somewhat unclear. This is why I will apply in the following analysis the conceptualization of borders as “tidemarks,” a notion proposed by Sarah Green,²³ which challenges the understanding of border as a line – “a static entity, fixed in place, without time.”²⁴ Tidemarks should be thought of as a metaphor which “combines space and historical time, and envisages both space and time as being lively and contingent.”²⁵ They simultaneously represent “what is left after some kind of past activity has occurred, and imply more activity to come,”²⁶ a feature which, in my opinion, makes them particularly suitable in the analyses related to symbolic geographies.

20 Cf. N. Lindstrom, op. cit., p. 313-329; D. Rihtman-Auguštin, *Zašto i otkad se grozimo Balkana?*, “Erasmus”, vol. 19, 1997, p. 27-36.

21 D. Rihtman-Auguštin, op. cit., p. 35.

22 Cf. T. Petrović, *Dolga pot domov: reprezentacije zahodnega Balkana v političnem in medijskem diskurzu / A Long Way Home: Representations of the Western Balkans in Political and Media Discourses*, Mirovni inštitut, Ljubljana 2009, p. 28-33.

23 S. Green, *Lines, Traces and Tidemarks: Reflections on Forms of Borderli-ness*, “EastBordNet Working Papers”, 2009, http://www.eastbordnet.org/working_papers/open/documents/Green_Lines_Traces_and_Tidemarks_090414.pdf [04.10.2015].

24 Ibidem, p. 6-7.

25 Ibidem, p. 17.

26 Ibidem, p. 7.

Tidemarks still preserve a certain sense of line inherent in borders, albeit “in the sense of connection and relation, in the sense of movement and trajectory, and in the sense of marking differences that make a difference,”²⁷ and unlike the ways in which borders are commonly thought about, they are not necessarily located on the territorial edges. In the following analysis, I will attempt to examine the ways in which tidemarks may contribute to the analysis of national, regional and continental symbolic geographies, which were present in the narratives of my interviewees.

2. EU as a Mentor

In my research of the perception of the European Union in Croatia, I was inspired by the body of literature which focused on the symbolic power relations in the political processes of EU enlargements in the 2000's. Such a critical perspective, among other things, insisted that the issues of culture and history, pertinent to the symbolic geography of the whole continent, should not be extricated from academic research in this area. And a number of authors, who examined the EU expansion toward the East, were inspired, or, at least, informed by earlier analyses of discourse on Eastern Europe, and, especially, the Balkans.²⁸

The relationship of the EU towards the candidate countries in the accession process evoked colonial metaphors, which, in some opinions, pointed to the imperial past of some of the key Western European members of the Union,²⁹ a legacy largely absent from the “official” politics of representation of the EU. More often, though, a more abstract sort of coloniality was evoked, one which does not nec-

²⁷ Ibidem, p. 17.

²⁸ Cf. J. Böröcz, *From Empire and Coloniality in the “Eastern Enlargement” of the European Union*, [in:] J. Böröcz, M. Kovács (eds.), *Empire's New Clothes: Unveiling EU Enlargement*, Central Europe Review e-books, 2001, p. 4-50; B. Busch, M. Krzyżanowski, *From Inside/Outside the European Union: Enlargement, Migration Policy and the Search for Europe's Identity*, [in:] W. Armstrong, J. Anderson (eds.), *Geopolitics of European Union Enlargement: The Fortress Empire*, Routledge, London, New York 2007, p. 107-124; M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*, p. 480; A. Melegh, op. cit.; J. Zielonka, *Europe as Empire: The Nature of the Enlarged European Union*, Oxford University Press, Oxford 2006.

²⁹ Cf. J. Böröcz, op. cit., p. 4-50.

essarily imply “territorial occupation and direct exploitation,” but rather “a complex form of domination, including the hierarchical classification of the populations of the planet, the reformulation of local concepts of space and time, the export of sexual energies into the *East*, the *imperial gaze* and most importantly the colonization of consciousness.”³⁰

In a similar vein, Merje Kuus, asserts that “[t]he lack of an explicit Western colonial domination does not preclude the relevance of postcolonial theory to East-Central Europe,”³¹ and that a critical examination of the EU enlargement through such a theoretical perspective would “highlight the dichotomy of Europe and the East”³² which is seminal in this political process. The suggested dichotomy does not function through “clear-cut dichotomies,” but, instead, through the mechanism of gradation, which operates within and outside Europe through similar “inscriptions of otherness” – it is about the parts of the world which are defined as “not yet” or “not fully” European.³³ Such a discursive mechanism, this “gradation of Europeanness,” is present in the discourse in which EU enlargement is embedded. It enables the discussion of certain East-Central European countries in terms of their “proximity to, or likeness of, an idealized Europe.”³⁴ And instead of being encouraged to “challenge the East/West dichotomy,” the candidate countries are only encouraged to “align themselves with the *right side*.”³⁵

Attila Melegh imagines a similar gradation in the form of a slope – an “East/West slope” or a “civilizational slope” – which is based upon the notion of the diminishing levels of civilization in the eastward direction. Such a discourse “prescribes the gradual Westernization of different areas of the world;” it incites “a drive to climb higher” through the process of “upward emancipation.”³⁶ Melegh traces symptoms of such discourse within the EU enlargement criteria. In the following passage, he comments on the 1993 Copenhagen criteria, the “essen-

30 A. Melegh, op. cit., p. 29.

31 M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*, p. 483.

32 Ibidem.

33 Ibidem.

34 Ibidem, p. 484.

35 Ibidem.

36 Ibidem, p. 5.

tial conditions” that the candidate countries need to satisfy in order to become member states.

It can clearly be seen that the EU enlargement process is not imagined as a negotiation between the assigned political body of the EU and certain nation states, with a deadline to be met, but as a timeless *process* (the question being when), of achieving certain capacities like the “stability of institutions guaranteeing” humanitarian liberal ideas such as the “rule of law,” “human rights” etc., or the “existence” of a “functioning market economy” or the “capacity to cope with” certain “pressures within the Union.” Even at first glance it can be seen that the criteria are vague and imply processes with no real end.³⁷

In an attempt to empirically research how the “core” EU voice resonates among the newer EU member states, Busch and Krzyżanowski conducted interviews with the members of the so-called European convention, in which the representatives of then-accession and candidate countries, such as Hungary or Romania, participated in “drawing up a constitutional reform plan for the EU and sketching its future” along with the “representatives of the pre-2004 member states and the EU’s central institutions.”³⁸ Based on the analysis of the interviews, the authors predicted “that the incorporation of new member states will continue the further reproduction of exclusive visions of Europe,”³⁹ which were previously conveyed by the core members of the EU. In these exclusive visions, the EU is, for example, viewed as an entity which should maintain the highest standards within its territory and, simultaneously, enforce strict control over its outside borders. Even more importantly, the authors assert that such notions of Europe fit well within the nation-building myths of the “newer” member states, according to which “they constitute Europe’s last outpost” while “non-Europe starts the other side of their own eastern borders.”⁴⁰

Since the analysis I will present in this chapter is primarily focused on the discourses which arise in EU’s *antechamber*, before the accession, I will only briefly touch upon the findings of the more recent re-

37 *Ibidem*, p. 17.

38 B. Busch, M. Krzyżanowski, *op. cit.*, p. 107-124.

39 *Ibidem*, p. 117.

40 *Ibidem*, p. 118.

search performed by Kuus⁴¹ with the EU civil servants in Brussels. This study claims that the discursive articulations of East-West divisions – within the EU institutions, therefore on the very elite end of the societal spectrum at least – are increasingly subsiding, or that this division is one among “many axes of differentiation”⁴² which arise between Northern and Southern, rich and poor, big and small countries, etc. Or, to be more precise, the distinctions pervade, albeit they should be sought on more subtle, class-related levels. They may be, for example, discernible in the matters related to personal style and taste, in which the former Eastern European are still recognized through the lacks thereof, while “[a] certain casual self-confidence in movement, posture, and approach, with clothing and accessories only in a supporting role – a certain urbanity of continental noblesse de robe – still marks a person who is unlikely to come from central Europe.”⁴³

3. Mental Maps and the Negotiating Table

In the interviews with the Croatian negotiators with the EU⁴⁴ I attempted to follow the thread of research which examines, as Liotta writes, how “divisions and linkages that history, culture, religion, politics, and empire have drawn for Europe are still forces at play today in the mental maps that decision makers bring to their policies.”⁴⁵

The question in my research with Croatian negotiators with the EU which elicited most answers concerning such “divisions and linkages”

41 M. Kuus, *Geopolitics and Expertise: Knowledge and Authority in European Diplomacy*, Wiley-Blackwell, Oxford 2014.

42 Ibidem, p. 143.

43 Ibidem, p. 159-160.

44 The set of interviews which will be examined in this chapter was conducted at the end of 2007 and the beginning of 2008. In this period, I interviewed six negotiators who belonged to the so-called Negotiating Team for the Accession of the Republic of Croatia to the European Union. At the time this set of interviews was performed, there were 13 negotiators in the team, headed by the so-called chief negotiator. Each of the interviewees included in this research was responsible for negotiations in one or more of the so-called chapters – each of them covering a specific area of policy such as “science and research” or “judiciary and fundamental rights.” I also performed a second set of interviews with negotiators in 2013 and 2014, the analysis of which will not be included in this chapter.

45 P. H. Liotta, op. cit., p. 69.

asked the interviewees to situate Croatia according to its regional affiliation.⁴⁶

In many parts of the interviews, negotiators expressed very pragmatic notions in their perception of the EU. As one of the interviewees succinctly put it, the Union was not to be understood as a “magic wand,” one which would make things right at the very moment of Croatia’s accession. The European Union was, as some of the interviewees said, a community of ordinary people, who are made of “flesh and blood,” and the Union itself does not “function flawlessly” as an organization. Another rather common argument which favoured the EU accession emerged in the interviews: as Croatia cannot remain isolated regardless of the accession, it makes more sense for the country to “participate in the making of these decisions, than to be left out,” and still be expected to act according to the decisions decided upon elsewhere. In such notions, there were no traces of discursive mechanisms which essentialize differences and turn them into values.⁴⁷ However, as it turned out, those mechanisms were not inexistent, but rather inactive, and the question regarding Croatia’s regional affiliation clearly revealed that underlying such politically pragmatic perceptions of the EU there was another level of different, hierarchical notions of culture and identity.

A typical example of such change of levels in the notions related to Europe and the EU was an interviewee who first stated that the EU was based upon, among other things, the economic interest of its members to strengthen their position on the global market. The argument in favour of Croatia’s joining the EU is clear: as a small country of five million people, it could use its membership to make its position stronger. In another part of the interview, however, the same negotiator explains that Croatia is positioned on the crossroads of different cultures, and that its future success depends upon the country’s ability to move away from “the Balkan” in its identity, and “apply the way in which the organized states of Central Europe” function.

46 For a more detailed account of the research with the Croatian negotiators with the EU, please see: O. Obad, *Imperij kao uzvraćanje udarca: predodžbe o kulturi i identitetu u hrvatskih pregovarača s Europskom unijom*, “Narodna umjetnost”, vol. 46, 2009, no. 2, p. 111-127.

47 Cf. A. Melegh, op. cit., p. 29.

C: ... In this, we were greatly helped by Austrians and Hungarians, when they enslaved us a couple of hundred of years ago, so that ... it did leave a deep trace, and especially in the perception of culture, and so on.

X: The perception of culture?

C: Among our people, no?

X: Oh. And how do our people perceive culture?

C: Culture, the meaning of culture, regardless of the fact that material poverty, which lasted for a long time, probably did make a lot of impact here. But, our people have the tendency to consume culture, even the one ... traditionally Austro-Hungarian, no? There are a lot of people who want that, no?

X: What do you mean by that concretely?

C: Well, theatre, such fine things, no?

The question of regional affiliation led the interviewees to talk about culture and history, and it is in this realm that this negotiator switches from the pragmatic rhetoric of “mutual interests” to a clear example of a “civilizational slope.” Suddenly, Croats are not all that equal to other EU members, but placed somewhere in-between the more civilized nations of Central Europe and its threatening Balkan surrounding. These statements point to the importance of imperial legacy in the current political context: faced with the discourse of EU enlargement, in which historical ties with the West are highly valued,⁴⁸ even the “cultural enslavement” by the civilizationally more advanced nations may be interpreted as a lucky twist of Balkan fate.

Most of negotiators that I interviewed placed Croatia in the region of Central Europe, which seemed to be a regional affiliation perceived as shorthand for “European” in the context of EU accession. When asked the same question regarding the country’s regional affiliation, another negotiator answered that Croatia could be seen as related to three different regions: the Balkans, the Mediterranean, and Central Europe. Still, in the part of the interview in which she explains the symbolic importance of EU accession, she underlines the country’s belonging to Central Europe as a region which is part of “Western culture and civilization.” In the following answer, the same negotiator

48 M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*, p. 480.

reveals how the supposedly strictly political process of accession intersects with symbolic geography.

D: We always try to emphasize that we are a part of Central Europe, that we are a part of that Western culture and civilization, that we are significant and important – which we are – and it [Croatia's accession to the EU] will be that icing on the cake, I would say. So that: yes, the answer is definitely yes. We deserve to be in the Union because we are like that already, and we will be, in a few years, even better, and that definitely is ... merit for the people, no? You know ... The formal recognition of Croatia as a country that we already recognize it to be, and on that symbolic-cultural, culturological level that date will definitely be ... it.

