



Kosovo Calling

International Conference to Launch Position Papers on Kosovo's
Relation with EU and Regional Non-recognising Countries

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Foreword



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FOREWORD

Four years after independence, Kosovo is still only recognised by less than half of the world (89 out of 193 UN members). Arguably, the non-recognitions which matter the most come from the region, namely Bosnia and Herzegovina and Serbia, and - given Kosovo's European Union aspirations -from five members of that very organisation; Cyprus, Greece, Romania, Slovakia and Spain.

In order to better understand the politics and history behind these standpoints, the seven position papers in this book were commissioned from leading members of academia and civil society in each country. Each paper presents a detailed overview of the countries' positions prior to and following Kosovo's Declaration of Independence in 2008, and analyses if policies towards Kosovo have been affected by the International Court of Justice's Advisory Opinion, which issued in July 2010. Authors have also provided conclusions and recommendations on how bilateral relationships can be improved and deepened.

These papers were compiled throughout 2011 and although there have been changes in the internal politics of some of the countries since then, the analysis presented retains value for all those seeking to understand the obstacles standing in the way of Kosovo forging a closer and more constructive relationship with each country.

Furthermore, it is in Kosovo's long-term interest to develop new channels and tools of communication with all EU members and their respective publics - including those that are presently not recognising the new reality - not only to eventually obtain recognitions, but also to build a solid base for strong bonds between Kosovo and all EU members, which a pre-condition for Kosovo's successful integration in the European Union.

We sincerely hope that opinion makers, elected representatives, civil society, media, and ultimately those in charge of state affairs will take a moment to read this book and understand that Kosovo's European perspective and regional integration cannot become a true reality unless new approaches are developed with each of these countries. A new dynamic in Kosovo's relationship with these countries would strengthen Kosovo's EU integration prospects and amplify its voice on the regional and international stage, to the benefit of all Kosovo citizens.

Spain



Spain's Position on Kosovo

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October 2011*

Spain is the largest of the five EU member states that do not recognise Kosovo's independence. The government's position is not devoid of controversy in Spain, but it is supported by the two political parties which command an overwhelming majority in Parliament, which are the same two with any options to be in power after the forthcoming November 20 (2011), election. This paper analyses the roots of the Spanish non-recognition stance and its evolution since February 2008. The main conclusion is that there currently are no domestic roots for a change in the non-recognising position, but that the pro-recognition argument can be made stronger and that the Spanish position can evolve towards less belligerent and more helpful practices.

Spain and Kosovo, Spain in Kosovo before independence

Spain was never a major player in the Balkan scenario. The relations between Spain and Yugoslavia had been relatively cordial since the end of Franco, and indeed some Spanish politicians were tempted to follow the Yugoslav non-alignment movement, like Malta and Cyprus did at the time. These good relations, however, remained mostly at the diplomatic level, and Spain chose to focus on its integration in the Euro-Atlantic organisations (the European Communities and NATO). When the situation in Yugoslavia started to deteriorate, Spain was a newcomer to EU politics, and its main priority in EU external relations was to balance the sudden focus on the East with at least some commitment to the southern Mediterranean.

From the start of the Yugoslav crisis, Spain was reluctant to break European unity, and therefore accepted solutions against its political instincts, such as the recognition of Croatia and Slovenia. Spain participated in all European initiatives and it saw its involvement in the Balkans as proof of its status as an important European player. When the Kosovo war started in 1998, Spain had become an important contributor to international missions in Bosnia (1000 troops) and Albania (400).

Participating in the Kosovo campaign was a relatively easy decision, with all parties in Parliament voting in favour, with the exception of the radical left (23 out of 350 seats). It is important to bear in mind that, at that time, two Spaniards occupied key

positions: Javier Solana was the NATO Secretary-General and Felipe González had been appointed in March 1998 Personal Representative of the Chairman-in-Office for the FRY, a mandate which specifically included Kosovo. Public opinion was not particularly sensitive to the issue, although in Spain it tends to reject international missions, in particular those led by NATO. Spain's position was, by and large, dictated by its Europeanism and its involvement in international institutions.

Participation in the bombing campaign was modest but unequivocal: Spain not only allowed the use of its soil, strategically placed between the United States and the operations theatre, but contributed with war ships and planes, some of which (eight F-18) took part in the bombings. In the aftermath, Spain contributed a battalion to KFOR where it remained, until the end of its 10 year mission, a mid-size contributor (fifth in size for most of the period). A Spaniard, Lieutenant General Juan Ortuño, became the head of KFOR in 2000. A total of 22.000 Spanish soldiers served in Kosovo (and nine lost their lives there) during that time: Kosovo has been a forming experience for a large part of the Spanish military. Humanitarian assistance complemented Spain's military role. A total of 1.010 tonnes of food aid, more than 10.000 cases of sanitary assistance, and 120 rapid impact projects (road and electrical lines repairs, water pipes, conditioning of schools) were carried out in those 10 years in western Kosovo. The total cost of Spain's involvement in Kosovo is estimated by Spain's Ministry of Defence to be at 843 million euro.¹

Spain's extensive military presence and its humanitarian assistance did not translate into close relations in other fields. In particular, trade between Spain and Kosovo remained very limited even before independence. In 2006, Spain accounted for 1% of all of Kosovo's imports, and its share of Kosovo's exports was even smaller. The picture was not much better in terms of investment.² In Spanish society, by and large, the actors with some knowledge and interest in Kosovo were the few journalists who had covered the war (and kept alive the image of those times), very few analysts, some humanitarian aid workers, and those with links to the international missions.

Spain had a continuous military presence in Kosovo since 1999, but it was not even a member of the Contact Group and during all the Balkan crises Spain was a follower, rather than a leader, in the European Union. Its military involvement grew in relative importance as other countries, including Russia and the United States, progressively pulled out of the region. However, even though it had between 600 and 800 soldiers in Kosovo for 10 years, the Spanish government chose not to have a diplomatic presence in Pristina, unlike not only the countries that would later support its independence

1 Official data from the Spanish Ministry of Defence, available at http://www.defensa.gob.es/areasTematicas/misiones/historico/misiones/mision_01.html

2 See Fonfría Mesa, Antonio 'Viabilidad económica del futuro de Kosovo' in *Documentos de Seguridad y Defensa n°2 Futuro de Kosovo. Implicaciones para España*, Madrid: CESEDEN.

(UK, US, France, Germany), but also some that would not (Greece, Russia). Relations with the Kosovar authorities, therefore, took place mostly through the international missions present there, rather than directly, even before independence.

The genesis of the Spanish position against Kosovo's independence

Despite giving some indications in private that they opposed an independent Kosovo³, Spanish leaders and diplomats by and large refrained from making public statements in that direction, even when other EU members like Cyprus and Romania were doing so. The official line was that Spain preferred a negotiated solution and did not like unilateral declarations of independence, but that it would contribute to a common Euro-Atlantic and, in particular, a common EU position or, in the words of Foreign Minister Moratinos, “wait and look for the unity of the European Union and the respect for international legality”⁴. Its quiet opposition to unilateral independence did not shield Spain from the major diplomatic blunder that represented President Vladimir Putin’s declarations in Moscow, stating that the EU applied double standards, as it considered the recognition of a unilateral independence of Kosovo while in Spain “people do not want to live under the same state”⁵. The following day, Spain’s Vice President María Teresa Fernández de la Vega replied that the situation in Kosovo “is in no way comparable to that of Spain”⁶, a sentence which became ubiquitous in official declarations and press articles the following week, and indeed years.

Spain’s moderation and relatively low profile ended the day after the declaration of independence when, before entering the meeting of EU Ministers of Foreign Affairs and Cooperation, Miguel Ángel Moratinos announced that Spain would not recognise Kosovo’s unilateral declaration of independence, because it did not respect international law. At the meeting Spain tabled a draft resolution which, in the end, was the one adopted by the 27 member states by unanimity. The resolution⁷ took note of Kosovo’s commitments towards its minorities, left the issue of recognition to member states, reaffirmed the commitment of the EU regarding international efforts in the area and the perspective of enlargement for Western Balkan countries, reiterated its adherence to the principles of the UN Charter and the Helsinki final act and, crucially for Spain, affirmed that, “in view of the conflict of the 1990s and the extended period of international administration under Security Council Resolution

3 *El País*, 19th November 2007 and leaked report by the American Embassy in Madrid ‘Spain will oppose Kosovo recognition at GAERC’ (ID 141748, 2008-02-15 17:39:00, Embassy Madrid, Confidential)

4 *El País*, 12th December 2007

5 *ABC*, 15th February 2008

6 *El País*, 16th February 2008

7 Council of the European Union ‘Council Conclusions on Kosovo’ 2851st External Relations Council meeting, Brussels, 18th February 2008

1244, Kosovo constitutes a sui generis case which does not call into question these principles and resolutions”.

That same day Minister Moratinos denied any parallels between the Spanish situation and Kosovo, and raised the tone when it compared the independence of Kosovo and the 2003 occupation of Iraq, a comparison which had powerful connotations in the Spanish political arena.⁸ The Spanish government, thus, quickly jumped from having a discrete, behind the scenes role to taking on the leading role in the anti-recognition club in the EU. Moratinos, however, reaffirmed Spain’s commitment to be a part of the international presence in Kosovo, and showed his satisfaction for having contributed to the EU’s ‘unity of action’, symbolised by the joint declaration.

A month after Kosovo’s declaration of independence, 18 member states had recognised Kosovo’s independence and, by October 2008, the number reached 22. It has remained so to date. As the EU partners recognised Kosovo and started establishing diplomatic relations and opening embassies in Pristina, Spain elected a new Parliament, where the Socialists would keep a majority and the possibility to form a government. The relatively high Spanish profile in the Kosovo issue slowly waned and after the initial week of permanent declarations and debate, the position of Spain was well known and little discussed.

The reasons behind Spain’s initial non-recognition

Officially, Spain did not recognise Kosovo for the reasons which have commonly been quoted by those who opposed it: Resolution 1244’s reference to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, Kosovo’s status as a province of Serbia (and not a federated republic) in Yugoslavia, the lack of an agreement between the parts or a UN resolution, the creation of a state ‘for purely ethnic reasons’⁹ against the international community’s previous record in the Balkans, and the respect for three principles: international law, regional stability, and unity of action of the European Union.¹⁰

These points, in essence, differ little from what many other countries have argued in this question against recognition of Kosovo. However, the official arguments

8 Spain’s participation in the coalition that invaded Iraq was a leading argument for socialist opposition to Aznar’s government and was extensively used before and during the election campaign of early 2004. Few foreign policy topics have achieved such a high level of division amongst the two major political parties in democratic Spain. In 2008, it still harboured strong connotations for Spain’s population which had, overwhelmingly, disapproved of Iraq’s invasion.

9 This reference to a Kosovo as a ‘purely ethnic state’ is commonplace in Spanish criticism of Kosovo’s independence, regardless of Ahtisaari’s plan provisions.

10 Bernardino León Gross ‘La posición española sobre Kosovo’ *Cinco Días*, 20th February 2008

are not enough to explain the Spanish government's opinion. Why did the Spanish socialist government react in the way we have just described? The question is only puzzling if we put Spain in the European Union context: outright support for Kosovo's independence in its first weeks was not the choice of the majority in the United Nations, nor in the Mediterranean or Latin American contexts. We believe that the reaction can be understood if we take into account four characteristics which differentiate Spain from the majority of EU member states, and in particular from the four largest ones (France, Germany, Italy, and United Kingdom), to whom Spain aspires to be almost an equal. Those factors are domestic politics, including the existence of secessionist challenges faced by Spain and the proximity of a particularly tight election contest, commitment to international law, Europeanism, and a certain distance from everyday events in the Balkans.

Domestic reasons: After Moratinos' declarations at the February 18, 2008 EU Foreign Ministers meeting, international media — from *The Australian* in Sidney to B92 in Belgrade or *Clarín* in Buenos Aires¹¹ — were almost unanimous in pointing to what they considered the main reason of Spain's position: its problems with Basque and Catalan separatism. Spanish politicians and media spent a substantial amount of time and space denying any such connection. Not only government officials: politicians of almost every affiliation declared the situation to be radically different and therefore not comparable. From the point of view of international law and international relations, their claim is well argued. However, the fact that the situation in Kosovo is not the same as that of the Basque country or Catalonia, does not mean that the existence of an issue of secessionist nationalism in the Basque Country and Catalonia is irrelevant in understanding the way in which the Spanish government reacted to the declaration of independence.

Only weeks before a general election, the Spanish government found itself in a difficult situation. The Popular Party made it clear before the declaration of independence that they would oppose any position other than an outright rejection of Kosovo's independence and their leader publicly doubted that Zapatero would be up to the challenge¹². In private, Minister Moratino's Chief of Staff admitted to American diplomats that the elections were a major factor for non-recognition at that time, and hinted that the government, should it remain in socialist hands, might review its position after the elections.¹³ The Socialists feared that any hesitation on the Kosovo issue would be exploited by the Popular Party in the campaign as a sign of weakness concerning Catalan and Basque nationalists, who made no secret of their support for

11 *The Australian*, 19 February 2008; B92 Website: www.b92.net/eng, 19 February 2008; *Clarín*, 19th February 2008.

12 See interview with Mariano Rajoy, Popular Candidate to the post of Prime Minister in *El País*, 17th February 2008.

13 Leaked report by the American Embassy in Madrid 'Spanish reaction to Kosovo's independence' (ID 142305, 2008-02-21 09:09:00, Embassy Madrid, Confidential)

Kosovo's independence. Additional pressure came from the other side. The Basque government, led by a Christian democrat Basque nationalist party (EAJ/PNV) issued a declaration¹⁴ on February 17, evaluating the process of Kosovo's independence as a "lesson about the way to solve conflicts of identity and belonging in a peaceful and democratic manner". However, most Catalan nationalists were less inclined to draw comparisons, and indeed rejected any exemplary character of a process which involved an attempted genocide and military international involvement. The press split along geographic lines: while the Madrid-based newspapers (*El País*, *El Mundo*, *ABC*, *La Razón*) sided with the government in its rejection of Kosovo's secession, the newspapers from Barcelona (*La Vanguardia*, *El Periódico*, *Avui*) pointed at the irreversibility of independence and the awkward position in which the government was leaving Spain because of an unnecessarily vocal position, siding with Cyprus, Russia, and Serbia.

Catalan and Basque separatism introduces an element of tension in the Spanish political system which explains why every time a country declares its independence, all political actors feel forced to react in internal terms, and not only in external ones. Even the independence of Montenegro, largely devoid of controversy elsewhere, attracted the attention of nationalists of both sides (Catalan/Basque and Spanish). In the heavily loaded context of an election, it is understandable that the mention of Kosovo as a 'sui generis case' in the Council of Ministers declaration of February 18 was seen as crucial by Spanish diplomacy. In the larger context of minority and mostly peaceful (with the sad exception of the ETA terrorist actions) secessionist tension, it is highly likely that the positions of Spanish actors more or less in favour of independence of Kosovo are influenced by the way they feel about the situation in Spain. But, unlike a number of international journalists, we believe that this factor alone cannot explain Spain's position in this issue, and other factors that follow should also be taken into account.

Normative reasons: Miguel Ángel Moratinos' mention of Iraq as another case of illegal action by the international community, comparable to Kosovo's unilateral declaration of independence, was no coincidence. The opposition to José María Aznar's involvement in the Azores summit with George W. Bush and Tony Blair, in which the decision of invading Iraq was formalised, was a cornerstone of the Socialist party opposition strategy. The ascension of the Socialists to power was immediately signalled by a 'return to international legality', of which the most obvious expression was the withdrawal of Spanish troops from Iraq. Multilateralism and the defence of international law would become a sign of identity of the foreign policy of Rodríguez Zapatero's government.

14 Gobierno Vasco Declaración del Gobierno Vasco sobre la independencia de Kosovo Donosti/San Sebastián, 17th February 2008. Available in : http://www.lehendakari.euskadi.net/r57-4075/es/contenidos/noticia/declar_20080217_kosovo/es_prensa/gabinete_prensa.html

Spain's constant references to international law must therefore be taken at value face, to a large extent. It is true that Spanish diplomats have never been particularly fond of the right to self-determination outside the colonial context; and the fear of a domino effect – not in Spain but in other conflicts in south-east Europe – may also have played a role. But the commitment to international law had become a sign of identity and a guiding idea to the point that backtracking on the Kosovo issue would have put in question a basic principle of the Socialist foreign policy discourse.

Europeanist reasons: It might seem paradoxical to include here the Europeanist tendency of the Rodríguez Zapatero government, since the Spanish position appears at first sight to be divisive, given that a large majority of member states opted for recognition. However, Europeanism did play a role in the actions of the Spanish government. The origins of this tendency as a sign of identity of the Socialist government are similar to those of the commitment to international law. Aznar's progressive estrangement from the European core, in particular the Paris – Berlin axis, and his government's pro-Atlantic orientation were severely criticised by the Socialists in opposition. The return to Europe became as important a theme in foreign policy as the upholding of international law once they came to power.

As the big four (France, Germany, Italy, and the UK) progressively made up their minds and showed their readiness to support Kosovo's independence, the Spanish foreign policy makers saw how two of its main guiding principles might soon conflict: either Spain would have to recognise Kosovo in order to avoid fragmenting the European unanimous voice, or it would have to stand as a dividing factor in a crucial issue for the EU. The indication that some countries like Greece and Slovakia were not ready to recognise the new state for the time being and, in particular, the outspoken reaction of Cyprus and Romania, created an opportunity for Spain to reconcile, at least in rhetoric, Europeanism and the support for international law. Until the last day before independence, however, Spain simply asserted that it would work to maintain the unity of action.

On February 18 Spain played its cards. On the one hand, an assertive position of Spain prevented Cyprus and Romania from being cornered on the issue and allowed other, less determined but equally averse countries to join a group large enough to show that the anti-independence stance was not just eccentric in the Union. On the other hand, the consensus text drafted by the Spanish diplomacy included all the concerns of the Spanish government, avoided any hint of common recognition, and allowed Spain to claim that the unity of action had been preserved. Thus, despite all evidence to the contrary – the member states had not even been able to decide on whether or not to recognise the long announced independence – Spain claimed that the European Union had preserved its unity of external action. In fact, what had been saved was not the EU's shattered credibility as a unified international actor, but the possibility to

claim, weeks before the general election, that the two guiding principles of Rodríguez Zapatero's foreign policy, respect for international law and return to the heart of Europe, were still valid.