While joining the EU is a matter of formal recognition of the country's already-existing achievements, belonging to Central Europe and the Western civilization seems to be linked to the perception of the country's overall importance, which is reminiscent of the "generative doubts" which are, in Kiossev's⁴⁹ opinion, characteristic of peripheral European cultures. It is the pervasive sense that "they have appeared too late and that their life is a reservoir of lacks of civilization,"⁵⁰ which stimulates the periphery to ceaselessly attempt to catch up with the West, or devise other strategies of coping with this sense of lack.

Another recurrent theme in the interviews was the notion of Croatia as more advanced and adjusted to "Western culture and civilization" than its South-Eastern neighbours, which is reminiscent of the overlap of symbolic geography and politics that Busch and Krzyżanowski⁵¹ point to: the reproduction of "exclusive visions of Europe," which is present in the "core" EU voice, finds its fertile ground in the national myths of newer EU members, according to which "non-Europe starts on the other side of their own eastern borders."⁵² References to Croatia's Habsburg legacy were, at times, surrounded by examples of such an overlap in my interviews, as well.

49 A. Kiossev, *Notes on Self-Colonising Cultures*, http://www.kultura.bg/media/my_html/biblioteka/bgvntgrd/e_ak.htm [11.10.2015].

50 *Ibidem*.

51 B. Busch and M. Krzyżanowski, *op. cit.*, p. 107-124.

52 *Ibidem*, p. 118.

In the following example, the interviewee asserts that it is the country's Central European background which makes Croatia more advanced than its immediate South-Eastern surrounding, even in the sphere of the economy. And the "future" date of EU accession is related to "going back" in time, and amending the disruption which occurred with the dissolution of the Austria-Hungary.

A: We have no use in making comparisons with Bosnia, Serbia, Montenegro, Albania, Bulgaria and Romania, which will, in nine out of ten analytical showings, demonstrate that Croatia is in the first place. That was clear to me even before somebody started such an analysis. But, through its economic structure and history, economic position even in the time of Yugoslavia, Croatia is somewhere close to the countries of Central Europe, so that the membership in the European Union will, in a way, close that chapter which was started with the dissolution of the Austria-Hungary.

In a somewhat more meandering argument, another negotiator points out that Croatia is placed "in that South European surrounding," a designation which bypasses the more symbolically burdened regional affiliations. And although he does mention the country's "common history" with the Austro-Hungarian Monarchy and Italy, this negotiator maintains that fulfilling the EU requirements is, nonetheless, more important.

B: So, probably a land-registry which we use since, which was great, since Maria Theresa, qualifies us to have some, I don't know, maybe to have books in a better order than, maybe, Serbia or Bosnia or, I don't know, maybe, Greece. I don't know how much it will contribute. But we definitely are in that South European surrounding, and there are no question marks about it, we are here.

Apart from the workings of the discursive mechanism of "nested orientalism," which, more often than not, deployed Croatia's Habsburg legacy in the essentializing of differences between Central Europe and the Balkans, the aforementioned land-registry may be interpreted as a bearer of the trace of another time. Instead of being passively reminiscent of the past, it actively participates in the contemporary border-making practices. Such an interpretive approach may lead us to, as argued by Green, a closer consideration of "irreducibility of historical time in borders, of the ways in which time is crucial to experi-

ences of border.”⁵³ Related to the same example is the understanding that “border is something best thought of as an active entity.” It could be argued that the border-making potential of a simple land-registry was dormant, next to non-existent until the political context shifted in a way that valued the adjustability to the EU, and, more generally, Western criteria. “Having books in a better order” than Serbia or Bosnia, or having them in an order which makes Croatia more similar to the current EU members such as Austria or Hungary, may be considered an advantage in the accession process. The rise of an older, Habsburg tidemark which included Croatia, therefore, may also be used as an argument in favour of the reshaping of another, political tidemark which at the time this interview was performed still excluded Croatia from the European Union.

A similar overlap of the symbolic and the political I found in another set of interviews, conducted with Croatian law students⁵⁴ in 2009, some four years before the country officially joined the European Union. A number of studies performed in the pre-accession period indicated that Croatian students and young people in general were eurosceptical above average,⁵⁵ and my interviewees confirmed those results in that the general political stance they expressed opposed joining the European Union. One of the primary targets of their critique, however, was not the EU itself, but the lack of preparedness of the country they lived in, as well as the political representation of the Union as a political goal *per se*, a matter without real choice.⁵⁶

Since this text primarily focuses on the relation between symbolic geographies and border-making practices, I will only discuss one example from these interviews, in which a female student recounts her visit to Budapest with a group of friends. In front of the Hungarian parliament, the guard informs them that tickets are free “for Europe,” while “for the other ones it’s not free.”

53 Ibidem, p. 12.

54 In the first half of 2009 I conducted individual and group interviews with 15 students who were attending a course on the European Public Law at the Faculty of Law in Zagreb.

55 See: O. Obad, *Balkan Lights: o promjenama u predodžbama o Zapadu i Balkanu u Hrvatskoj*, [in:] I. Prica, T. Škokić (eds.), *Horror-porno-ennui*, Institut za etnologiju i folkloristiku, Zagreb 2011, p. 9-10.

56 Cf. ibidem.

I: So, he only said: “for Europe.” Now, we are looking at whether to ask him is it the European Union, or what? All in all: Europe, Europe ... And in front of us: Italians, Germans, French, all different languages. OK. He bumped in, I don’t know, a friend of mine, as if he will go, so that the five of us don’t have to. And he returns: Fuck ... Europe, and this, and that. Now each one of us has to pay 15 euro. And what? We are not European Community, we are not European Union, we are the Balkans. Then we teased them: “Come on, we have the longest border with you,⁵⁷ we are neighbours. So what? We signed the Stabilization Agreement,” this and that. Nothing. It does not work. We entered inside, and everything there was made of wood, was made of Slavonian oak. Then we teased each other: Do I have to come to Budapest, and pay 15 euro to watch Slavonian oak?

Here, another nexus of space and historical time emerges. An older, imperial tidemark, whose material trace is oak from the region of Slavonia, once used as building material, serves to emphasize Croatia’s belonging to Europe. A newer tidemark is being materialized as an obstacle at the entrance to the Parliament building, which both physically and financially separates the EU from non-EU citizens. In this example, the older tidemark is used as a decentring and destabilizing tool, when juxtaposed to a more recent border, which is, in this account, presented as less substantial, even provisional and arbitrary. Similarly to the aforementioned land-registry, Croatian oak in the Hungarian parliament figures as a proof that Croatia’s place is within the EU, while the exclusion of Croatian citizens from the regime applied to EU citizens becomes the object of mockery.

Conclusion: Where Does Europe End?

In this text, I attempted to examine how symbolic geographies, developed in a particular national context, interacted and overlapped with the political and bureaucratic process of EU enlargement.

Most of the interviews I made with Croatian negotiators with the EU shared a common feature: underneath the pragmatic and rational rhetoric, which stressed the importance of arguments in favour

57 Croatia’s longest border is actually with Bosnia and Herzegovina.

of Croatia's joining the EU, there was another discursive level which contained rather hierarchical notions of culture and identity, not necessarily congruent with the "politically correct" official rhetoric of unity and regional cooperation.

Some of the key notions of national as well as regional symbolic geography – such as the Balkans or Central Europe – retained their meanings, which were established in the 1980s and 1990s,⁵⁸ in the face of the changed political context in which Croatia entered the process of accession to the European Union. As this research demonstrates, the negotiators mainly interpreted Central Europe as a metonymy of "Western culture and civilization," while the country's Balkan identity was predominantly portrayed in the interviews as a burden and an unwanted part of national identity. Although the discursive mechanism of "gradation of Europeanness"⁵⁹ was used in order to differentiate Croatia from its South-Eastern neighbours, the interviewees placed more importance on demonstrating that Croatia's Central European legacy makes the country more similar to EU members, and especially the neighbouring or geographically close ones, such as Hungary or Austria.

From the "return to Europe" in the 1980s, via the "escape from the Balkans" in the 1990s, Central Europe in Croatia in the 2000s came to mean the nearest, neighbouring EU, and that may be the primary reason why the imperial Habsburg legacy regained its importance in what Todorova claims is "ambiguous relation between geography and politics."⁶⁰ On the one side, there was a tacit call for authentication of the country's Westernness;⁶¹ on another, an imperial legacy which could be presented precisely as such an authentication.

I also attempted to demonstrate that Green's metaphor of tide-marks⁶² is useful in the examining of the overlap of symbolic geography and politics because of the importance it places on the nexus between space and historical time. Tidemarks may bear traces of past

58 Cf. N. Lindstrom, *op. cit.*; D. Rihtman-Auguštin, *op. cit.*, p. 27-36.

59 M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*.

60 M. Todorova, *Imagining the Balkans*, p. 139.

61 Cf. M. Kuus, *Europe's Eastern Expansion and the Reinscription of Otherness in East-Central Europe*, p. 480.

62 S. Green, *op. cit.*

activity, and they may also announce “more activity to come.”⁶³ In some of the examples I outlined, tidemarks which denote Croatia’s imperial legacy were used as a means of destabilizing and decentering the political border which separated Croatia from the EU. Through the reinforcing of the Western European aspect of Croatia’s national identity, those tidemarks were used in order to demonstrate that the EU border is arbitrary, not much more than a provisional line which only proves that “*Europe ends where politicians want it to end.*”⁶⁴

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63 Ibidem, p. 7.

64 M. Todorova, *Imagining the Balkans*, p. 139.

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Jan Muš

Peripheral Position of the Balkans and its Future Relations with Russia

Abstract: The region of the Balkans remains the periphery of the European Union and the Western structures in every aspect: political, economic, military, communication and cultural. The Western influence varies between particular countries and between different of the five mentioned above dimensions, yet it is dominant. Decreasing legitimacy of the EU, relatively low economic significance of the region as well as cultural similarities between some of the Balkan states and Russia can change the situation and reinstall Moscow hegemony in the region. Interest of the Southeastern European countries is, as a peripheral one, of secondary meaning.

Keywords: Balkans, peripherisation, Russian foreign policy, EU foreign policy, dependency

Introduction

The position occupied by the Balkan states in international relations could be described most accurately as peripherisation, while the Great Powers¹ have remained the core of the hierarchy. The concept of peripherisation, leaving aside the question whether the international capitalist system determines the development of particular states (whether peripheral-, semi-peripheral- or core-states)² or domestic political,

1 Firstly Austro-Hungary, (Ottoman Empire) Turkey, Russia, later, in the second half of 19th century also France, Germany, Great Britain. At the beginning of the 20th century and only to a limited degree also Italy, United States. Today – leading countries of the EU (Germany, France, United Kingdom, Italy) and of NATO (United States) as well Turkey and Russia.

2 I. Wallerstein, *World-Systems Analysis: An Introduction*, Duke University Press, Durham, North Carolina 2004.

cultural and economic conditions create, or at least have significant impact on such a position,³ means that some countries and their societies occupy disadvantaged position vis-à-vis economically developed centres. It can be reflected in the structure of bilateral trade and proportional position in international hierarchy. Peripheral dependency from the core states has negative consequences for the peripheries and their development. These are: decreasing level of economic growth, increasing income inequalities and decreasing ability to meet basic needs.⁴ For example, Joshua Karliner distinguishes five practices which serve international corporations of the core countries and deepen dependency of the peripheral ones. These could be summarised as follows: redirection of international financial assistance from the peripheral to the core countries; financing of infrastructure serving core countries; encouraging structural changes and reforms in the peripheral countries serving the interest of the core countries; shifting away the social responsibility from corporations towards international institutions; crediting of the corporation undertakings.⁵ Economic dimension however is not a sole indicator of hierarchical dependency characteristic for relations between cores and peripheries. Johan Galtung enumerates more, altogether five types of imperialism and the relevant functions played by core- and peripheral countries (see the table below):

- 3 See: S. K. Anderson, *World System Analysis after Thirty Years: Should it Rest in Peace?*, "International Journal of Comparative Sociology", vol. 46, 2005, no. 3; E. E. Boles, *Critiques of World-Systems Analysis and Alternatives: Unequal Exchange and Three Forms of Class Struggle in the Japan-US Silk Network 1880-1890*, "Journal of World-Systems Research", vol. 8, 2002, Special Issue on Global Inequality – part II.
- 4 A. Gałganek, *Historia stosunków międzynarodowych. Nierówny i połączony rozwój. Tom 1. Idee*, Dom Wydawniczy Elipsa, Warszawa 2013, p. 524. See also (after Gałganek): V. Bornschier, Ch. Chase-Dunn, *Transnational Corporations and Underdevelopment*, Praeger, New York 1985; B. London, *Structural Determinants of the Third World Urban Change: an Ecological and Political Analysis*, "American Sociological Review", vol. 52, 1987, p. 28-43; B. London, R. J. S. Ross, *The Political Sociology of Foreign Direct Investment: Global Capitalism and Capital Mobility, 1965-1980*, "International Journal of Comparative Sociology", vol. 36, 1995, p. 198-219; J. M. Shandra, R. J. S. Ross, B. London, *Global Capitalism and the Flow of Foreign Direct Investment to Non-Core Nations, 1980-1996: A Quantitative, Cross-National Analysis*, "International Journal of Comparative Sociology", vol. 44, 2003, no. 3, p. 199-238.
- 5 J. Karliner, *The Corporate Planet*, Sierra Club Books, San Francisco 1997, p. 135-142, after: A. Gałganek, op. cit., p. 525.