Balkan regional reasons: The last characteristic which differentiates Spain from the four largest EU members is the scope of its presence in the Balkans. Spain has an extremely limited historical record in the Balkan region previous to the 1990s, and it is geographically detached from it. With the exception of the military and security field, Spain has been, by and large, a very secondary player in the Balkan arena, and its limited commercial, political, diplomatic, and social role in all countries of the Western Balkans stands in stark contrast with the presence of a large number of EU member states.¹⁵

Spain is not a member of the Contact group, the six countries (France, Germany, Italy, Russia, United States, and United Kingdom) that led all major diplomatic initiatives in the Western Balkan region for the last 15 years. The Spanish diplomatic corps lacks Balkan experts and has a limited presence in the region, partly as a result of the general situation of this undermanned, inadequately financed, over-extended, and poorly specialised service.¹⁶ Old links remained with Yugoslavia that had never been totally cut, even in the worst years under Milosevic, and that were transferred to Serbia. Those included personal connections of Minister Moratinos, who served in Belgrade as a young diplomat in the 1980s, and was described by Vuk Jeremic, Foreign Minister of Serbia, as a "guardian angel of this city [Belgrade] and country".¹⁷ The Spanish Ambassador to Serbia could thus say in June 2009 that "Serbia and Spain helped each other in the past 30 years".¹⁸ By contrast, on February 17, 2008, Spain, unlike many of its EU partners, had no liaison office in Pristina, and its diplomatic network in the area was far from consolidated: the embassies in Tirana and Skopje had been in place for less than two years, and there was no embassy in Podgorica.

The most important element of Spanish presence in the area was, therefore, Spain's involvement in international missions. At the moment of Kosovo's independence declaration, Spain had 637 soldiers in NATO's 15.900 member strong KFOR. It

15 Just as an example, in 2007 Austria's imports from Croatia alone more than doubled Spain's imports from all former Yugoslav republics except EU member Slovenia, and Austrian exports to Croatia were nearly four times as large as Spanish exports to those five countries together (Bosnia – Herzegovina, Croatia, Macedonia, Montenegro and Serbia), according to official data provided by the websites of the Spanish Institute for Foreign Trade – ICEX (www.icex.es) and by Statistik Austria (www.statistik.at).

16 For an overview of all the problems of the Spanish diplomatic service see Comisión para la Reforma Integral del Servicio Exterior 2005 Informe sobre la Reforma del Servicio Exterior Español, 20th June 2005 (unpublished but available at http://www.maec.es/SiteCollectionDocuments/Documentos/informe_CRISEX.pdf)

17 These words were pronounced on the occasion of Moratino's distinction as a Honorary Citizen by the City of Belgrade for his support to Serbia. *El Mundo*, 12th December 2009. Moratinos was also the honorary host to the conference of Serbian ambassadors in January 2009.

18 Tanjug, 'Jeremic: Spain strongly supports Serbia', Belgrade, 25th June 2009

also contributed 8 'guardias civiles' (gendarmes), 6 police officers, and 2 military observers to UNMIK. Although providing less than 5% of the whole international armed presence in Kosovo may not sound very impressive for a relatively large country of 45 million people, this is not a negligible presence for Spanish standards. In early 2008 there were only four Spanish military missions abroad of some size, of which Kosovo ranked third after Lebanon (1.100 troops) and Afghanistan (778 troops), and well ahead of Bosnia-Herzegovina (316 troops). The Spanish military comprised the side of the administration that was most familiar with the situation in the Balkans.

Most countries that have recognised Kosovo have claimed that its independence will contribute to a lasting peace in the region.¹⁹ According to the independence supporters, Kosovo's existence in a sort of legal limbo had made economic development practically impossible and was hindering the development of the whole region, including Serbia. After months of fruitless negotiations, independence was seen as the only viable option for Kosovo and the only realistic one for Serbia. It is striking how little effort the Spanish government has made to rebate those arguments. Generic references to independence being negative to the stability of the region have been the only response. While Spanish officials focused on the defence of international legality for the reasons described above, they almost neglected the regional perspective. The main argument for France, Britain, Italy and Germany's recognition is therefore largely absent from Spanish official discourse. Spain insists in process (the illegal unilateral declaration), and the main references to the consequences are reserved for the effects on international law, rather than on regional security. This should be understood taking into consideration how comparatively little Spanish presence and interest there were in the region at the time of independence.

From South Ossetia to the Hague: the evolution of Spain's position

Spain's position solidified very quickly in the days immediately following Kosovo's declaration of independence, but the situation since those days has changed in Kosovo, in Serbia, and also in the international context. The number of countries recognising Kosovo as an independent state (which includes the majority of Western democracies) is now four times what it was ten days after its declaration of independence. A number of events have since taken place, most notably the Serbian initiative to delegitimize independence by asking the International Court of Justice for an advisory opinion

¹⁹ See for example the declarations of Bernard Kouchner, French Foreign Affairs Minister and an open supporter of the independence option, just after the European Council Meeting on February 18, 2008 at the French MFA website: http://www.diplomatie.gouv.fr/fr/pays-zones-geo_833/balkans_1056/kosovo_650/france-kosovo_4601/proclamation-independance-du-kosovo-18.02.08_59650.html#sommaire_1

which, in the end, backfired. Spain has not changed its basic anti-recognition stance since February 2008, but this does not mean that it has remained a passive observer of the situation. Indeed, Spain has undertaken and blocked initiatives, and has remained active and reactive throughout the last three and a half years.

The Spanish government's depiction of its own position can be described as constructive non-recognition: avoiding division in Europe, refraining from obstructing useful initiatives or from taking sides in the conflict and keeping the ability to mediate and, in particular, to steer Serbia towards the 'right' (i.e. pro-European) direction. However, there are strong indications that Spain's position, in particular in the first months, went well beyond this. The government and diplomatic service undertook an active opposition to the recognition of Kosovo's independence, including diplomatic *démarches* aimed to discourage countries from recognising its independence. In early October 2008, for instance, several Serbian media outlets (such as Novi Sad's daily 'Dnevnik', official news agency 'Tanjug' and the liberal TV station B92)²⁰ revealed that Spanish diplomats had received instructions with a list of arguments in order to convince partners in Africa, Latin America, and the Arab World not to recognise Kosovo. The Spanish Mission to the UN was particularly active, and there was also direct pressure on friendly (and relatively dependent) governments, including Andorra and some Central American republics.²¹

When Russia decided to recognise South Ossetia and Abkhazia in August 2008, many Spanish commentators were quick to seek parallels and to blame the independence of Kosovo for the worsening of the situation in the Caucasus.²² In stark contrast with some of its EU partners, the Spanish government kept silent throughout the military phase of the South Ossetia crisis, and only issued its first declaration on August 26, 18 days after the outbreak of hostilities. The declaration focused on the Russian decision to recognise South Ossetia and Abkhazia as independent states, expressed its disagreement with this decision and stressed the need to respect the territorial integrity of states, in this case Georgia, but made no reference to hostilities, nor to the presence of Russian troops on Georgian soil, beyond a general reference to the EU-brokered agreement.²³ The Spanish Foreign Minister declared his satisfaction for the extent to which the EU was "united, cohesive and determined to play an important political role".

20 An English summary was available on www.b92.net/eng on 5th October 2008, but has since been removed.

21 Claims about 'pressure' in favour of recognition have been common during the last three years, mostly from Belgrade officials. The contrary phenomenon has been less publicised, but the existence of the instructions to Spanish diplomats published in the Serbian press has never been denied and officials from Andorra and Central American republics privately acknowledge the Spanish efforts, going up to very senior levels in the Ministry.

22 See for example the editorial comment in *El País*, 27th August 2008 and in *ABC*, 27 August 2008.

23 MAEC 'Declaración del MAEC sobre los últimos acontecimientos en el Cáucaso' Madrid: Spanish Foreign Affairs Ministry Press Note Number 119, 26th August 2008

During the Caucasus crisis, Spain did not make any vocal statements about international law or territorial integrity, and it indeed was amongst the EU member states that were least critical in public regarding Russia's actions. This stands in contrast with the timing, tone and attitude that Spain had adopted the day after Kosovo's declaration of independence. Spain was unexpectedly vocal in criticising its EU partners for their decision to recognise Kosovo, but it remained moderate at the time of making its own critical statement on Russia's unilateral military intervention and recognition of Abkhazia and South Ossetia. It took more than two weeks for the first official declaration to be issued, which is probably partly a result of the fact that the crisis happened during the peak of the holiday season, but also of a comfortable position afforded by the certainty that others could provide criticism and bear the brunt of antagonising Russia (a position which is in line with the generally pro-Russian position of Spain within the EU). Anti-recognition politicians and experts adopted a certain "I told you so" attitude in relation to the Kosovo issue and added these declarations of independence (which they saw as evidence of the domino-effect they had anticipated) to their arguments against recognising Kosovo.

Opposition to official recognition was coupled with a self-imposed, tacit code of conduct (devised by the Ministry of Foreign Affairs, and never made explicit or public) to avoid recognition 'through the back door'. This translated into obstructing any initiative by the EU, the UN or any of their agencies that may be interpreted as recognition of Kosovar statehood. Unlike most non-recognising countries with interest in the region, Spain severed any conceivable links with the authorities of independent Kosovo and rejected all means of representation in Pristina, be it in the form of a permanent office (such as the ones that notorious non-recognisers such as Greece, Russia or China keep) or, for a prolonged time, of diplomatic visits: in a paradoxical decision, even diplomats from the Spanish embassy in Belgrade could not visit Kosovo. Parliamentarians were advised against visiting the country. Official Kosovar documents such as passports, accepted by non-recognising countries like Slovakia, would be rejected by Spain. The presence of even just civil society representatives from Kosovo at an event was enough to result in non-participation of Spanish official representatives, in particular diplomats. The most extreme application of these rules was the visit of Carmen Chacón, then Spain's Defence Minister, to Kosovo in March 2009. In order to avoid any chance of even a coincidental meeting with Kosovar authorities, Minister Chacón flew in a military plane into an Italian base, from where she took a helicopter into the Spanish military base, rather than follow the easy land route from the commercial airport in Pristina. All of this happened at a time in which contacts between Serbian officials and Kosovar citizens was an almost daily occurrence and when Serbian officials and politicians travelled to Kosovo on a regular basis. Madrid's internal doctrine regarding Kosovo went, in many aspects, beyond that of Belgrade.

Partly as an extension of this doctrine came one of the most controversial decisions that Zapatero's administration took in regards to Kosovo: the unilateral withdrawal of Spanish troops from NATO-led KFOR. The goal of Minister Chacón's March 2009 visit described above was the announcement (first to the media, afterwards to the troops, and only subsequently to the bewildered allies) that Spain would withdraw from Kosovo as it could not stay in a mission whose mandate did not correspond with the new situation, and which was no longer 'status-neutral'. The decision was presented as the logical consequence of Spain's opposition to Kosovo's unilateral independence and was simply announced as 'mission accomplished'.²⁴ It was harshly criticised by the centre-right opposition for having alienated the allies and damaging the international credibility of Spain as a participant in international missions (the same government had previously cut short Spanish presence in international missions in Iraq and Haiti without prior consultations), rather than on its merits on the ground.²⁵ The press and expert community criticised the manner and substance of the withdrawal, but public opinion largely supported the government: 70% of Spaniards viewed the withdrawal from Kosovo as positive, and only 43% thought it damaged relations with the US (although there was a clear ideological divide on that second question: 30% of those questioned positioning themselves ideologically on the left thought it did not, compared to 58% of those positioning themselves on the right).²⁶ By mid-September 2009, all Spanish military personnel had withdrawn from Kosovo.

Nowhere has Spain's anti-recognition stance been more patent than within the EU. Together with the other four non-recognisers (Greece, Slovakia, Romania, and Cyprus), Spain has proven ready to block any EU initiative that it feels is not 'status neutral' and could reinforce Kosovo's independence or that of its institutions. Minister Moratinos suggested, after Serbia's and Russia's negative reaction against EULEX, that the mission might not operate in Mitrovica, a suggestion that was immediately rejected by then EU High Representative for CFSP, Javier Solana.²⁷ Two weeks after announcing the withdrawal from KFOR, the Spanish government publicly announced, again without previously consulting its allies, its decision to withdraw the nine Spanish policemen that were part of EULEX at the time.

As Spain got ready to take over the rotating Presidency of the EU Council of Ministers in the first half of 2010, numerous voices within the EU and the Mission started to question whether Spain could conduct a balanced job that reflected the consensus, if not the majority, in the EU.²⁸ The Spanish diplomacy was sensitive to this criticism

24 *El País*, 20th March 2009

25 The full parliamentary debate can be found (in Spanish) in *Diario de Sesiones del Congreso de los Diputados. Pleno y Diputación Permanente. Año 2009. IX Legislatura. Num. 71, pages 9 to 50*

26 *Barómetro del Real Instituto Elcano*, 20^a oleada, Marzo-Abril 2009

27 *El País*, 11th March 2008

28 A good illustration of those concerns is the article 'Spanish Presidency adds to Kosovo confusion' on 27th January 2010 by Eurac

and made a deliberate effort to present a balanced image. It discretely re-established contacts with the Kosovar leadership and it launched a major initiative, the High Level Meeting on the Western Balkans (Sarajevo, June 2, 2010), which, through a carefully designed format, allowed representatives of the governments of Serbia and of the Republic of Kosovo to sit at the same table – a notable success, taking into account that a similar event organised in Slovenia weeks earlier had been boycotted by Serbia due to the presence of Kosovar authorities.

Within the United Nations, Spain's activism against recognition was openly displayed for the first time in its decision to vote in favour of Serbia's proposal at the 63rd Plenary meeting of the UN General Assembly (October 8, 2008) to seek an advisory opinion from the International Court of Justice on the legality of Kosovo's declaration of independence. By doing so, Spain (and the other four EU non-recognising states) broke ranks with the majority of the EU, who opted to abstain. Spain, furthermore, presented its written comments to the ICJ in July 2009.²⁹ Spain's statement, indeed, was the longest of all texts presented in support of the Serbian position. Spain's participation in the proceedings before the ICJ was rather peculiar, as the position was drafted and defended by five International Law professors (one of them the Head of the International Law Department at the Ministry of Foreign Affairs), and the only career diplomat present was the Spanish Ambassador to the Netherlands. This was a reflection of the internal discourse that stated that the Kosovo issue should be examined under the light of International Law, and not politics or diplomacy, the assumption (both in government and amongst a majority of International Law scholars in Spain) being that the declaration of independence was a blatantly illegal act.

The advisory opinion of the ICJ, delivered on July 22, 2010,³⁰ was therefore a major rebuttal of Spain's official position. After stating that "general international law contains no applicable prohibition of declarations of independence", the ICJ's advisory opinion proceeded to refute the central arguments of the Spanish written position. The only major point of agreement amongst both texts is that both Spain and the ICJ consider that the latter has the right to give an advisory opinion on the matter. For the rest, the ICJ reaches almost the opposite conclusion than the Spanish delegation. Substantial parts of the argument, in particular references to territorial integrity and to resolution 1244 (1999), are specifically addressed by the ICJ opinion and interpreted in the exact opposite way from the Spanish written comments.

tiv.com <http://www.euractiv.com/en/enlargement/spanish-presidency-adds-kosovo-confusion/article-189262>

29 'Accordance with International Law of the Unilateral Declaration of Independence by the provisional institutions of self-government of Kosovo (request for advisory opinion). Written comments of the Kingdom of Spain. July 2009 <http://www.icj-cij.org/docket/files/141/15644.pdf>

30 Accordance with international law of the unilateral declaration of independence in respect of Kosovo (Request for Advisory Opinion), ICG Advisory Opinion, 22nd July 2010 <http://www.icj-cij.org/docket/files/141/15987.pdf>

The ICJ's opinion brought the issue of Kosovo back into the global as well as the Spanish domestic political debate but, just as on the international level, it did not change the opinion of any major political players. Those in favour, in particular Basque and Catalan moderate nationalists, used the opportunity to ask for a change in Spain's position, but neither the government, nor the main opposition party, showed any interest in even engaging in a new debate. The government underlined that "Kosovo is a singular case", announced that it would not recognise the country and repeatedly denied any parallels with Catalonia and the Basque Country: "They have nothing to do and no one with a sense of responsibility can compare the situation in Kosovo (and the Balkans) with the norms of living together amongst Spanish citizens",³¹ then Vice President María Teresa Fernández de la Vega emphasized.

The Spanish government was relieved to see that the feared wave of recognitions failed to materialise in the weeks following the release of the ICJ advisory opinion. When Serbia, in order to counter the negative effects of the ICJ opinion, decided to bring the issue back to a terrain it deemed most favourable to its position, that of the September 2010 UN General Assembly meeting, Spain joined forces with the rest of the EU to avoid a new direct confrontation with the majority of EU states. The combined pressure of EU institutions and its member states³² convinced President Tadic to endorse a joint Serbia – EU decision that paved the way for direct negotiations between Pristina and Belgrade. This fulfilled Spain's call since February 2008 for further negotiations, and was therefore seen by Spanish diplomacy as a vindication of its efforts and the added value of a position of 'special friendship' with Serbia. Since September 2010, neither the allegations against Kosovar leadership made by the Marty report, nor the dozen new recognitions that have taken place since September 2010, have done much to alter the Spanish position or that of Spain's major political players. As such, the issue of Kosovo has subsided back to relative obscurity amongst Spain's international priorities.

31 El País, July 24th 2010.

32 It is difficult to validate or reject the competing claims as to whose influence was determining in convincing Tadic to rebuke his Foreign Minister, Vuk Jeremic, and change the Serbian strategy. The Spanish diplomacy has tried to take credit for it, but so have Lady Ashton's team and the Ministries of Foreign Affairs of at least Britain and Germany. The answer probably lies in a combination of pressures, but only detailed research into Serbian decision-making in late summer 2010 could give a definite answer.