Table. Five types of imperialism

Type of imperialism	Function of the core states	Function of the peripheral states
Economic	Manufacturing, production means	Natural resources, markets
Political	Decisions, models	Subordination
Military	Defence, weapon of mass destruction	Discipline, traditional weapons
Communicative	Information and communication means	Events, passengers, goods
Cultural	Teaching, creating, autonomy	Learning, legitimization, dependency

Source: J. Galtung, *A Structural Theory of Imperialism*, "Journal of Peace Research", vol. 3, 1971, no. 2, p. 92.⁶

We shall rely on these five dimensions of imperialism in our analysis of the level of foreign influence in the Balkan region. It will constitute a basis for further elaboration on the possible changes in these relations. Therefore, we will be able to answer the main question of this paper – does Russia constitute a real alternative to the Euro-Atlantic vector?

After the short introduction, the first part of the text will elaborate shortly the stage of Euro-Atlantic integration and peripherisation of the Balkans. The second part will focus on the influence of Russia in the Balkan states. The third one will refer to the "Russian alternative" as a topic used in domestic political discourse in some countries.

1 Balkans Between the Worlds

1● Southeastern European states⁷ have been a subject of international interference and playground of the European and global powers since the very beginning of their existence in the modern history, i.e. since the 19th century. Some similarities in today's situation and that from a century ago remain striking. For example, Bosnia and Herzegovina – a country dominated by small groups of political brigands. Internally so divided and conflicted that it requires international su-

6 After: J. Czaputowicz, *Teorie stosunków międzynarodowych. Krytyka i systematyzacja*, Wydawnictwo Naukowe PWN, Warszawa 2008, p. 152.

7 Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Albania, Kosovo, Macedonia, Romania, Bulgaria and Greece.

pervision. Like a hundred years ago, the neighbouring states – Croatia and Serbia – maintain an ambiguous position towards it. On the one hand, and under international pressure, they recognize BiH as an independent state. On the other hand, however, under domestic pressure they support and clearly link with one of the three ethno-political caucuses. Influence over the neighbouring state domestic affairs and regional rivalry between Belgrade and Zagreb are the most likely benefits; both capitals gain from the Bosnian chaos. Just like a century ago, Macedonia remains the major object of contest between almost all neighbouring countries. Its very character and identity is an object of fierce criticism, while Albanians build openly, although unofficially, territorial claims.

International pressure and interest in this part of Europe led to some degree of arrogance of the local leaders, convinced of their special position and role on the geopolitical map of Eurasia. In fact, it is not what the Balkans offer but where they lead. For the Southeastern Europe is the shortest route from Europe to the Middle East and back. It is a bridge linking eastern markets with European industry products. It is a dam holding away the Russian Black Sea fleet from the Eastern Mediterranean area. It is the very place where three major religions – Catholicism, Christian Orthodoxy and Islam – interact with each other. The future of the small Balkan polities appearing during the 19th and 20th centuries on the political map of Europe could not be left alone for the self-development. In fact, its very appearance was marked by the gesture of one of major powers. These states had to find their position in the struggle of the great powers and most often it was the position of a tool. As indicated by Waldemar Paruch, the Balkan Peninsula was treated as a form of prise delivered to the Western powers and, as such, the Balkan states did not create a security system in the region. This peripheralisation contrasted with the geopolitical position of these states.⁸ For most of the time Balkan states have been divided into two antagonised camps, although particular lines of conflicts based on territorial claims, ethnic compositions, or political am-

8 W. Paruch, *Konsolidacja i rywalizacja polityczna na Bałkanach*, [in:] M. Babić, I. Jakimowicz-Ostrowska (eds.), *Bałkany w XXI wieku. Problemy konsolidacji i integracji*, Wydział Dziennikarstwa i Nauk Politycznych UW, Warszawa 2014, p. 31.

bitions were much more scattered. For, the every conflict there was an alternative solution, which led to integration of Balkan lands and peoples. The existence of regional power in the Balkans was contrary to the interest of the Great Powers.⁹

This line of development was broken by the former Yugoslavia, the so-called second Yugoslavia, the Socialist Yugoslavia, and the Tito's Yugoslavia or simply by its anagram – the SFRJ. Tito was the first leader of the peripheral states in widely understood Central and Eastern Europe who repulsed foreign influence, used its position between the powers for the benefit of the country and its citizens and transformed Yugoslavia into a player recognisable on the world stage. The number of guests paying their last respects during Tito's funeral clearly shows the scale of his influence and the international weight of Yugoslavia, its economy, army and international position in the third world.

The fall of Yugoslavia and the subsequent war led to re-peripherisation of the post-Yugoslav republics. Western Europe, no matter how divided between various fractions, was untied in an organisation, which was later known as the European Union. Dissolution of the Soviet Union and the Eastern block forced *de facto* Western Balkan states to orient themselves towards Berlin, Brussels, Paris or Rome. Some did it voluntarily already at the turn of 1980s and 1990s and some only at the beginning of the new millennium, left with no choice or alternative. Re-emergence of Russia on the international stage has provided peripheral countries with another possible road of development.

2. Euro-Atlantic Peripherisation of the Balkans

Before getting further into the Russian re-approach to the Balkans we should specify the level of dependency of the Balkan states from the Euro-Atlantic institutions, especially NATO and the Euro-

9 It is hard, however, to agree with Paruch on his thesis that "a direct cause of the dissolution of the block system of security and break out of the Great War was the situation in the Balkans" (p. 31). In the opinion of the author of this text, the Balkan states have remained merely a tool, subjects of international relations and not their creators, especially on the global scale. Clear dependency between the relationship between the Great Powers and the situation in the Balkans might mislead to the conclusions about the causal link.

pean Union. Leaving aside the question of formal status of particular Balkan states in the ongoing integration processes, those countries find themselves in the very peripheries of these structures.

Economic and Political Imperialism

The level of dependency from the EU is very high in economic terms. The trade exchanges of the Balkan states are focused in the West. The Balkan states provide non-manufactured products such as ores or wood or processed goods such as food products. One exception is fuel, which is imported from Russia. The significance of these minerals, however, does not need to be explained here. In all cases the trade balance is clearly negative for them – imports exceed exports. Markets for the EU products are mostly open. Foreign direct investments, limited due to high level of corruption, poor condition of infrastructure and small size of the markets, provide little benefits for the states (medium term taxes exceptions, etc.) and societies (very low wages, lack of social protection).

The level of dependency from international institutions is relatively high. Decisions concerning economy are usually orchestrated from these centres. The level of EU integration influences the level of economic autonomy. Another factor is the pro-European course of the government and some success-perspective in this area. All-in-all, in terms of economy the Western Balkan markets have been open to competition from the EU. Corruption and poor technical and infrastructural development, low level of capitalisation, etc., disable Balkan economies to introduce their products on the EU markets. In effect, the Balkan states face a difficult economic situation, where economic development is as much dependent as threatened by the EU integration.

In terms of politics, the Balkan states have been subordinated to a large degree by Euro-Atlantic structures and several signals of in-subordination have been quickly marked and condemned. Political discourse is influenced by membership or the enlargement process of the EU and NATO. Foreign policies of the Balkan states are limited to neighbourly relations and a quest to attract FDIs. The domestic agendas are shaped to considerable degree by the Western agenda. The best example would be attempts of Serbia to maintain good relations with Russia while aligning itself with the EU during the conflict

in Ukraine or limitation of Croatian activities to maintain friendly relations with Serbia.

Political dependency from the Western centres is limited by growing euroscepticism of the societies. It became more visible after the outbreak of the financial crisis which hit the respective states and their societies especially hard. Mass protests which followed were primarily directed against local elites but should be also read as criticism of and frustration with the ongoing process and shape of the Euro-Atlantic integration processes. This indicates however decreasing trends in political dependency from the EU, of which the good example could be Macedonian leader Nikola Gruevski and his positive opinion on Russia and its policy. At the same time, Serbia endeavours to balance between the West and other players, including Russia, actively involved in the region. These two behaviours should still be perceived as an exception rather than a rule. The economically developed and politically stable democracies of the West claim in this matter legitimacy as the successful and efficient nation states, while the Balkan ones remain those which should imitate Western solutions.

Military Imperialism

The armed forces, military industry and military capabilities of the Balkan states are very much limited. The technologies, except for Greece's, are very often well outdated and the size of the armies is small. A very likely scenario of an armed conflict on either of the sides would include emergence and participation of numerous militias only loosely linked with and responsible to the state authorities. Serbian attempts to build ties with Russian military have only symbolic character. As long as Moscow does not decide to provide its allies with modern aviation and electronic systems, NATO remains more than the most important – it is the only force in the region.

Communication and Cultural Imperialism

Communication means and mass-media are divided into two groups. The first of them is controlled by state political elites. In fact, often the Italian scenario takes place; namely a media tycoon began his carrier in politics taking important place on the political scene. For example, the second group is directly sponsored by the Western institutions. Independent domestic media have been gradually marginal-

ised and their place taken by media representing the interest of some external powers. "Just as periphery produces raw material that the centre turns into goods, the periphery produces events that the centre turn into news. This is done by the training of journalists to see events with the centre eyes and by setting up a chain of communications that filters and processes events so they fit the general pattern."¹⁰ And so, the public discourse concerning broadly understood culture is subject to polarisation between those Euro-enthusiasts and Euro-sceptics. While the first group perceives the second as political and civilizational barbarians, the pro-Western approach is often viewed by sceptics as treason and a threat to the national identity. However, the dynamics of cultural dependency is strong, negative for the West and positive for alternative models related to particular cultural circles of the Huntington world of clashes, among the others – Russian. The transportation means are also more developed in the West than in the Balkans, where transport infrastructure and technology is backward and underdeveloped.

The discussed five types of Western imperialism in the Balkans are important as they lead to certain conclusions regarding the situation in the region and within particular domestic orders. Firstly, as mentioned at the beginning, the Balkan states have peripheral position in international relations. Even such countries as Croatia or Bulgaria (both member states of the EU and NATO) or Albania (a NATO member) remain on the peripheries. Secondly, this disadvantaged position leads to internal peripherisation of a significant part of relevant societies. The gap between poor and rich is bigger. Subsequently, large segment of these societies are alienated influencing the domestic politics. These in turn are more Euro-sceptic. Paradoxically, however, "while Serbia, Macedonia, Montenegro and Croatia have recorded relatively low and declining levels of Euro-enthusiasm, support for EU integration remains significant in the other western Balkan states."¹¹ The more advanced is the process of the European integration, the more sceptical is the society of the accessing/

10 J. Galtung, *A Structural Theory of Imperialism*, "Journal of Peace Research", vol. 3, 1971, no. 2, p. 93.

11 R. Balloni, *The Western Balkans and the European Union: From Euroenthusiasm to Euroscepticism*, Paper presented at the 9th Pan-European Conference on International Relations, Giardini Naxos, 23-26.09.2015, http://www.paneuropeanconference.org/2015/paper_archive/ [29.09.2015].

integrating countries. Kosovo, Albania, and Bosnia and Herzegovina still experience relatively high support for the integration with the Western structures.

3. Russian Re-emergence in the Balkans

As indicated by Johan Galtung, it is unimportant which of the five aforementioned patterns of nationalism is present as long as at least one of them leads to peripherisation. This is the main argument behind the claim that Russia is able to overtake the role of the centre to some of these countries. Which ones? First, we need to exam briefly the character of Russian involvement in the Balkans.

For Russian elites, Southeastern Peninsula remains a subject of interest for many reasons. Some of them have pure material character, some other have been a matter of prestige. Cultural and civilizational similarities (imagined or not), so often revoked by some Balkan and Russian political elites, have purely symbolic character aimed at public opinion. Nevertheless, its engagement, comparing to the Western, is limited. "Russia is an important economic partner of the Balkan countries, but it stands no chance of replacing the EU in its role of a focus of attraction for the economies of Bulgaria, Greece or Serbia."¹² Russia's main tool in the Balkans is its membership in international organisation, including the Security Council of the United Nations. Thanks to it, it can affect, although rather negatively, the process of European integration in the region. The best example of this is the support provided to Republika Srpska in Bosnia and Herzegovina in the struggle over its autonomy from the state-institutions or to Serbia in its relations with Kosovo and normalisations of relationship with this state. Another factor used by Moscow quite often is a sort of pan-Slavism, which is used relatively efficiently with regard to Serbs and Greece, although its impact on other orthodox countries is rather limited. Finally, an authoritarian type of rule is welcomed and desired by political elites in the Balkans where democratic traditions, comparing to Central Europe, for example, were limited.

12 A. Balcer, *Matushka Rossiya and the Balkans*, "Aspen Review Central Europe", 2015, no. 2, p. 68.

Taking into account the fact that international relations have dynamic character and some significant developments take place without being predicted by analysts, we can also assume, especially by taking into consideration the ongoing crisis in the European Union and beyond, that the Western imperialism will meet its end in the Western Balkans. There are few interdependent indicators which suggest that Russia can enhance its influence over the Balkan Peninsula, and in some of its countries, in particular.

EU's Fading Legitimacy

The first of them is actually exogenous to Russia character. It is related to the crisis of the European Union and the limits of liberal democracies and international economic integration based on free and open markets. European integration did not bring expected results to all of its members. The considerable enlargement of the EU in 2004 and subsequent accession of three Balkan countries (Bulgaria, Romania and Croatia) did widen the area of welfare and prosperity. But its scale has been rather relative and limited. Preservation of the peripheral character of Central European States and Baltic republics means that the macroeconomic indicators of growth and development are counterbalanced of microeconomic indicators of worsening social situation for significant segments of society. In other words, peripherisation of the state results in peripherisation within the respective society, where political elites become alienated and detached from society and socio-economic realities. The peripherisation put under question the scale of EU success for the new comers. There is no doubt that the poor Central and Eastern Europe will need more than a few decades to catch up with the developed West – a period of time which absolutely excludes any serious predictions and planning. Economic growth did not lead to better and more efficient redistribution of income in the society and the decrease of unemployment meant in fact lower salaries and sharp fall of social support. The price for successful free market transformation has been paid by society and brought benefits to minority.

There is no doubt that exceptional picture of Poland as a “green island” in the sea of recession is not representative to the overall image of transformation. For the significant segments of society, there are

more costs, losers and disadvantages, than advantages, winners and benefits. Serbs or Macedonians see no rapid changes in neighbouring Croatia, Bulgaria or Hungary. The crisis in Greece even further cast dark shadows on the whole idea of European integration. The legitimacy of the European Union, thanks to which it exercises a lot of its political dominance, is fading. Therefore, there is and will be even more room for Russia to move in, especially in those countries, which share some cultural values.

Christian Orthodoxy

It is difficult to indicate whether determinism present in the Balkan societies has been inherited from the Ottoman Empire or if it is a common feature of Orthodox Christianity and Islam (and Calvinism, for that matter). The fact remains that there is a widespread sense of pre-conditionality, typical of the Balkan region, which designates some people and countries to play a specific role in history, and so in international relations. One of such myths is brotherhood or unity between Orthodox Christians. It is a very smartly constructed myth, where social realities of the Orthodox communities (positive, friendly people) are compared with political (not social!) realities of the West. It is like comparing work at grandparents in the country side during the summer break and work for large international corporations. Good example of such a mythology is Russian-Serbian historical friendship and building to the Tsar Nicholas II a monument in Belgrade, despite the fact the he is one of the people personally responsible for the outbreak of World War I, during which Serbia lost half of the male population.

Authoritarian Rule

Lack of democratic tradition in the Balkan states and weak civil society are the paradox of history. The success of Yugoslavia meant that any oppositionist to the communist regime was either invited to leave the country and join Yugoslav *gastarbeiters* in Germany or Austria or did not enjoy any particular support in Yugoslav societies. In Albania or Bulgaria, on the other hand, the regime was too harsh for the establishment of influential political opposition, such as those in Poland, Czechoslovakia or Hungary. During the changes of 1990s the politi-

cal elites rarely represented pro-democratic opposition and pro-European course of foreign policy. There were often post-communist apparatchiks joined by nationalists. It was an ethnic question and not democratic changes that dominated political discourse in Yugoslavia, especially in the 1980s. For the ruling elites of contemporary Balkans and for significant parts of the society, liberal parliamentary democracies are not models which necessarily should be imitated. The idea of a civil contract has never been understood and accepted in this part of the continent. It is more client-patron model of politics, which is a generally dominating concept of the state and policy making. A need for security and stability is stronger than a need for freedom.

With regard to the above, Russia provides a solution which seems to be for the Balkan elites more adoptable in the local environment than parliamentary democracy of the Western type, which requires long decades of framing and shaping. An authoritarian model of governance, even in its soft version, has been successfully adopted in Turkey and Belarus. Ukraine and other countries which adopted democratic procedures during the transformations present a negative example. Nikola Gruevski, Milorad Dodik, Bakir Izetbegović, Aleksandar Vucic all perceived politics as an art of a single person to divide and rule rather than to share power, to redistribute according to their own judgments and political circumstances rather than transparent rules. Constitutions and laws have been tools to them rather than guidelines to follow. Other models of government have been alien and useless to them.

Conclusions

International relations, domestic political discourse, even constitutional orders have a dynamic character. Even most monolithic countries like Saudi Arabia, Vatican or North Korea change and evolve. The fall of Yugoslavia, the USSR and the Eastern Block and annexation of Crimea are but a few of the historical events which were not predicted by then contemporary analysts, scholar and journalists. So far, the main argument against the possible Russian reinstallation as the core-country in Southeastern Europe is the relatively low Rus-

sian economic impact in the region.¹³ This claim, however, does not hold for several reasons. Firstly, if the economic interest of the Balkan states would be the main goal of their policy, there would be no dissolution of Yugoslavia. Small, divided and therefore weak post-Yugoslav markets and economies do not stand today any competition from other parts of Europe and of the World. Balkan countries are subject of the international relations – peripheries of the core countries of the West. As such, peripheral economic interest is important in international relations as far as it reflects economic interest of the core. For the European Union, the Balkans do not constitute an important market for the West. Its trade with and investments in the post-Yugoslav space equal a fraction of the overall international turnout. Therefore, it is not the economic interest of the Balkans and of the West itself which determines the contemporary international place of the region in international relations. “Losing” the Balkans to Russia would have other implications, primarily in the sphere of security.

The geopolitical and geoeconomic position of the Balkans and a possible threat of destabilisation is what bothers the Western elites. Russia is an important factor here; it holds the key to an agreement with the main country in the region – Serbia. Serbia, on the other hand, has a central position in terms of Balkan geopolitics and ethnopolitics. In practical terms, it means that without Belgrade there will be no lasting stabilisation in Kosovo and Bosnia and therefore in the entire region. Without inclusion of Russia in or its complete exclusion from the Balkan play, there will be no normalisation of domestic and international relations in Southeastern Europe.

The scenario of a possible reinstatement of Russia as the core country in relation to some of the Balkan states involves several conditions. Firstly, the change cannot be obtained against the popular support. This, in turn, should be created as an opposition to the *status quo*. Decreasing legitimisation of the Western structures, as well as economic and social difficulties faced by all of the Balkan states, sooner or later will result in a shift of ideological and political sympathies and preferences. Secondly, there must be a misbalance in relations between competing core countries, between their goals, expectations, ambi-

13 See for example: *ibidem*.

tions on the one hand and achievements and possessions on the other. While Moscow might push further for expansion and influence in the region, the West might decide that the ongoing policy does not bring expected benefits, or more precisely, produces high costs, unexpected in the “business plan.” Social and economic crisis in the EU and the shifting of the US focus to the Pacific region tend to support an “isolationist” or an “excluding” course of foreign policy towards the Balkans. Moreover, the ongoing crisis will not change the position in the international hierarchy for better. It might, however, affect allocation of their resources and international affiliation. Serbian pork might end up on the Russian table.

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Anatoly Adamishin

The Yugoslav Prelude. A Prototype for Modern Approaches to “Peacemaking”¹

Abstract: Proceeding from their current interests, more powerful countries often ignore the fact that, as a rule, there is no right or wrong party in domestic conflicts and civil wars; indeed, the responsibility often lies with both sides.

Keywords: Balkans after Cold War, post-Cold War, Russian foreign policy in the 1990s

A major task of global diplomacy is settling of local war-related international crises. However, the post-Cold War period has witnessed the emergence of some new trends. Instead of taking a neutral stance whenever and wherever possible, and pushing warring parties towards peace, leading Western powers are beginning to act differently. In most trouble spots, a “right” party – *the good guys* – is chosen that enjoys the political, military, and diplomatic support it needs to achieve a victory over *the bad guys*. Proceeding from their current interests, more powerful countries often ignore the fact that, as a rule, there is no right or wrong party in domestic conflicts and civil wars; indeed, the responsibility often lies with both sides. Recently, there have been many

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examples of such a policy, so it might be interesting to look back at how it all began – in Yugoslavia in the early 1990s.

1 The Price of Domestic Policy Indulgence

After *perestroika* removed the confrontation paradigm of the Cold War in foreign policy, Russian President Boris Yeltsin and Foreign Minister Andrei Kozyrev generally followed in Soviet President Mikhail Gorbachev's footsteps. Russia strove to return to the mainstream of civilization from which it had been rejected after the 1917 October Revolution. Many obstructions disappeared, such as ideological confrontation and the Cold War. Russian cooperation with the United States and Western Europe became a political priority.

Arms reduction remained a major issue on the foreign policy agenda and some real steps were taken along these lines. Russia declared that it was the legal successor to the Soviet Union and was recognized in this capacity. Additionally, Russia kept its seat as one of the five permanent members of the UN Security Council.

Such a strategy looked fairly reasonable. Yet in practical policies a fundamental mistake was made from the outset: unconditional orientation towards "civilized" countries, above all, the United States, became the cornerstone of Russian foreign policy. However emasculated, Russia could have laid claim to something more than being just the U.S.'s junior partner. However, the factor of internal political struggle intervened.

While Boris Yeltsin secured absolution from the U.S. for tough measures in his domestic policy (for instance, the shelling of Russia's defiant parliament in October 1993), he had to pay something back in international affairs. Neither President George Bush nor Bill Clinton, nor their Secretaries of State, were scrupulous in their foreign policies.

The crisis in Yugoslavia is a sad confirmation of this. My first close experience of this dates back to the fall of 1992, when, after an assignment in Italy, I returned to the Foreign Ministry in the capacity of the first Deputy Foreign Minister. Soon the events inside and around Yugoslavia took a very nasty turn. The general feeling was that psychological preparations were underway for outside military intervention. At first it was not very clear why the Americans needed all that.

Previously, they had preferred to stay aloof from Balkan affairs and for a certain period of time they even opposed the disintegration of Yugoslavia. In December 1991, the U.S. was still reluctant to recognize Croatia. But by the spring of the next year, the U.S. had recognized not only Croatia, but also Slovenia, and – even worse – Bosnia-Herzegovina. Hostilities flared up immediately. Apparently, the U.S. realized that the Balkans was a jackpot: support for the Muslims alone promised huge political gains as compensation for the costs of alliance with Israel. The role of supreme arbiter in the Balkans looked very attractive to Clinton, as the leader of the sole remaining superpower. The U.S. expected that, by pressuring the Serbs, it would be easier to eventually dictate a peace agreement on the United States' terms.

In such a situation, Russia's task should have been to prevent armed intervention; the more so since the matter at hand was a civil war, which the West eventually admitted. Russia should have pressed for a political settlement as an alternative to the use of force and for an equitable approach to the three warring factions – the Serbs, the Croats, and the Bosnians. In principle, this is precisely the policy that Russia had followed most of the time, but at some key points it had succumbed to U.S. pressure.

The first big mistake was made in May 1992, when Russia voted for a UN Security Council resolution introducing prompt and harsh sanctions against Yugoslavia. When I was still the Russian ambassador to Italy, I wrote to Moscow not to rush imposing sanctions against Serbia. I urged to at least first calculate what sanctions would cost us. We could always use Russia's economic position to explain our reluctance to those who were pressuring us. It might even make sense to ask them what their compensation for our likely losses would be. I insisted that in the Balkans Russia should play its own game, the way Germany did. I wrote that it would be wrong to turn our backs on Serbia, Russia's traditional ally. Serbian President Slobodan Milosevic and his "dubious exploits" would be forgotten but if Russia betrayed the Serbs, the memory of that act would be imprinted in history. Unfortunately, my cable warning against sanctions was the only one from a Russian ambassador and it never left the Foreign Ministry building to reach the country's leaders. An anonymous do-gooder later leaked the full text to the *Den'* ultra-right nationalist newspaper. In the old days one could have gone to jail for taking such liberties.

Later, Vitaly Churkin, deputy foreign minister who was then responsible for Yugoslav affairs, told me that not a single expert at the Foreign Ministry supported sanctions at the time, but everyone was afraid to protest. The range of sanctions was unprecedentedly broad, yet the Russian government hastily agreed to them. The sanctions and Russia's stance had an explosive effect on the Serbs. Surely, Russia could have used as an argument the Chinese refusal to implement sanctions against Serbia, as the Chinese government had declared openly that economic measures were not advantageous to it. Until the last moment, Milosevic had been confident that Russia would not leave him in the lurch. I do realize that in a situation where the Serbs were under severe criticism (and with good reason) from all sides, it was very difficult not to yield to the prevailing sentiment. But Milosevic was not the only one who fanned the flames of the conflict. Croatian President Franjo Tudjman and Bosnian President Alija Izetbegovic did precisely the same. Biased approaches were standard practice in the West. There was one indisputable rule – if the Serbs were to blame, nobody else was. If someone else were to blame, than everybody was responsible. Russia had the resources to play a more diversified game. The country's prolonged resistance to the use of force was a sure confirmation of that.