Prospects for future evolution: the actors and their positions

At the time of writing of this assessment, Spain is heading to a general election, which is forecast by most polls to bring about a change in the parliamentary majority and, therefore, of the party in power, from the Socialist party (PSOE - Partido Socialista Obrero Español) to the right (PP - Partido Popular). Whether or not this will eventually be the case would seem largely irrelevant to the issue of (non)recognition of Kosovo's independence. The International Relations Coordinator of the PP, Jorge Moragas, made it clear in late August 2011 when he asserted that his party's position at the time was that Spain should not recognise Kosovo's independence. "We still think that this independence took place outside international legality", Moragas stated.³³

Certainly, at this moment, non-recognition seems solidly installed in the Spanish government, in particular in the Ministry of Foreign Affairs (MFA) and the diplomatic service. None of the initial arguments for opposing Kosovo's independence have been dropped by the Spanish MFA, but there is less stress on UN Resolution 1244, territorial integrity and, in general, International Law after the ICJ opinion. However, the creation of a supposedly ethnic state, the domino effect proven by Russia's recognition of South Ossetia and Abkhazia, and the need to find a mutually agreed solution remain as important arguments against recognition, the latter being greatly reinforced by the UN resolution calling for direct negotiations between Belgrade and Pristina. When challenged for disagreeing with the vast majority of its allies in the EU and NATO, the Spanish government has countered that most UN member states have yet to recognise independent Kosovo, and that Spain is therefore not isolated in this issue.

Indeed, a new argument has been put forward: that Spain's non-recognition has given it a particular clout over Serbia, to the point that now "many of those who have recognised Kosovo's unilateral declaration, like part of the EU, are asking us Spaniards to act and to serve as an element to convince and attract Serbia's different political forces".³⁴ Three events have been used as proof: Spain's role in encouraging, together with the International Socialist, Serbia's Socialist Party (formerly headed by Milosevic) to cut its links with the past and enter into a pro-European coalition that could thus take power in Belgrade in July 2008;³⁵ Serbia's participation in the Sarajevo High Level Conference convened while Spain held the EU rotating Presidency in June 2010; and Tadic's decision to abandon his foreign minister's confrontational tactics in the UN General Assembly in September 2010 and to present instead a joint Serbia-EU text that calls for direct negotiations. This particular role should therefore, in the

33 El País, 28th August 2011

34 In the word's of Miguel Ángel Moratinos, then Foreign Minister, to the Parliament. See Diario de Sesiones del Congreso de los Diputados. Comisiones. Año 2008. IX Legislatura. Num. 27 (22/05/2008). Exteriores, page 30

35 Ibid, Page 26

argumentation of Spain's government and diplomats, be preserved by maintaining non-recognition, presumably until Serbia changes its position or an agreement is reached.

There is little evidence to suggest that, in the absence of major developments in the Balkans, the pro-recognition option would be forced by Spanish public opinion. Even though public opinion is, most of the time, by and large indifferent to foreign policy, there have been issues (most notably, Spain's participation in the coalition that invaded Iraq in 2003) which have mobilised Spaniards extensively. Kosovo is certainly not one of them. As in the general political arena, the position of most Spaniards towards Kosovo seems to be related to their views on secession and, in particular, of Spain's domestic debate in terms of the Basque and Catalan issues.

Six weeks after the declaration of independence, 45% of polled Spaniards considered it a negative event, against 33% who deemed it positive (22% did not know or did not answer). The share of PP voters who found it negative (57%) was larger than that of PSOE voters (45%). The poll did not offer regionally separated data, but there were two groups that had a slight majority of positive views: self-declared 'left' voters (41% positive vs. 40% negative) and young (18-30 years old) voters (41% positive vs. 38% negative). Interestingly, a plurality of polled citizens (40%) agreed that "Kosovo's independence is detrimental for Spain because it incites claims to independence" (35% disagreed), and a vast majority (62%) agreed that "Differences between European countries about Kosovo show that there is no European common external policy" (only 15% disagreed). It is therefore not surprising that a plurality (40%) agreed with the decision of the Spanish government not to recognise Kosovo's independence (33% disagreed). The only group to reject the decision was, again, that of the young voters under 30: 46% of them opposed the government's position, compared to 30% who agreed.³⁶

In the political debate, the two main parties, PSOE and PP (who, together, represented in the last general election 84% of the vote and 92% of elected members of Parliament) have remained steadily against recognition. Their line of reasoning has been to repeatedly deny any parallels with Spain's internal situation and to present the independence as illegal beyond any doubt (mostly, before the ICJ decision) but also as unhelpful for a peaceful solution, and unacceptable because of its unilateral character. President Zapatero claimed a higher moral ground in Parliament on this issue: "when one acts because of coherence and principle, one must not fear any consequence".³⁷ The main parties were not alone in their position. The other two 'national' parties represented with one MP each in Parliament supported their position: it suited both

36 *Barómetro del Real Instituto Elcano*, 17ª oleada, Abril 2008

37 *Diario de Sesiones del Congreso de los Diputados*. Pleno y Diputación Permanente. Año 2009. IX Legislatura. Num. 71 (25/03/2009), page 29

the solid anti-imperialist and anti-American credential of the United Left and the strong centralising ideals of the unitarist Unión Progreso y Democracia - UPyD.

The positions in favour of recognising Kosovo's independence came from Basque and Catalan nationalist parties.³⁸ A tiny minority of mostly extreme, radicalised nationalists, in particular in the Basque Country, sided with Serbia, but the main parties had a generally favourable view. For pro-independence parties such as Esquerra Republicana de Catalunya, Kosovo's independence was good news as it kept the door open to new states in Europe – a similar position to the one adopted when Montenegro became independent. This was in line with the initial reaction of the Basque government at the time of independence, when it was at the hands of the Basque moderate nationalists (see above); however, the position of their party, the PNV-EAJ, evolved and in the Spanish Parliament this party was more aligned with that of its Catalan counterpart: arguing in favour of recognition with international, rather than domestic, arguments. The largest and most influential group, the moderate Catalan nationalists of CiU, rejects any comparison with Spain and has consistently asked for the recognition of Kosovo's independence, something they see as unavoidable in the long term, in order to close the Balkan map and to reintegrate Spain into the European and Western mainstream. Aware of the two main parties' opposition to recognition, the moderate nationalists have demanded at least a more pragmatic and less obstructive attitude from Spain's diplomacy.³⁹

The Spanish press and media in general have covered the Kosovo issue to a larger extent than has been the case in most European countries. This has partly been because of the Spanish exception in the EU, but mostly because of the domestic parallel. Most media reporting about Kosovo has focused on political reactions to insinuations that it is relevant in any matter to centre-periphery relations in Spain, rather than on arguments about international law or the regional context. The already mentioned divide between the press (and other media) based in Madrid and that based in Catalonia and the Basque country (the former mostly against recognition, the latter mostly in favour) still applies to the general editorial line (although Spain's leading newspaper, left-leaning *El País*, has gone from supporting the government's position to criticising its manners and avoiding the substantial issue). However, pro-

38 In Spain's domestic politics, 'nationalist' parties are those advocating that there is no unitary Spanish nation, but a state that includes more than one nation (the Basque Country, Catalonia, Galicia). Some of these parties advocate independence, but others do not and are strongly pro-European. Spanish nationalism in Spain-wide parties does not result in the label 'nationalist'; indeed, it can even be labelled 'anti-nationalism' in some cases, because of its opposition to the Catalan and Basque nationalist claims.

39 See in particular *Diario de Sesiones del Congreso de los Diputados. Comisiones. Año 2008. IX Legislatura. Num. 27 (22/05/2008) Exteriores*, pages 18 to 30

recognition opinion pieces and reporting have been very visible both in El País and in ABC (Spain's third newspaper, seen as the voice of the traditional right). Generally, the media has aired opinions in both directions and the tiny portion of Spaniards that follow issues such as this one closely has easy access to arguments in both directions. This has been the case, in particular, after the ICJ advisory opinion countered the until-then predominant view that independence was illegal.

Analysts and think tanks are less influential in Spain than in the UK or in the US, but they do have a place in the Foreign Policy debate. The particularity of Kosovo, compared to other salient foreign policy issues, is seen in the weight that International Law academics had in the debate – at government level, as explained before, but also in public debates. Other analysts were divided, and a similar phenomenon to the one observed in the general public opinion has also been apparent: the younger generation of analysts has been the most vocal in favour of recognising Kosovo's independence.

Conclusion and recommendations

The attitude of Spain has been salient amongst EU non-recognisers for a number of reasons, including its size, the vocal position, the attitudes inside the EU, the strict codes of conduct towards Kosovar authorities, Spain's international initiatives against recognition, and the abrupt withdrawal from KFOR. For these reasons, Spain has already been the target of some initiatives and is being eyed as a possible game changer in times of stalled recognitions, in particular as it could make it easier for other EU and Latin American countries to change their position and recognise Kosovo.

So far, however, there is little to indicate that external pressure will change Spain's attitude, or that the actors that could change the Spanish position might be persuaded by good arguments. Incentives to change are very limited. Because realities on the ground are not the basis of the Spanish argumentation, and in the absence of major crises or violent developments, the fallacious parallel with the Basque and Catalan situation will stay in the mind of politicians, journalists, and citizens alike. In this context, the likelihood of a change in the non-recognition stance is low. But the good news is that there is precious little material interest at stake for Spain in this issue, and it is a relatively minor foreign policy issue compared to issues like relations with Cuba or Morocco. It is therefore likely that the position could change without a major political or public opinion reaction. In other words, no government would be in serious trouble for changing Spain's stance on Kosovo, and the backlash from press and opposition would probably be no more than the one Zapatero's government bore for its abrupt withdrawal from Kosovo.