The U.S.'s Cyrus Vance and Britain's David Owen, the co-chairs of the Executive (sometimes referred to as Steering) Committee that the 1992 London Conference on Former Yugoslavia had created, stood firm. UN Secretary-General Boutros Boutros-Ghali and his envoys were opposed to military operations out of fear for their personnel safety. In January 1993, Martti Ahtisaari, the co-chair of the working group for Bosnia-Herzegovina, said publicly that Russia's efforts had brought political methods, and not the use of force, to the forefront.

I suspect that many in Russia (just as in the U.S.) regarded Milosevic as one of the "Commies" on whom one should clamp down. "Our approval of the sanctions," as one politician remarked unofficially, "was a way of punishing those red punks." Russian foreign policy took the form of party politics, not of a national strategy. On the pretext of discarding ideology, many turned a blind eye to distinctions rooted in geopolitics. The nationalist-minded pseudo-patriots managed to grab the banner of the country's dignity. Even the most sensible

steps were avoided simply because it would be a concession to the old hardliners.

There was a great deal of discord. It is enough to recall the abortive idea (proposed very seriously!) of sending Russian warplanes to U.S. squadrons in order to bypass the Supreme Soviet's emphatic rejection of air strikes against the Serbs.

2. "It's not Another Iraq!"

In January 1993, Foreign Minister Kozyrev said that Russia had actually been using a latent veto in the UN Security Council against military intervention for two months. However, soon another attack followed. This time it was the French who proposed using military force to ensure a no-fly zone imposed on Bosnia-Herzegovina. Practically all parties supported them. That measure was to facilitate the enforcement of the Vance–Owen peace plan, in case everybody agreed to join it. The Vance–Owen plan for Bosnia-Herzegovina was drafted in 1993 and had Russian support.

Yuli Vorontsov, Russia's Special Envoy to the United Nations, sent a cable from New York that the question of applying sanctions against those who might violate the no-fly zone had been reported to Kozyrev (the latter had flown to the U.S. to make preparations for a Yeltsin-Clinton meeting) and that Russia would vote for the French proposal. We were perfectly aware that Kozyrev was inclined to support that resolution from the outset. He wrote to Yeltsin stating that although the resolution was French, it was one of Clinton's ideas. Kozyrev also reiterated after Bush that the U.S. was prepared to use force to enforce the no-fly zone.

The proposed no-fly zone was a clear move against Serbia. Only the Serbs had planes in the area, and now they were about to be stripped of that advantage. Can one interpret this in any way other than as a step intended to weaken one of the parties in a conflict? The ground forces – in which the Muslims had superiority – were left intact. The Serbs denied any violations; they argued that the UN was closely monitoring all of their actions. But the French told me outright: "It does not matter whether the Serbs violate something or not, public opinion is against them, and we only make allowances for

that.” Yet it was not only the Serbs that really mattered. For the first time, outside intervention was about to be legalized as a precedent.

Sergei Lavrov, the then deputy foreign minister in charge of UN affairs, and I knew of the only way to prevent this – by appealing to the president. Out of a feeling of loyalty to Kozyrev, we repeatedly postponed such a move. This tactic paid off: Yeltsin phoned me himself. I still remember his distinctive voice and his peculiar intonation. “Why am I not briefed on fundamental issues, eh? Kozyrev and you must be thinking you both are very smart guys, eh? Then I’ll show you. Be sure I’ll do that. Easily!” And he started explaining us how he would punish us. Then he exclaimed: “Just think of it – bombing Yugoslavia! (*Yeltsin got the message right!*) It’s the Americans who want to do that, isn’t it? But do we? This is not another Iraq. Tell Kozyrev right away to vote against the resolution, or at least to abstain.” I replied: “It was you who allowed Kozyrev to vote for that resolution.” “I don’t remember that, I don’t remember that,” was Yeltsin’s reply. A short while later he called back. “I have in front of me this memo on Yugoslavia. I never gave any permission.”

At this point it is worth explaining that once in a while Kozyrev played some tricks. This time on the same day, alongside Lavrov’s memo on Yugoslavia, he submitted to Yeltsin an account of his discussions in Washington. Apparently, nobody else apart from Deputy Foreign Minister Georgy Mamedov was aware of the contents of that memo. On page 10 or 11 (even in better days no one ever bothered to read that far in such documents) there was a paragraph that read: “If the French are not persuaded to make their proposal part of the overall set of measures, Russia should vote for the French draft.” Of course, no one had the slightest intention of persuading the French. At the end of that lengthy memo there was a draft resolution in favour of approving the submitted proposals. In fact, the president had not been told what the French resolution really meant. Such a situation made it possible to launch strikes against both air and ground targets.

So our position changed the very last minute after Yeltsin intervened. Some of his aides had probably put in a word. Good bless him! Regrettably, Yeltsin would later change his attitude once again. The resolution to use force eventually played a disastrous role. The only thing we succeeded in was to rule out attacks against ground targets. We managed to restore the phrase “in air space” to the final word-

ing of the resolution, which had been inconspicuously removed shortly before. Had it not been for the battle that we staged over the resolution, we would have never achieved even that tiny bit.

We must admit that our international and legal efforts were all in vain. The U.S. and NATO eventually violated the decisions for which they had voted.

Another crackdown on the Serbs was timed for a Clinton-Yeltsin summit in April 1993 in Vancouver, Canada. The UN Security Council's draft resolution concerned the introduction of additional economic sanctions against Yugoslavia. Kozyrev quickly sent a memo to Yeltsin in favour of the new sanctions, without saying anything to us. He claimed that the sanctions agreed with our policy towards the Yugoslav crisis the way it was outlined in the presidential statement of 9 March, to the effect that there was no alternative to the Vance–Owen plan. In reality, the statement contained nothing like that. We actually backtracked on the elements of independence that remained part of our stance towards Yugoslavia.

The U.S. wanted to link international problems with promises of aid to us, which was the case with the pullout of Russian troops from the Baltic countries. At the time, I remember I thought that if we only had an opportunity to make a decision on sanctions against Yugoslavia at our discretion, without anyone pressuring us, would we ever agree to them? So the whole matter is external pressure. Would we be pressed so hard if Russia were not so weak? And if we had a different kind of leadership, would we really yield to pressure?

The U.S. Special Envoy to the UN told her Russian counterpart Yuli Vorontsov that accord with Russia over the draft resolution on the new sanctions should be reached before the Vancouver summit. The number one item on the agenda was the U.S. program for aid to Russia, and it is not the president's job to look into UN resolutions. Strobe Talbott, the number two man in the U.S. State Department, in a private conversation with Russian Ambassador to the U.S. Vladimir Lukin and German Foreign Minister Klaus Kinkel publicly linked assistance to Russia and their countries' policies towards Russia in general with our stance regarding the sanctions. Those two men did not mince words: do as you are told, or you will be left without our aid. In all fairness, that alone was a reason enough to veto the resolution.

The Americans were pushing us not only in New York and Washington. U.S. Secretary of State Warren Christopher called Deputy Foreign Minister Georgy Mamedov to say: "We would like to warn Russia against using the right of veto when the resolution is put to a vote in the UN Security Council, because that might harm U.S.-Russian relations. In particular, this may make it harder for the U.S. administration to secure congressional support for extending assistance to Russia." In exchange for the promise of future aid, we were urged to make concessions right away.

Yeltsin read our memo and inscribed a very competent resolution: first, have a discussion at the Council of Ministers' meeting about what sanctions are on the agenda; let the Foreign Ministry collect the opinions of all agencies concerned, and make a decision only after that. Alas, we would not be satisfied for long. On 18 April, the UN Security Council voted for a resolution to tighten sanctions against Belgrade. An Easter gift to all Orthodox Serbs indeed! It later turned out that Kozyrev and Vorontsov had been in contact with each other throughout that night. At five in the morning, Vorontsov was told to abstain and to refrain from vetoing the draft.

What was the reason for such haste? First, mediation efforts were not taken to the logical end. Second, there was no chance to study the likely economic implications for Russia. Kozyrev would later say in public that the financial losses Russia sustained as a result of sanctions by far outweighed the total amount of foreign aid it received from all sources. Third, we could backtrack on our promise to veto the resolution if it turned out to be ill-timed. Fourth, all along we had asked to postpone the vote until a domestic referendum on 25 April. Nobody agreed to wait. It was a very peculiar gift, indeed. Fifth, everybody noticed that we became afraid every time we were bullied. And sixth, how could anyone trust us if we did precisely the opposite of what we had said?

I tried to find out how the decision to abstain had been made. It turned out that at the very last moment the president, after listening to advice from the Prime Minister, changed Kozyrev's "Aye" (originally, it was a firm "Nay", proposed by Vorontsov) to "Abstain." For quite some time Yeltsin had wanted to follow in China's footsteps, which preferred to abstain as well. But that was tantamount to approving the resolution, to agree to sanctions mandatory for all, including Rus-

sia. The U.S. and some other Western countries did not want a peace settlement while the Serbs were succeeding militarily. They postponed a political settlement through any means possible. Some countries proclaimed that air strikes should be launched against Serbian heavy artillery, and destroy bridges and roads used to deliver armaments and ammunition to Bosnia. Settlement would be considered only after the Serbs had been defeated, and after public opinion, shaped by TV clips showing cruelty and outrages, but only on one side, was satisfied. Furthermore, President Clinton had to fulfil both his campaign promises and his self-esteem as a resolute, albeit young president.

"A very short-sighted attitude" – I wrote at the time. "Because the end effect of the escalation of pressuring the Serbs is anyone's guess. Who can guarantee that the humiliated and defeated Serbs would agree to negotiate? Aware of the Western sentiment, the Albanians in Kosovo are prepared for sabre rattling after a ten-year silence. Surely a great mess may follow."

I am not editing my notes I took at the time to make them match what actually happened. In retrospect, I can only admit that it was not short-sightedness, but a systematic policy of weakening the Serbs, who were also seen as the main agents of Russian influence in the Balkans. It is also quite remarkable that the Westerners were very wrong in their perception of Milosevic, although it is true that he often urged us to persuade the West to ease pressure on him. But at the same time he would not reveal his plans to us. The Serbs did not make life easier for us, because they had no confidence in the Yeltsin team, which had voted for sanctions. They were waiting for a change of power in Russia. They would trust any such prophecy whispered in their ears by various emissaries from Moscow. It is to the Russian Foreign Ministry's credit that it upset plans for a visit by Karadzic – the leader of the Bosnian Serbs – whose only desire was to talk with Supreme Soviet Speaker Ruslan Khasbulatov and Vice-President Alexander Rutskoi – in other words, with the opposition.

Our support for the Serbs was not a manifestation of Slavophilism, although the historical tradition cannot be denied completely. It is far more important that Yugoslavia was a testing ground for an international mechanism to dictate peace to parties in ethnic conflicts. That machinery bore an unmistakable "Made in the U.S.A." label. Russia failed to gain a place of its own. It is no accident that the Balkan settle-

ment – which suited Western interests exclusively, with Russia playing only a secondary role – was presented as a template for other places.

This policy was also short-sighted. Flirting with Islamic fundamentalists in Bosnia added to their strength. There is credible evidence that the Bosnian Muslim leadership had deep and compromising links to the international jihadist movement. The leadership had hosted at least three key players in the 11 September 2001 attacks against the U.S. (as follows from what the International Herald Tribune wrote in December 2012).

3. The Target is Serbs

8 February 1994. It was good that my comrades and I had fought hard, but it was not good that we had let the UN Security Council pass the decision to use force to ensure a no-fly zone over Bosnia-Herzegovina. U.S. F-16s shot down four Serbian planes “on legal grounds.” It was NATO’s first combat operation in the history of the alliance. The overall situation worsened drastically. On 5 February 1994 an artillery shell exploded in the middle of a crowded Sunday market in Sarajevo, killing 69 and injuring over 200 people. The Serbs were blamed immediately, although further investigation would point to Muslim involvement. NATO sent the Serbs an ultimatum – all heavy weapons should be pulled back from Sarajevo. It is true that Serbian artillery had been shelling the defenceless city from the surrounding mountains. NATO warned the Bosnian Serbs that air strikes would follow if the Serbs did not pull back.

As we discussed the situation at a morning meeting in the foreign minister’s room, I suggested that Russia intervene by distancing itself from the NATO ultimatum, which had not been agreed on with us, and by asking the Serbs on our own behalf to withdraw their heavy weapons. Not because they were afraid of NATO, but on their own volition, because Russia was asking them to do so. The request should be made at the highest level. If the Serbs agreed, that was good; if not, our conscience would be clear – we had really tried to ward off a strike against them.

Kozyrev liked the idea and promptly took it to the president. Yeltsin sent Milosevic and Karadzic a special message. We backed up our

words with action: we moved 400 "blue helmets" – part of our peace-keeping force deployed in Croatia under a UN mandate – to the Serbian-controlled areas around Sarajevo. For the Serbs, it worked as a guarantee against a possible attack by the Bosnians.

Our comprehensive initiative resulted in both a positive effect – even the Europeans recognized that (although not the U.S., of course!) – and a very unexpected one as well: the Serbs (and the Muslims) started removing their heavy armaments or placing them under UN control.

Yeltsin was very happy. On the list of those rewarded with a bonus for professionalism in implementing the presidential instruction regarding Bosnia, I saw my name. Regrettably, Russia would not build on that success.

4. The U.S. and NATO Remained the Main Protagonists on the Scene of Yugoslavia's Bloody Tragedy

Due to U.S. efforts, the war between the Croats and the Muslims ended in the spring of 1994 and a Croatian-Muslim federation was established in Bosnia. Now the U.S. had *a good guy* worth supporting. The Federation began to quickly arm itself. The embargo on arms supplies to Bosnia-Herzegovina was full of holes as far as the Muslims were concerned. Similarly, the Germans were arming Croatia. International mediators were losing influence, because the UN placed the peace process in the hands of the Contact Group of five countries (Germany, France, Britain, the U.S., and Russia), where the U.S. had more leverage and Russia had no right to a veto.

By the summer of 1994, the Contact Group had delivered political settlement that was pretty close to what Vance (who would later be replaced by Thorvald Stoltenberg) and David Owen had proposed. The Contact Group's key proposal boiled down to dividing Bosnia-Herzegovina: 51% would go to the Croat-Muslim Federation, and 49%, to the Bosnian Serbs, who founded the Bosnian Serb Republic, or Republika Srpska. The Americans were slightly deceitful. First they agreed on the map with the Muslims, who from that moment would enjoy outright U.S. support, and then they handed it over to the quintet. We were tasked with persuading the Serbs, on which we embarked immediately.

Milosevic accepted the U.S. idea: he was promised easing or lifting of sanctions that were choking Yugoslavia. He even agreed to what the West had been demanding for quite some time; on 4 August 1994 he severed relations with the Bosnian Serb Republic and closed the border with it. Milosevic had sought to expand Serbian territory, and now he could position himself as an architect of peace. But Karadzic was a contender for the pan-Serbian leadership and was in no mood to cede it to Milosevic. This rivalry between two Serbian leaders weakened all three Serbian entities – in Yugoslavia, in Bosnia, and in Croatia. The fragmentation of the Serbs, and their miscalculations and self-assurance resulted in a situation where they were beaten one by one.

In early August 1994, the foreign ministers of the five Contact Group countries met in Geneva to declare that the consent of the Bosnian Serbs to agree with the Contact Group's proposals (the Croat-Muslim Federation had already accepted them) should be the first step towards the resumption of the peace process.

It was an ultimatum, an iron fist in a velvet glove. It was carefully worded in a way that would make it hard for the Bosnian Serbs to say yes to the Contact Group's offer. Possibly, it was very wrong for us to agree to this game of putting forward preconditions, all the more so because it would continue. The Americans saw to it that negotiations within the Contact Group were stalled repeatedly. Our attempts to influence them were feeble. The prolonged pause played into the hands of both the Muslims and the Croats, who, by relying on outside support, had built up considerable combat readiness. The pause was certainly detrimental to Bosnia's Serbs, who had just lost Belgrade's support.

On 1 May 1995, the Croats launched the first massive offensive using tanks, artillery, and aircraft. The Croats broke all links between the Croatian and Bosnian Serbs, for which they did not even stop short of attacking UN peacekeepers. It was all over in a couple of days. Fifteen thousand Serbs in Western Slavonia had to flee their homes. The Croatian offensive was synchronized with a Muslim attack in the area of the Posavina corridor. The Germans and the Americans were helping two parties in the conflict in their war against a third.

What did Russia do in this situation? A rather weak statement by the UN Security Council's Chairman was all that we managed to achieve. Our demand to impose sanctions on Croatia was brushed

off. Later in May 1995, NATO launched air strikes against the Serbs in Bosnia over our objections. NATO even bombed Pale, the capital of the Bosnian Serb Republic. Civilians and UN peacekeepers were killed, and dozens of others were taken hostage by both Serbs and Muslims. NATO decided to include not only Gorazde, but also other so-called security zones in the list of areas under its protection. Whenever they came under a Serbian attack, a strong rebuff followed. The Muslims continued to attack the Serbs through hit-and-run raids from areas that were never demilitarized.

The aim of the U.S. was pretty clear – end the war at the expense of the Serbs in favour of the Muslims and Croats. We kept grumbling and snapping back whenever the opportunity arose, only to give in to anti-Serbian policies in the end. Might makes right. We lacked the physical ability to prevent the Americans from doing what they were doing. What else could we do? Challenge and defy? Launch a public outcry? At least we could have made some dramatic gestures, such as a temporary walkout from the Contact Group to publicize the issue. At least we could have distanced ourselves from that. We did nothing.

On 4 August 1995, a one hundred-thousand-strong Croatian army (Tudjman had trained and armed it for three years) launched an offensive on a wide front to seize practically the entire territory of Serbian Krajina, including Knin. All 150,000 Serbs were forced from the land where they and their ancestors had lived for three hundred years. Both Milosevic and Karadzic, who had become commander-in-chief in his republic, remained out of the conflict. The Westerners confined themselves to more hypocritical calls addressed to the Croats again, while quietly rejoicing at this turn of events. Few took the trouble to recall that Serbian Krajina had been declared a territory under international protection. Carl Bildt, an international mediator in the Balkan conflict, was the only politician who, in a sense, saved the honour of the West by criticizing the Croatian government and mentioning President Tudjman in the context of war crimes. In retaliation, Croatia declared Bildt *persona non grata*. Thousands of homes were abandoned, looted, and set on fire. It was the worst ethnic cleansing during that war and a genuine humanitarian disaster.

Croatian General Ante Gotovina, whose troops massacred Serbs in Bosnian Krajina, faced the International Tribunal in The Hague only several years later. Many years later evidence surfaced that the Ameri-

cans had not only armed and trained the Croatian army, they had also planned the operation against Krajina's Serbs and provided intelligence, including drones that collected data. Opinions differ only on whether retired military or private firms were involved, or if the CIA and the Pentagon played a role too.

In the autumn of 2012, the UN tribunal in The Hague for former Yugoslavia, created especially for trying war criminals, ordered the release of General Gotovina and his accomplices. The same amount of "clemency" was shown towards Ramush Haradinaj, Kosovo's former prime minister. The list of those convicted by that tribunal consists almost exclusively of Serbian names. Nobody has ever been brought to justice for ethnic cleansing against the Serbs or for the massacre of Krajina's Serbian population.

When the last UN peacekeeper had left Bosnia, sixty NATO warplanes had pounded the positions and supply lines of Bosnian Serbs. This was carried out after an explosion at a Sarajevo market that was blamed on the Serbs immediately. More air strikes followed. An Anglo-French rapid deployment force joined in on the ground. That was the real purpose for its creation. Kozyrev, who had been told that it was a peacekeeping force, was deceived again. No one had bothered to ask the UN Security Council for permission to launch such a wide-scale use of force. There was a far-fetched reference to UN Security Council Resolution 836 and a preposterous mention of NATO resolutions allegedly "approved by the UN Secretary-General." This is how international law was defied and trampled underfoot.

After NATO's artillery bombardment, a 120,000-strong Muslim force and Croatian units went on the offensive. Again we confined ourselves to curses and threats that we would unilaterally lift sanctions against Yugoslavia. But we lacked the courage to act on our words.

At the same time that the Bosnian Serbs were being bombed, Milosevic met with Richard Holbrooke, Clinton's envoy to the Balkans, in Belgrade for "peace talks." Everything continued to proceed in the same dual fashion – dictating settlement terms and attacks against Bosnian Serbs, against an ever wider range of targets, including bridges, roads, and other infrastructure. NATO cracked down on a tiny population of 1.3 million at the most. Cruise missiles hit practically all Bosnian Serb facilities. NATO eliminated part of Serbia's air defences, which would prove very helpful to the alliance in 1999.

In all, NATO warplanes flew 3,400 sorties. With NATO's backing, the combined Muslim-Croatian force drove the Serbs back. A civilian exodus followed. The map of Bosnia-Herzegovina was changing every day. In the end, its territory was divided along the 51-49% pattern. The geography of that division was pretty close to what could have been adopted relatively peacefully back in the autumn of 1994 or even earlier, without plunging hundreds of thousands of people into the horror of war. Lord Owen, a competent insider, says outright that it was not only the Bosnian Serbs but also the U.S. government who made the war last that long.

The Balkan ordeal was coming to an end. In October 1995, the Americans imposed a ceasefire on the warring factions. On 1 November 1995, the Dayton peace talks began with the participation of Russia, although in the capacity of a backstage onlooker. Russia's signature to the Dayton Accords imposed on the Serbs, which Owen would describe as a "disgrace," merely emphasized Russia's marginal role.

In Bosnia, Milosevic received far less than what the Serbs could have counted on, for he was afraid of returning to Belgrade with economic sanctions still in place. The Bosnian Serbs were leaving the areas to be taken over by the Muslims and the Croats, burning homes and digging up the remains of their ancestors. On 12 November 1995, Milosevic made the last concession to Tudjman by handing over Eastern Slavonia to Croatia, which became the most ethnically pure of all of the former Yugoslavia's constituent republics. On 21 November 1995, the presidents of Bosnia, Croatia, and Serbia initialled the peace accords.

Forecasts regarding Milosevic's own fate began to come true before long, for which he could largely blame himself. He was not allowed to do away with separatists in Kosovo. What seemed incredible in 1995 became a sinister reality in 1999. Starting in April 1999, the U.S. air force and those of other NATO countries pounded Serbia with 40,000 bombs and rockets – all without a mandate from the UN Security Council and in direct violation of the UN Charter. Moreover, NATO members abused the alliance's charter. They were the first to attack a country that had not threatened the alliance's security. Also, NATO violated the Russia-NATO Founding Act of 1997. The Yugoslav economy – factories, power plants, oil refineries, bridges and roads, and communication lines – was crippled. Thousands of civilians were

killed. Eventually, Russia emerged at the forefront again. But what was its mission? To help the Americans get out of a dead end and to persuade Milosevic to accept NATO's conditions. In the final count, borders inside an emasculated Serbia were destroyed. Serbia lost Kosovo – part of its own territory and the cradle of the Serbian nation.

One of my saddest and most unforgettable memories is my wife and I standing on a terrace of a hotel in Slovenia, basking in the lavish beauty of an Adriatic resort and hearing the roar of jet engines above as NATO planes made their way to their “targets” in Belgrade and other cities in Serbia. The pilots of those planes were fully aware of their impunity. Fortunately, by that time I had quit civil service. My resignation was accepted in the summer of 1998.

A Brief Afterword

The problems facing Russian foreign policy in the 1990s stemmed only in part from the desire of certain personalities who wanted to follow in the footsteps of a certain group of countries. The Soviet Union – a once mighty actor on the world stage – was abolished and hardly anyone will ever be able to say for how much longer it might have lasted as a geopolitical reality. Those who caused the Soviet Union to collapse got a weak Russia in return. It has taken a long time for Russia to earn the consideration the Soviet Union once held. Moreover, Russia's ruling elite sought to remain in power by relying on outside support. Its precarious position at home was a consequence of the Soviet Union's disqualification, too. Due to its chaotic foreign policy after December 1991, Russia was no longer a major global player. That fact never left me throughout the Yugoslav crisis.



Documents



Načertanije (the Draft): The Programme of Serbian Foreign and National Policy at the End of 1844

Translated from Serbian by Dušan T. Bataković¹

Abstract: Below, you will find a text which remains mostly unknown to the readers in Central and Eastern Europe. It contains a foreign policy plan of a small, poor and weak state of Southeastern Europe. Its value as an academic source text is often underestimated and in the following paragraphs we shall explain why.

Načertanije indicates long-term *real politik* plans of the young Serbian state. It shows that the Balkan states, although small, poor and dependant, could have mature and long-term foreign policy plans. Plans which eventually formed basis for political practice. The unification of southern Slavs within the Serbian statehood took place at least once – during the *interbellum* period, while the national character of so-called the second, or the communist, Yugoslavia remained highly contestable.

The Draft constitutes a subject of fierce discussions in the Balkans. There are many controversies regarding this text. The majority of Bosnian or Croat scholars refer to it as the plan of Greater Serbia, and therefore a proof of aggressive origins of the Serbian statehood. Most of Serbian academicians see in it the maturity of Serbian political leaders and their sense of *raisonne d'etats*. And although it is easy to find plans of expansion, it is rather difficult to describe the draft as colonialist or imperialist. In modern terms, it could be described as soft-power policy toward the Balkan nations.

¹ The Editor of this Yearly would like to thank Dušan Bataković from the Serbian Academy of Arts and Sciences (SANU) for granting permission to republish his translation of Načertanije (the Draft), first published in "Balkanica", vol. 25, issue 1, p. 157-183.

Načertanije has Central European origin, therefore linking histories of these two parts of the continent. It is not always a well-known fact that Prince Adam Czartoryski, a former *confidant* of Tsar Alexander I and also his former Minister of Foreign Affairs, who became a fierce opponent of the authoritarian rules of the Romanovs over Poland, led a campaign aimed at re-establishing independent Poland. For this goal, his spies, subjects of the Habsburg Empire, initiated and subsequently influenced writing of the draft.