What could bring a change in position? Most probably, not a change of Minister (in this respect, the substitution of Miguel Ángel Moratinos by a Minister without his Serbian connection, Trinidad Jiménez, made virtually no difference) or of the party in power (the Popular Party seems, if anything, less, not more, sympathetic to Kosovo's independence). Public opinion does not seem likely to mobilise in favour of recognition either, if things stay as they are. Both factors (a change in government, mobilisation of public opinion) could however pave the way to recognition if there were changes in the international or in the regional context. A stall in negotiations that could be attributed to Serbia; a majority in the EU conditioning progress in Serbia's accession process to the recognition of Kosovo; the risk of an escalation of violence or a sudden political change towards an anti-European stance in Serbia, all are examples of factors that could trigger a change. Also a new wave of recognitions, including some of the EU non-recognisers or some of the groups of countries that have so far been most reluctant (Latin America, Arab countries, post-Soviet); a new development at the UN (like a vote lost by Serbia); renewed American pressure if the Spanish government were to seek closer bilateral relations or support on a crucial issue (G20 membership, for instance); all these are examples of external events that may result in a Spanish recognition.

Until this happens, which strategy could work to create favourable conditions for recognition? Following are some elements that could be included in such a strategy.

1. Opening institutional channels between the Foreign Ministry and the Prime Minister's office is important. In the absence of direct links with the Kosovar authorities, only Belgrade gets constant attention, including through a very active Serbian embassy in Madrid. These channels should aim to reach the Minister and Prime Minister as close as possible, as the diplomatic service seems to be, to a large extent, in agreement with the non-recognition stance (although not necessarily with the actions taken in connection to it). The initial aim should not be to convince them, but to make sure that they get the Kosovar side of the developing stories, rather than just the Serbian one. The final decision is likely to be taken at the top of the system (because of its ramifications in internal politics), rather than at the geographical desk of the Ministry of Foreign Affairs.
2. The question should be kept alive in Parliament with the help of Catalan and Basque nationalist and other sympathetic minority groups (such as the Catalan Left Greens), through parliamentary questions and in foreign policy debates.
3. Some actors have very little influence in Foreign Policy making. International relations teams in the political parties and MPs from the majority are basically irrelevant concerning decisions like this one. Targeting them might be wasting energy on an actor who will not play a role in the final decision. The business sector is also an unlikely player in this issue, as Kosovo is very far from its international agenda (focused on Latin America, Europe, and China).
4. Engagement with opinion makers is important. Although there already is an overall balance of pro and anti-recognition articles and editorials, it is important to ensure that the Spanish non-recognition remains a controversial issue. This means keeping in contact with analysts and journalists who are openly in favour of recognising Kosovo's independence. However, many of the private diplomacy exercises regarding this issue have consisted on preaching to the choir: therefore, a deliberate outreach to indifferent/uncommitted analysts might be useful.
5. In addition to all the arguments commonly used in favour of recognition, there are three more that are specific to Spain:
 - The unnecessary belligerence towards Kosovo. This argument works

better in Spain when presented as Spain being an anomaly in Western and democratic practices, rather than basing it on little-known problems of the international missions in Kosovo.

- Countering the claim that Spain's non-recognition gives it a special clout over Serbia, which is difficult to substantiate with facts (other than contracts for Spanish firms in Serbia, which cannot be defended in public without discrediting Serbia's government and Spain's diplomacy).
 - If Spanish officials persist on their claim of having a special relationship with the Serbians, then their argument can be turned in the opposite direction. According to this logic, Spain should be asked to be a leader, rather than a follower, in its relationship with Serbia. Madrid should demonstrate to Belgrade how it is possible to give maximum opportunities to Kosovar citizens and have cordial relations with their government without recognising Kosovo, rather than waiting for Serbia to take the first steps. In other words, being a friend of Serbia does not mean to stand behind them, but rather to lead them forward towards better relations with the Kosovar authorities and, thus, towards European integration.
6. There are some mid-range objectives that could be achieved while the conditions are not yet ripe for recognition:
- The establishment of direct, open and official contacts between the Spanish authorities and those of the Republic of Kosovo: after all, even Serbia now has direct negotiations with them. The opening of a permanent Spanish office in Pristina, or at least a publicly announced special mission to one of the regional ambassadors (ideally, the Spanish ambassador in Skopje), or a Madrid-based diplomat.
 - A change in doctrine by the Spanish government: non-recognition of statehood should not be extended to documents, participation at events, and other measures that impinge on Kosovar citizens (at the very least, Spain should adopt all the benefits that Serbia provides; ideally, it should set an example to Serbia by making life easier to Kosovars).
 - Establishment of direct links between Spanish and Kosovar civil society organisations, but also political parties, should be encouraged, rather than hindered, by the Spanish authorities.
 - A more neutral position in EU and the UN, in particular refraining from

blocking useful solutions because of worries about 'recognition through the back door'.

In conclusion, there is little indication that the Spanish non-recognition stance will change because of internal dynamics. The change is likely to come from a transformation in the regional or global context. But once the change happens, recognition of Kosovo will not be a major shock to the Spanish political system if a good alibi is at hand. In the meantime, the conditions for a change can be favoured in Spain with the establishment of links between the Prime Minister's office and the Foreign Minister after the November 20 (2011) election, by regularly engaging policy analysts and supportive politicians, emphasizing Spain-specific issues, and through the adoption of realistic mid-range goals that can all pave the way to future recognition.

Slovakia



Slovakia and Kosovo: Closer Than They Seem

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Introduction

The aim of this policy paper is to contribute to the future development of relations between Slovakia and Kosovo. Slovakia, as one of the countries that did not recognize Kosovo's independence, so far has not given any indications suggesting a 'change of heart' in that direction. Nonetheless, this paper suggests that there are other issues of mutual concern, which are equally important, that both countries could work on. On one hand, Slovakia has a strategic interest in the democratization of the Western Balkans and would like to contribute to the materialization of its EU perspective. On the other, Kosovo should not underestimate Slovakia's importance and influence in the region, given that the latter is an EU member state that actively participates in shaping EU policies directly concerning the Western Balkans. Additionally, the advancement of EU integration processes is of strategic priority to Kosovo. As such, all relevant stakeholders should have a serious interest in developing relationships not only with EU institutions, but also with individual member states, as they remain 'the key' to decision-making on EU foreign-policy matters.

Even though a swift shift towards Kosovo's recognition by Slovakia is rather unlikely, there is room for a gradual change in an approach that will be shaped and influenced by several external factors, such as developments in the region, and on the international level. The ultimate act of recognition by Slovakia will most probably only arrive after a gradual acceptance of the situation on the ground manifested through a series of technical steps that will slowly lead to a *de facto* recognition. Therefore, the space for Kosovo's stakeholders to advocate for their country's recognition with the Slovak authorities is quite limited for the time being. Such an attempt, given the current political setting on both sides, could have a rather counterproductive impact and would not achieve the desired results for Kosovo. This paper, thus, tries to search for existing room for cooperation at all levels, including information exchange and sharing of concerns and ambitions, which ultimately could lead to the development of meaningful bilateral relations. The introduction into the history of the relationship between Slovakia and Kosovo, along with the recommendations provided in this paper, can serve as a simple guideline for Kosovar institutions on how to approach Slovakia. It can also be used as a tool for a wide range of non-governmental actors, think tanks,

and the media as they engage with Kosovo's institutions, as well as when they design their civic diplomacy and outreach initiatives towards Slovakia.

This paper introduces Slovakia's ambitions in the Western Balkans and the relationship between Slovakia and Kosovo since 1999. It further provides an insight into the reasoning behind Slovakia's decision not to recognize Kosovo's independence and how this has influenced relations between Bratislava and Pristina. In addition, it analyzes Slovakia's policy-making position towards Kosovo in Brussels. The paper concludes by offering recommendations that tackle a range of practical issues of mutual concern, which could contribute to a qualitative shift in bilateral relations between Bratislava and Pristina.

Slovakia's Western Balkans' Ambitions

The integration of the Western Balkans into Euro-Atlantic structures is considered one of Slovakia's foreign policy priorities. The desire to contribute to the security and stability of the Western Balkans is natural, considering the proximity of the region to Slovakia's border, while recognizing that instability in its nearest neighborhood represents a serious security concern. As one of the most outspoken advocates of EU enlargement, Slovakia aims to contribute to the political and economical development, observance of the rule of law, and strengthening of democratic institutions in the region. It aims to do so through its bilateral relations, as well as at the EU level. For Slovakia, the Western Balkans has become one of the few foreign policy issues where it has the capacity and potential to shape the EU's approach and policies, as well as participate in key decision-making processes.

Slovakia's ambition to play a visible and active role in the region was also demonstrated by the appointment of several Slovakian diplomats into prestigious international positions. The most significant is Miroslav *Lajčák*, who served as the Chief EU Negotiator for the preparation of the Montenegrin referendum on independence from Serbia (2006), and later as High Representative in Bosnia and Herzegovina (2007-2008). In 2010, *Lajčák* was appointed Director for Russia, Eastern Partnership and Western Balkans, in a newly created European External Action Service. Meanwhile, another distinguished Slovak diplomat, Slovakia's long-serving former Foreign Minister Eduard Kukan, who served as Special Envoy to the UN Secretary General for Western Balkans in 1999-2001, has been chairing the European Parliament's Delegation for Relations with the Countries of South-East Europe since 2009.

Slovakia's recent experience of going through a complex post-communist transition, including profound political, economic and social reforms, as well as its successful

integration into the EU and NATO, is another important aspect of its ambition to contribute actively to the reformist processes in the region. Those essential changes in Slovakia were based on the vision of an economically strong country with transparent institutions, and of a functioning justice system that emphasized freedom and responsibility of the individual. Therefore, the numerous initiatives at the institutional and non-governmental levels which transfer the know how and experience of Slovakian stakeholders to their counterparts in the Western Balkan countries, have been based on the assumption that Slovakia's experience can serve as an inspiration.

In line with these ambitions, since it joined the EU in 2004, Slovakia has been trying to strengthen its presence and visibility in the region. While in 2004 Slovakia covered the whole region with just two embassies, in Belgrade and Zagreb, today the country has an embassy or a liaison office in each Western Balkan capital, including a liaison office in Pristina. This presence contributed to the development of more balanced approaches and policies that are country-specific rather than focused on Serbia and Croatia. Kosovo remains at the tail end of Slovakia's direct involvement in bilateral diplomatic relations, development assistance, cultural relations, and business, especially after its declaration of independence in 2008. This is due largely because of technical and political constraints. The fact that Slovakia has refused to recognize the political reality on the ground, has caused a setback in relations at every level that — as noted later in this paper — witnessed the most productive period in terms of contacts in the years immediately prior to Kosovo's declaration of independence in 2008.

Kosovo in Slovakia and Slovakia in Kosovo

During the crucial moments of Kosovo's recent history, Kosovo managed to be at the centre of Slovak media attention and was even used in the context of domestic political struggles. At the beginning of 1999, Slovakia's parliament was, for the first time, the site of a heated debate involving Kosovo. It concerned the government's decision to open the airspace for the NATO-led campaign against Milošević's Serbia, a decision strongly influenced by Slovakia's ambition to join the Alliance in a near future. The opposing parties, which included populists and nationalists, went beyond the traditional anti-NATO arguments used in other European countries. Apart from defending Serbia's right to use force in order to prevent separatism and fight armed insurgency on its territory, those opposing the intervention also appealed to Slavic solidarity and played up Serbia's heroism in "preventing the infiltration of Islam into Europe". Even though they did not manage to obtain the support of the wider public to join demonstrations against the bombing, to a large extent they voiced the sentiments of Slovak society. Lacking sufficient information about the nature of the conflict and the complexity of

the modern history of the Western Balkans, many Slovaks were inclined to associate Kosovo with two traditional and romantic stereotypes: Christianity and nationalism (given that the agenda of Slovak nationalists and populists is the constant resurgence of concerns about possible territorial claims by Hungary over the Hungarian community in south-eastern Slovakia).

The Kosovo war erupted shortly after Slovakia had set out on the reformist path that ultimately led to its integration into the EU and NATO. Moreover, it coincided with the end of a rather grim period for Slovakia — that of the 1990s — when the government, comprised of populists and nationalists under Prime Minister Vladimír Mečiar, shifted the country's orientation towards Russia while bringing the economy to near-collapse. The democratically-oriented segments of society (NGOs, independent media, opposition parties, etc.) were focused on jointly creating pressure to bring about change in the country. A change of government in the fall of 1998 left room for a kind of 'internationalization process' that allowed Slovakia and Slovak civil society to start getting involved outside of its own borders. The Kosovo war was the first opportunity to do so. More and more journalists and activists traveled to refugee camps first in Macedonia, and after the end of NATO airstrikes, to Kosovo as well. They filled the Slovak media with images and first-hand stories about the plight of the people of Kosovo and the plight of returning refugees and the internally displaced. Witnessing the reality, some of them felt that more should be done. This is how the 'People in Peril Association', the first Slovakia-based civic relief non-governmental organization, was established. The public fund-raising that it organized was the largest fund-raising campaign in the history of independent Slovakia aimed at helping people beyond its own borders. The contributions from individual donors and companies were used to reconstruct a primary school in a village near Pejë, and to provide the returnees of the village with essential supplies to survive the winter. In the years to come, civil society organizations were to be the most active stakeholders with regards to Kosovo.

During the first two elections held in Kosovo organized by the OSCE (municipal elections in 2000 and parliamentary elections in 2001), Slovak NGOs recruited and contributed the highest numbers of international monitors. Slovak NGOs specialized in mediation and conflict resolution were also active in Kosovo. Since 2003, after Slovakia had established its Official Development Assistance Program (SlovakAid), which included Kosovo as one of its territorial priorities (albeit as part of Serbia), People in Peril has implemented numerous projects together with local partners in Kosovo. Their aim is the development of independent journalism, inclusion of vulnerable youth, and strengthening of the capacities of civil society to participate actively in reform and integration processes. Between 2004 and 2007, People in Peril organized workshops and study visits to Slovakia for approximately 70 representatives of different Kosovar communities, which included the media and NGOs dealing with a wide range of issues.

In Slovakia, they also introduced their work and the situation in Kosovo to officials in the Ministry of Foreign Affairs. Many of representatives were interviewed by various Slovak electronic or print media outlets. Exchange of information was an important aspect of People in Peril's Slovak-Kosovar cooperation. The organization enabled a dozen of journalists to train their colleagues in Kosovo, and allowed them to travel around to report back home on Kosovo's progress. The coverage was especially focused on positive examples of Albanian-Serb co-existence, since the unfortunate situation of Serbs in Kosovo had been one of the most highlighted topics used to portray Kosovo negatively. These first-hand reports from Kosovo, as well as the inclusion of people from Kosovo in Slovak media, to some extent balanced the usual flawed news agencies' reports that would typically cover only scandalous incidents (mostly involving Albanians and Serbs) and that reaffirmed negative stereotypes about Albanians in people's minds.

In May 2006, People in Peril hosted 27 NGO leaders from Kosovo, both Albanian and Serbs, to participate in a four-day series of roundtable discussions to learn from the experience of Slovak NGO experts on the role of NGOs in a society undergoing transition. The program also included a half-day conference attended by some 100 representatives of NGOs, expert public, and the media, titled 'Kosovo Today — Views from Inside and Outside'. On the first panel, five speakers from Kosovo-based NGOs introduced the situation in Kosovo, on the second, Slovak NGO experts and Miroslav Lajčák, the Foreign Ministry's Political Director at the time, discussed Slovakia's views on Kosovo. The whole event was funded by the SlovakAid Program and organized under the auspices of the Foreign Minister, Eduard Kukan.

In order to introduce Slovakia's conflicting dynamics on Kosovo, it is worth mentioning another conference devoted solely to Kosovo, organized in January 2008 on the eve of its declaration of independence. The Slovak NGO 'Conservative Institute', linked to the traditionalist and Christian political forces, co-organized the event together with the *'Lord Byron Foundation for Balkan Studies'*, a radical nationalist lobbyist organization whose staff had close links to Milošević's regime. Despite this, senior officials from the Foreign Ministry and other leading politicians also delivered speeches at the event, alongside, for example, Srdja Trifković, an advisor during the war in Bosnia and Herzegovina to the ICTY convict Biljana Plavšić.

On the official level, from the very beginning the Slovak military was part of the NATO-led Kosovo Force. The Slovak contingent was initially based in Suharekë, together with the Austrians and the Swiss. Later, as part of the Czech and Slovak joint contingent, the Slovaks moved to Shajkovëc. At its peak, the Slovak troops had more than 130 soldiers. Given that Slovakia has not recognized Kosovo's independence, Slovaks did not participate in NATO's efforts to support the creation of the Kosovo Security

Force. When NATO decided to downsize its mission, Slovakia decided to redeploy its forces from Kosovo, citing budgetary restrictions and the improving security situation in the area of operation as the main reasons. Slovakia did not participate in the preparation of the EU's Common Security and Defense Policy Mission in Kosovo, however, as soon as EULEX declared that it had achieved "full operational capacity" by the end of 2008, Slovakia began contributing a limited number of police officers, varying between six and eight. Slovakia has, however, not participated in the judicial or customs components.

It is worth mentioning that, prior to 2008, Slovakia had never recognized documents issued by the UNMIK administration, such as birth certificates, travel documents, etc. However, in mid-2004, the country started to issue visas in UNMIK's travel documents, but only under a special regime on a separate 'insert' paper (not a label on a passport page). It also enabled UNMIK passport holders to obtain visas in some other Slovak consulates in the region as well as in Budapest and Vienna, taking into account that for many Kosovars it was very difficult, if not impossible, to travel to Belgrade to apply for a visa. Paradoxically, shortly after the declaration of independence in February 2008, and shortly before the last UNMIK travel documents and IDs were issued, Slovakia recognized UNMIK documents, but it did not recognize documents issued by authorities of the Kosovo Republic. Therefore, Slovakia's diplomatic representatives in Pristina made an arrangement with UNMIK to enable certification by UNMIK of Kosovo documents to be submitted to Slovak institutions, such as personal documents of people that had some connection to Slovakia, etc. Visas, as before, are only issued under a special regime and not labeled on a passport page. Schengen visas issued by other states in Kosovo passports include a note explaining that they are not valid in Slovakia.