The Draft is also an expression of quite libertarian, for the time, thought of a multicultural state. This was a result of collaboration between Czartoryski's people and Serbian "constitutionalists", traditionally supporting more democratic option of the Serbian monarchy – the dynasty of Karadjordjević. Finally, it clearly shows that Serbian-Russian relations were not always as cordial as the elites of both countries would like to present it today. Russia's negative attitude toward democratic, progressive and republican Serbia, as opposed to conservative and authoritarian, is still visible in Moscow's foreign policy. Mature judgments of the concert of powers, of the intention of Vienna and St. Petersburg as well as prediction of the Crimea War (of 1853-1856) make the draft a valuable document.

We invite you to the interesting reading.

Keywords: Serbian Foreign Policy, Serbian National Policy

Serbia must place herself in the ranks of other European states, creating a plan for her future or composing, so to speak, a long-term domestic policy to the principles of which she should firmly adhere, and according to which she should conduct herself and decide steadily all her affairs.

Movement and agitation among the Slavs has already begun and will, indeed, never cease. Serbia must well understand this movement along with the role or the assignment which she will have in it.

If Serbia ponders well enough what she is, and what her position is, and what the peoples that surround her are, she will realize that she is still very small, that she must not remain in such position, and that only through alliance with other neighbouring peoples can she fulfil the tasks for her future.

From this knowledge the plan and the foundation of Serbia's policy originate (which does not limit Serbia to her present borders, but endeavours to attach to her all the neighbouring Serbian peoples).

If Serbia does not vividly pursue this policy (and, worse still, if she rejects it), failing to prepare a well-made plan fit for this assignment, she will be buffeted from side to side like a small vessel by alien tempests until finally she will be broken into pieces on some huge reef.

What we wish and attempt to do here is to contribute somewhat and prepare the plan of Serbian policy abiding by its natural demands.

1. The Policy of Serbia

1. The Ottoman Empire (must) disintegrate and this disintegration can only occur in two possible ways; either it will be partitioned or it will be rebuilt anew by its Christian inhabitants.

2. Observations on the Partition of the (Ottoman) Empire

2. We do not wish to comment extensively on this subject, but shall limit ourselves merely to observe that Austria and Russia must play principal roles in this event since they are neighbouring and contiguous powers.

These two powers could easily agree on and decide who is to receive certain lands and regions and where their borders shall lie. Austria can only aspire to rule over the western provinces, while Russia can only aspire to conquer the eastern ones. (Therefore, if) a straight line were to be drawn from Vidin to Salonika, this question might be solved to the satisfaction of both parties.

Thus, in the event of a partition all the Serbs would fall into the Austrian portion.

Austria and Russia know well enough that the Ottoman Empire as such will not enjoy a long future. Therefore, both states are making use of this opportunity to extend their borders as quickly as possible. Both also work in every way to forestall and prevent the emergence of another Christian empire in place of the Ottoman Empire; for then, the fond hope and pleasant prospect would disappear for Russia of seizing and holding Constantinople, which has been her most cherished plan since Peter the Great; and Austria would then be in terrifying danger of losing her South Slavs.

Thus, Austria must, under all circumstances, keep being the enemy of a Serbian state. For the Serbs, then, agreement and understanding with Austria is a political impossibility, for thus she would tie the rope around her neck herself.

Only Austria and Russia are able to foster the collapse and partition of the Ottoman Empire. They are seeing to that. For many years, Russia has been preparing the ground for that situation. Austria cannot now do otherwise than to assist her and seek something for herself, as she did at the partition of Poland. Naturally, all the other powers,

under the leadership of France and England, are opposed to the expansion and enlargement of Russia and Austria. They would probably consider as the most suitable means for forestalling such partition the conversion of the Ottoman Empire into a new and independent (Christian) state which would occupy the vacuum left by the Turkish collapse, offering the sole means to maintain the balance of Europe in its entirety. Other way out cannot be expected.

The Serbian state, which has already seen its good start but must strive to expand and become stronger, has its roots and firm foundation in the Serbian Empire of the 13th and 14th century and in the glorious and rich Serbian history. (It is known from this history) that the Serbian rulers began to assume the position held by the Greek [Byzantine] Empire and almost succeeded in making an end of it in order to replace the collapsed Eastern Roman Empire with a Serbian-Slavic Empire. Emperor Dusan the Mighty had even adopted the coat-of-arms of the Greek Empire. The arrival of the Turks in the Balkans interrupted this enterprise, and prevented it from taking place for a long time. But now, since the Turkish power is broken and almost destroyed, the same spirit should act again, claim its rights anew and continue the enterprise interrupted.

These foundations and walls of the Serbian Empire must, therefore, be cleared of all ruins and debris and brought to light, so that a new edifice may be constructed on this solid and durable historical foundation. Such an enterprise will be endowed with inestimable importance and great prestige among all the nations and their cabinets; for then we Serbs shall appear before the world as the true heirs of our illustrious forefathers, doing nothing new but restoring their legacy. Hence, our present will not be without a link to the past, but they will make an interdependent, integrated and well-ordered whole. Thus, the Serbdom, its nationality and the life of its state stand under the protection of the sacred historical right. Our aspirations cannot be reproached as something novel and unfounded, as a revolution and a coup, but all must acknowledge that they are politically necessary, grounded in ancient ages and embedded in the state and national life of the Serbian people, whose roots continually send forth branches to blossom anew.

If we consider the revival of the Serbian Empire from this standpoint, then other South Slavs will easily understand this idea and

accept it with joy; for probably in no European country is the memory of the historical past so vivid as among the Slavs of Turkey, for whom the recollection is intense and faithful of the celebrated figures and events of their history. Therefore, it may be counted as certain that this enterprise will be readily accepted among the people, making unnecessary decades of activity among them, just in order to prepare them to understand utility and value of an independent administration.

The Serbs were the first of all the Slavs of Turkey to struggle for their freedom with their own resources and strength. Therefore, they have the first and foremost right to further direct this endeavour. Even now in many places, and in certain cabinets, it is anticipated and expected that a great future is imminent for the Serbs, and it is this fact which has attracted the attention of the entire Europe. If we thought of Serbia as merely a principality, which she is now, and if this principality were not the nucleus of a future Serbian Empire, then the world would concern itself no more with Serbia than it did with the Moldavian and Wallachian principalities where there is no principle of independent life and which it considers only as Russian pendants.

A new Serbian state in the south could give Europe every guarantee that it would be distinguished and vital, capable of maintaining itself between Austria and Russia. The geographic position of the country, its topography, abundance of natural resources, the combative spirit of its inhabitants, their sublime and ardent national feeling, their common origin and the same language - all indicates its stability and promising future.

3. On the Means by Which Serbian Goal May Be Attained

When the goal is firmly determined, and steadfastly and vividly pursued, then (a capable government) can easily and quickly find the means necessary for its attainment, (for the Serbian people are so good that with them everything may be reasonably achieved).

4. Initial Means

In order to determine what can be accomplished, and how to proceed, the government must know the conditions and circumstances (of the peoples residing in the surrounding provinces). This is the first prerequisite for exactly determining the means. Accordingly, it will be necessary, above all, to send sharp and unprejudiced people, loyal to the government, as investigators of the conditions of those lands and peoples, and the former (would be required) to give exact written reports upon their return. (It is especially necessary to be informed) on Bosnia and Herzegovina, Montenegro, and northern Albania. (At the same time the exact situation in Slavonia, Croatia and Dalmatia must be learned and, of course, this includes the peoples in Srem, Banat, and the Backa as well).

These agents must be provided with instructions on how to circulate and pass through these lands. They must be informed, (among other things), which places and persons they should pay particular attention to. Besides these factual instructions, they should be given a general instruction that would contain the following points which they will be required to carry out:

1. They should judge the political situation of the designated country, especially its political currents, gather data which will enable better acquaintance with the people, their feelings and their innermost desires, but above all, they should indicate what must be considered as an already recognized and publicly expressed popular demand.
2. Special scrutiny must be attached to the military condition of the country and people, such as its martial spirit, armament, the size and disposition of the regular army; the location of military stores and arsenals; the location of industries for wartime demands, such as food and armament; or where they come from and enter the country etc.
3. They should compose description or evaluation, and the list of the most important and influential men in the country, not excluding potential opponents (of Serbia).
4. The attitude of the people in every province toward Serbia and their expectations from her must be observed, along with what they want from her or fear of.

These instructions, naturally, must seek to learn what every agent has to say so far about the ongoing Serbian policy, as well as what hopes may be awoken and how the attention and regard, particularly of Serbia's friends, should be centred.

5. First of All to Define our Relations to Bulgaria

Bulgaria is the closest of all the Slavic countries to the glorious capital of the Ottoman Empire [Constantinople], and the greatest part of this country is easily accessible; most of the important military positions of the Turks, and more than half of their army are located here. In no other European country does the Turk feel so secure and more a master than in this one; the Bulgarians are deprived of all weapons; they have learned to submit and work, submissiveness and diligence having become their second nature. However, this observation must not prevent us from recognizing their true value, or lead us, which is worse still, to become contemptuous of them. It is an unfortunate fact that the Bulgarians, though they are the largest branch of the Slavic peoples living in Turkey, possess almost no confidence in their own strength, but it is only upon the stimulus coming from foreign countries [Russia] that they would dare attempt to liberate themselves. It is Russia that they look upon as the power which wishes and can do the most for their liberation. (Apart from the fact that Russia would only act in her own interests and would certainly replace the Turkish yoke with an even more oppressive one of her own), she would not venture, as we have already seen, on direct military aid of the Bulgarians, because Europe is aware of the true purpose of these allegedly benevolent Russian intentions toward Turkey. Indeed, a general European war would ensue if Russia would want to cross the Danube once more. For this reason, Russia acts through others to accomplish what she is unable to attain directly. Prince Michael was, in this respect, her involuntary instrument, and she will, beyond any doubt, wish to return to her former plan which she has already started to effect through Prince Michael.

Since the government of Prince Alexander [Karadjordjevic] does not possess the confidence of Russia, for it does not permit itself to be used as a blind tool, Russia is forced to work for the overthrow

of the present government in order to establish another government which would enable her to achieve her goals.

All attempts to deceive Russia and to convince her that the present government will follow her plan, would be foredoomed to failure. (Once Russia sees for herself) that in Serbia an independent national spirit is awakening, she will not believe any proposals, because (Russia is much too clever to allow herself into a trap which is opposed to her designs). Furthermore, it may well be thought that any attempts by Serbia to establish a close alliance and agreement with the other Slavs in Turkey, would be betrayed by Russia, if she only learnt about them, to Turkey, Austria and others, with the sole purpose to convince Europe that it is not Russia but rebellious and opposing Serbia who is encouraging such revolts. But, in spite of it all, Russia would be glad to receive information about these agreements in order to learn their trace and evolvment, and little by little, to gain control of them for her own aims.

The more independent Serbia becomes the less confidence Russia will have in her, and if Russia is not able (to change the situation in Serbia and destroy her independent policy), then she will certainly endeavour to turn all the Slavs of Turkey away from Serbia, to divide them and keep them in disagreement so that she may deal with and enter into agreement with each (Slavic) branch separately. If, then, Serbia does not prove to be more active and enterprising than Russia, she will be defeated and left behind by the latter.

In this enterprise we must guard against illusion. Russia will never demean herself before Serbia, and if she sees that Serbia will not serve her devotedly and unconditionally, then she will reject every condition proudly and contemptuously. Even the sage advice of her own diplomats – men such as (Russian envoyé baron) Lieven – has been fiercely rejected precisely because they suggested only temporary concessions. Is it feasible, then, to believe that she will appear to be more yielding to foreigners than to her own faithful servants? Finally, if Russia does not find in Serbia anyone who would unconditionally serve her wishes, then she will not hesitate to ally and work with those who would be willing to serve her only under certain conditions (for, after all, she could never give up Serbia completely). But as long as she can find people in Serbia that would obey and serve her unconditionally, she will prefer such Serbs to true patriots.

Russia will not allow such a small state like Serbia to set conditions; she demands her advice to be obeyed unconditionally as commands, and those who wish to carry out her will must submit to her completely. It is true that sometimes she appears to accept all who agree to serve her, but she does not employ them in anything, as some of them do not possess her confidence, so that such conduct of hers removes any possibility of deceiving her.

If Serbia wishes to come out from her present subordinate position and become a true state, she must endeavour, on her way toward independence, to take over the political power of Turkey by destroying it little by little; for this is the point upon which Serbian and Russian policies clash, because Russia also seeks to weaken the political power of the Ottoman Empire. However, despite this correspondence between the two policies, it does not necessarily follow that the aims and intentions of both are the same, or that their policies must be in harmony.

(In brief): Serbia must endeavour to break down, but only stone by stone, the edifice of the Ottoman state, preserving its good material in order to erect, upon the solid foundation of the old Serbian Empire, a great new Serbian state. Even now while Serbia is yet under the Turkish rule, the work of preparation and modification can be carried out, because such enterprise cannot be undertaken and finished at the last moment.

We have spoken here in detail about the nature of Russian and Serbian policies, precisely because Bulgaria is the country in which Serbian and Russian influences primarily and largely are to come into contact.

We have discussed and demonstrated here why Serbian policy is not able to agree with Russian. However, it must be said that with no other could Serbia attain her aim easier than through an agreement with Russia; but this can occur only when Russia would agree to accept completely and absolutely the conditions of Serbia through which the aforementioned intention, that is, her future in a broad sense, would be assured. An alliance between Serbia and Russia would, indeed, be the most natural one, but its conclusion would depend upon Russia herself, while Serbia should accept it with open arms but only when it has been clearly established that Russia's proposals are sincere and open-hearted; this can only come about when Russia aban-

dons her present policy, that is, when she decides that an alliance with Serbia, no matter how small she may be, is more natural than the one with Austria for whose sake she keeps the Western Slavs. Although I do not hope that Russia will ever be sincerely inclined toward Serbia, it is, nevertheless, necessary to mention here of what benefit such an occurrence might be for Serbia, who should immediately make use of it, for whatever has been said against Russia, it was not out of hate, but out of necessity into which Russia herself has forced us by so many of her actions.

A few more words about Bulgaria and then we will proceed further. If we have learnt well the disposition of people's spirit in Bulgaria, and if our respect for her patriotic means is not too low, then we must conclude that a greater effort for its liberation from Turkish yoke is still far away. And again, that is where Russia's primary aspirations are directed to, because this country lies directly before the gates of Constantinople and in her road toward it. But Bulgaria has the same location and importance for Serbia that it has for Russia. If Russia keeps acting in Bulgaria for only a few years more the way she has been acting lately, and if Serbia lets her act without doing anything herself, then Russia will, indeed, achieve such success that Serbian influence in Bulgaria will become useless. Let this be a warning and a sign for Serbia, and never let her forget that a political friendship may be expected only if we have already showed and proved our love for the friends. Serbia must do something for Bulgaria because love and help need to be mutual.

After we have briefly indicated our attitude toward present Bulgaria and her great importance for Serbia, and after a few words about the Russian influence that dominates there, we shall proceed to give an outline of some initial means for establishing the Serbian influence.

1. The Bulgarians do not possess educational and pedagogical institutions; therefore, Serbia should open her schools to the Bulgarians and grant scholarships to some of young Bulgarians who are studying in Serbia.
2. The Bulgarian clergy is mainly Greek, and not of Bulgarian nationality; therefore, it would be desirable and useful if a certain number of young Bulgars were trained in theology in Serbia and then returned as priests to their people and homeland.

3. Bulgarian liturgical and other religious books, together with other Bulgarian works, should be printed in Serbia; this important means has long been used by Russia, and Serbia must see to surpass her in that respect.
4. Reliable and capable people must be sent to travel through Bulgaria, who would draw the attention of the Bulgarian people to Serbia, awakening in them the feelings of friendship toward Serbia and the Serbian government, as well as hopes that Serbia will truly aid their liberation and provide for their welfare.

6. On the Policy of Serbia toward Bosnia, Herzegovina, Montenegro, and Northern Albania

When we take into closer consideration the topography and geographical position of these lands, together with the military traditions of their inhabitants, their mentality and ways of thinking, we will easily come to the conclusion that this is the part of Turkey upon which Serbia can exert the greatest influence. The continuous determination and organization of this influence seems to us to be the main task of Serbian policy in Turkey for the moment [1844].

1. When two neighbouring peoples wish to conclude a close and intimate alliance their borders must be opened as much as possible so that continuous communication is most facilitated and stimulated. But Serbia seems to be separating herself from her co-nationals in Turkey as if by a Chinese Wall, opening communications points in so few places that there are houses in bigger towns that have more doors for entry than the entire Principality of Serbia. Therefore, without reducing the border guard, we are to increase the number of points of contact, entry, and departure along the Serbian border with Bosnia. (And why not with Bulgaria, as well?) The established system of separation might have been purposeful at the time, but to further maintain it would be the same as shutting Serbia in and isolating her, which is in utter opposition to her future and prosperity.
2. We should act in such a manner that the two peoples, the Eastern Orthodox and Roman Catholic, could reach mutual under-

standing and an agreement about their national policy, for only then can this policy be successfully brought into effect.

It is the duty of Serbia to propose the basic points of this policy to both parts of the people residing there, because she is able to act in this enterprise, and obliged to, owing to the years of experience and the diplomatically recognized rights. One of the main points is: the principle of complete freedom of religion. This principle will satisfy all Christians, and who knows, in time it may become acceptable to some Muslims as well. But the most important and fundamental law of the state must be determined as follows: that the principedom must be instituted as hereditary. Without this principle, which is the very embodiment of state unity, an enduring and permanent state union between Serbia and her neighbours is unthinkable.

If the Bosnians do not accept this solution the inevitable consequence would be the fragmentation of Serbdom into small provincial principalities under separate ruling families who would undoubtedly soon fall under the sway of foreign influences, because there would arise rivalry and envy between them. These families could never be led to sacrifice their personal interests for another family, even when the advancement of all these peoples would depend upon such a sacrifice.

(From these basic points it follows that if an attempt were made to effect any change in Bosnia prior to this general unification of Serbdom, such a change should be effected only in such a manner as to serve as a preparation for the general unification of all Serbs and their provinces into one whole; and this would be the only way in which the aims and interests common to all Serbs may be realized. Therefore, I here emphasize Serbia merely because she alone is able to prepare that change, and being obliged to constantly work on it until the time will come to bring this plan to completion, Serbia will keep trying to make that time come).

Thus, whoever is solicitous about the welfare of this people must not propose a hereditary principedom to the Bosnians. (In that case), the most important figures should be elected among all the people, and not for life, but only for a certain time during which they would function as a sort of council. Even with such

a separate and provincial authority, the road would be open for advancement; it would then be an easy matter for Serbia to eventually bring about a closer union with Bosnia, which would be both possible and likely.

The third basic principle of this policy is that of unity of nationalities, whose diplomatic representative is to be the government of the Principality of Serbia. Whenever the validity of this principle is in question, it is to the government that the Bosnians and other Slavs should turn to for protection and every assistance. Serbia, in this respect, must realize that she is the natural protector of all the Slavs living in Turkey, and that other Slavs will only concede her that right when she takes upon herself the duty of doing and saying something in their name. If Serbia sets for her neighbours bad and unfortunate example that she thinks only of herself without caring about the troubles or advancement of others, but being indifferent to them, then they would certainly follow such an example, and would not listen to her; thus, harmony and unity would be replaced by distrust, envy and misfortune.

3. Not only should all fundamental laws, the Constitution and all major institutions of the Principality of Serbia be promoted among the people in Bosnia (and Herzegovina), but a number of young Bosnians should also be accepted into the Serbian officialdom to be operatively trained for political and financial profession, for law and public education, so that later these officials could apply in their own homeland what they have learned in Serbia. (Here it must be particularly observed that these young people should be specially supervised and educated in such a manner that their work becomes completely imbued with the redeeming idea of a general unification and great advancement. This obligation cannot be sufficiently emphasized).
4. (Special attention must be paid to diverting the peoples of the Roman Catholic faith from Austria and her influence, and their greater inclination toward Serbia should be fostered. This goal could be best achieved through the Franciscans there; the most important among them must be won over to the idea of the union of Bosnia and Serbia. To this end), publishing of some prayer books and hymnals in the printing office of Bel-

grade should be ordered; also, liturgical books for Orthodox Christians and anthologies of popular poems which would be printed in Latin and Cyrillic alphabets. As the third step, a short and comprehensive history of Bosnia could be printed, in which the names and glory must not be omitted of several Bosnians who had converted to Muslim faith. It goes without saying that this history should be written in the spirit of the Slavic nationality and entirely in the spirit of the national unity of Serbs and Bosnians. Through the printing of these and similar patriotic works, (as well as through other necessary actions which should be reasonably determined and supervised) Bosnia would be liberated from the influence of Austria and incline more toward Serbia. In this way, Croatia and Dalmatia would also procure books which cannot be printed in Austria, and this would naturally result in a closer relationship of these lands with Bosnia and Serbia. (Special attention should be given to this enterprise by entrusting the writing of the aforementioned history to a capable and deeply discerning person).

5. The entire foreign trade of Serbia is in the hands of Austria. (This is a misfortune whose exact consequences I shall leave to the financial experts to determine, while I shall merely cite those facts that add to the importance of this plan).

Direct trade contact with foreign states through Zemun [Semlin] will always be a distressing affair. Consequently, Serbia must secure a new trade route which will connect her with the sea and provide her with a port. For the present, the only route possible is the one which leads through Skadar [Scutari] to Ulcinj. Here the Serbian merchant with his natural products would recognize natural Dalmatian seamen and traders as his nationals, but also as clever and capable people who would give him a hand honestly and efficiently when purchasing foreign wares. It is necessary, therefore, to establish a Serbian trade agency there to protect the selling of Serbian products and the buying of French and English goods.

For this work the government would have to take the first step, providing for and appointing a commercial agent to Ulcinj who would instruct the Serbian merchant, as if pointing with his forefinger, where he should direct his attention. (This agent, entering

into contact with our country's traders, would have to thoroughly explore a way to direct our trade toward favourable avenues abroad, and once the government makes certain of their benefit, it may publish such information through the newspapers, indicating to our traders the areas with lucrative prospects). Even if only a few traders succeed in conducting good business at the outset, others would quickly follow their example, and (little by little this avenue of trade would be opened without the government having to forever concern itself with the matter; for merchants would themselves open routes of business, leaving the government's agents with their only concern to keep our merchants safe from any kind of oppression). From the foregoing it would follow that the price of Serbian products exported to the south would rise in the north, while the price of the products introduced into Serbia from the north would fall because of the competition with the products from the south. In a word, the Serb would in this way sell high and buy cheap.

This measure would be of no less importance in a political sense, since the new Serbian agent would find himself among a Serbian population, which situation would result in a stronger influence of Serbia upon the northern Albanians and Montenegro, and these are the peoples who actually hold the keys to the gates of Bosnia, Herzegovina, and the Adriatic Sea. We are assured that the institution and establishment of such Serbian agency there would be understood by these peoples as a political act of inestimable importance on the part of Serbia, so that a closer union of the people of those provinces with Serbia would be an easy matter.

Not only would France and England not be opposed to this, but they would even support it, whereas the Porte also would not be opposed to it because its only harbour would prosper as a result.

6. Gaining a greater influence over the Eastern Orthodox Bosnians will not be a difficult task for Serbia. However, more caution and attention must be exercised if the Bosnian Catholics are to be won over. At their head are the Franciscans. Therefore, would it not be advisable if, in addition to the printing of books hitherto mentioned, one of these Bosnian friars were to be appointed to the Belgrade Lycée as professor of Latin or some other sci-

ence? This professor could serve as an intermediary between Serbia and the Catholics of Bosnia, because such a step would be our first reassuring gesture and a proof of tolerance. Could not this same Franciscan establish a Catholic chapel for Catholics residing here, (thereby Austrian influence upon the erection of such a chapel, which will have to be built sooner or later, would be obviated. The chapel could be placed under the protection of the French consul residing here).

This would give the French government reason and occasion to participate actively in this affair, and would at the same time free Serbia from the danger of having in Belgrade a Catholic church which would be under the influence of Austria.

7. Karadjordje was a naturally gifted military leader of very great experience. He was not able to foresee the predominant military importance which Montenegro has for Serbia, and which it will always have whenever the issue arises of Bosnia and Herzegovina breaking away from Turkey and joining Serbia. The campaign of this vojvoda at Sjenica and Novi Pazar is still well remembered by all Serbs; hence, it is not necessary that we marshal new arguments to support the following proposal: let Serbia follow the example of Russia in Montenegro, and give the Metropolitan of Montenegro [Petar II Petrovic-Njegos] regular annual financial subsidies. In this way, for a small price, Serbia will have the friendship of a country which can, at the very least, raise an army of 10,000 mountain soldiers.

Finally we must observe that the deferment of this subsidy until the last minute will not produce the desired successful result, since Russia will justifiably be able to point to its own many annual subsidies, and in this way besmirch and arouse suspicion of Serbia's new proposal as a one made out of bare necessity; and the Montenegrins would then say: Serbs did not help us when we were in need, which is a proof to us that they are not our friends, but only wish to make a one-time use of us.

7. Srem, Backa, and Banat

● At a first glance, it may be thought that Serbia must be on most friendly terms with those areas, since in origin, language, religion, law, and customs they are one and the same with the Serbs of Serbia. If this is not the case, then the blame falls, in part at least, upon Serbia herself, because she has not tried enough to win the friendship of these Serbs. But it is to be hoped that despite all hostile influence of Austria this improper attitude will be changed in time and improved inasmuch as the Principality of Serbia shall keep proving itself to be a well-organized, strong, just and enlightened state. For the present, if nothing else, at least an effort should be made to become acquainted with the most important figures in these provinces, and to establish one important newspaper there which could, abiding by the Hungarian Constitution, act usefully in the interest of the Serbian cause and which should be edited by a very sincere man such as Mr Hadzic, for example, or someone of the same calibre.

8. On the Alliance with the Czech Slavs

● (Concerning these Slavs, we will not say very much at this time, not only because they do not fall within the scope of this plan but also because to the many it would seem at first to be impractical. Therefore, passing over this briefly and leaving the benefits of such an alliance to be derived from the very realization of this plan, we limit ourselves only to make the recommendation that we must begin making Serbia aware of the Slavs of Bohemia, Moravia and Slovakia, and do this very cautiously and sagely so as not to arouse Austria's suspicions).



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