Contacts held at an official level through official visits have been scarce, though they have indeed taken place. Since 1999, three serving Slovak foreign ministers visited Kosovo; the fourth and current foreign minister has not yet done so. The most significant visit was that of Minister Miroslav Lajčák in April 2010. Two years after Kosovo's independence, he was one of very few foreign ministers who have visited Kosovo — even including the countries that have recognized Kosovo's independence. Lajčák had already visited Kosovo in December 2005 in his capacity of Political Director at the Foreign Ministry. In addition to his meetings with leading Kosovo politicians, during that trip he also met with a large group of Kosovo civil society representatives and discussed their vision for future development. Still as Political Director, in October 2006 he invited Prime Minister Agim Çeku to Bratislava, and in early 2007 the then-head of the Ora opposition party, Veton Surroi. In Bratislava both had meetings with Foreign Ministry officials as well as with the media and civil society.

After the establishment of the UN Administrative Mission in Kosovo in 1999, Kosovo was covered by the Slovak Embassy in Belgrade. However, in 2006 the government took a strategic decision to open a Liaison Office in Pristina, partly because of the launch of talks in Vienna on Kosovo's status, chaired by UN Special Envoy for Kosovo Martti Ahtisaari. Currently, the Slovak Liaison Office employs three Slovak nationals, including the Head of Office and a Consul. Although it is still formally subordinated to the Embassy in Belgrade, in 2009 the reporting line changed, and the Pristina Office began communicating directly with Slovakia's Foreign Ministry. However, in terms of developing relationships with Kosovar politicians, at least at the official level, the Office has been rather reserved, approaching Kosovo's political representatives mainly during informal occasions, such as receptions given by other Embassies, or when visiting officials gather to discuss *ad hoc* issues of practical concern to Slovakia.⁴⁰ Kosovo officials have not been invited to receptions organized by the Slovak Office. Instead, Slovak diplomats have maintained relations with foreign representatives in Kosovo, and to a certain extent with its civil society. They have also provided assistance to solve practical issues related to documents, especially when Slovak citizens were involved. The Office also manages a small grant-giving scheme that is allocated for Kosovar non-governmental stakeholders, who can apply for grants of up to five thousand Euros. The Office also collects visa applications, even though they are further sent to Slovakia's Embassy in Belgrade and then back to Pristina once they have been handled. This example can serve as a proof of where Kosovo still lies 'mentally' on the virtual map of Slovaks, and might be perceived as a humiliation for some Kosovars. However, in the perception of the Slovak authorities, opening the possibility for Kosovars to submit visa applications in Pristina was supposed to be a sign of a good will, since it simplified the whole procedure. Some countries that have recognized Kosovo and have embassies in Pristina still require Kosovars to use the consular services of their embassies in Skopje (i.e. the U.S. and the Czech Republic).

Since its independence, Kosovo has not been eligible for cross-border projects (implemented in partnership with Slovak and Kosovar stakeholders) granted by the Official Development Assistance program. In June 2011, following the visit of representatives of Kosovo's civil society delegation to Bratislava and meetings with officials at the Slovak Foreign Ministry (organized by Kosovo's Foreign Policy Club and the Slovak Atlantic Commission), the Ministry officially confirmed that going forward,

40 This happened for example in September 2010, when Slovakia hosted the Visegrád Conference in Bratislava with a traditional working lunch for the Foreign Ministers from the Western Balkans. Given it was an event of the Visegrád Group, though organized by Slovakia, the presence of Kosovo's Foreign Minister was also expected by other Visegrád members. First, the Slovak Foreign Ministry sent an official letter asking the UNMIK SRSG to invite the Kosovo Foreign Minister at the time, Skënder Hyseni. However, when UNMIK refused to do so as this would have been counter-productive and guaranteed a Kosovar refusal, the Slovak Diplomatic Office approached Hyseni directly. In the end, due to the sudden withdrawal of the LDK ministers from the government, Vlora Çitaku participated in the working lunch in Slovakia in her capacity of Acting Foreign Minister. She was warmly welcomed by Prime Minister Dzurinda and took an active role in the discussion.

SlovakAid would also support projects targeting Kosovo. However, Slovakia did not participate in Kosovo's Donor's Conference on Kosovo in July 2008 (Greece was the only EU non-recognizing country that did). During the research conducted for this paper, we could not find any evidence of existing business or other economic relations between the two countries. These are currently virtually impossible due to technical obstacles. There have been, however, several companies in both countries that have approached Slovak officials in order to help them solve the practical problems resulting from the non-recognition of official Kosovar documents (e.g. the Rahovec Stone Castle winery).

From “no” to Ahtisaari to “no” to Independence

In March 2007, a journalist from an opinion-making Bratislava-based daily newspaper took an unlabeled map of Europe to Slovakia's Parliament, and asked members of the Foreign Affairs Committee to pin-point Kosovo's geographical position. This happened after a session during which the members of the Committee were discussing the proposal of UN Special Envoy Martti Ahtisaari for supervised independence as a solution to Kosovo's status. Not all of them were able to locate Kosovo's exact position on the map, although they had, just a moment earlier, voted on an important matter pertaining to Kosovo's status, which at that time was still an international protectorate. However, all of them were unwavering in their claims that Kosovo's status, or more concretely, the danger caused by its independence, was extremely important for the people of Slovakia.

After the 'Ahtisaari Plan' was made public in February 2007, Kosovo became an emotional topic for politicians, media, and even the wider public. Consequently, the Slovak Parliament adopted a resolution requesting a status for Kosovo that would respect Serbia's "legitimate claims", the UN Charter, and the existing international legal framework. It also stipulated that an "absolute and unlimited independence" of Kosovo was not in the interest of the region and that the parties had not exhausted all possibilities for dialogue that would lead to an agreed solution. 123 deputies (out of 150) voted in favor of the resolution and 19 abstained. Those abstaining were representatives of a political party representing ethnic Hungarians.

Although Kosovo's status and the possibility of supervised independence had been on the UN's and EU's agenda for over a year, it did not raise much interest with the political parties, media, or wider public in Slovakia. How can we then explain the fierce rejection of the Ahtisaari Plan which was accompanied by an emotional debate that overwhelmingly ruled out the possibility of Kosovo's independence? At the time, the Slovak government was comprised of three parties, including an extremist right-

wing party that were strongly inclined to populism and often played the patriotic and nationalistic cards⁴¹. The strongest party in the coalition appointed Ján Kubiš, an internationally recognized diplomat, as foreign minister. His main agenda was to disperse the concern caused in EU circles by the fact that an extremist right-wing party had joined the government. The Slovak government was focused on domestic issues, and the Minister was, more or less, supposed to follow the agenda that originated from Slovakia's membership in international organizations. The Minister was ready, in line with the EU majority, to give a green light to the recognition of Kosovo. However, at that point, the two Slovak central-right opposition parties⁴² interfered and brought the issue into public discourse. However, they were unable to maintain the debate at a technical level that would have focused on discussing Slovakia's strategic and security interests. Instead, they engaged in a verbal contest that dwelled deeply into Slovakia's historical ties to Serbia and portrayed the Serbs as neighbors impossible to betray. This resulted in a heated parliamentary debate and the already mentioned resolution against Kosovo's independence⁴³. A typical media headline of those days would propagate: "Parliament clashing heavily over Kosovo". Slovakia thus became the only country in the world, aside from Serbia, that discussed Kosovo as a domestic issue.

As the UN Security Council, fearing vetoes by Russia and China, failed to vote on the Ahtisaari Plan, and in spite of the failure of the US-Russia-EU Troika to reach a solution agreed on by both Serbia and Kosovo, the Resolution adopted by the Slovak decision-makers practically closed the way for the government to act in accordance with the EU majority once Kosovo declared its independence. Therefore, although perhaps Slovakia's non-recognition came as a surprise to many in early 2008, it was to be expected under the circumstances. Slovakia's Parliament's resolution, although non-binding, bore a strong recommendatory character for the government. Its existence reflects the fact that decision-making concerning Kosovo was taken out of the hands of technocratic and pragmatic state officials, and brought to the representatives elected by the citizens. This means that changing the position would require the consensus of a wider political spectrum. Each political party has many battles to fight with its opponents on domestic issues. Therefore, it is quite unlikely that any of them would make Kosovo's independence a priority and conduct negotiations on the issue with their political allies in order to try to change the current position.

41 The Government was led by Robert Fico, the head of the 'SMER' party claiming social democrat orientation. Its two junior coalition partners were 'Movement for Democratic Slovakia' of Vladimír Mečiar, notorious for its undemocratic governance of the country in 1990-ties, and right-wing extremist 'Slovak National Party'.

42 Slovak Democratic Christian Union (SDKÚ) of Mikuláš Dzurinda and Christian Democratic Movement (KDH)

43 It is perhaps worth mentioning that initially five draft resolutions were submitted to parliament. Later -on, the number of draft resolutions was reduced to three. The resolution that was adopted in the end originated in the Government's 'workshop' and was the most moderate of the contra-independence proposals. The above mentioned clause on the need to respect Serbia's legitimate claims was added after an affirmative vote on the amendment proposed by a KDK's MP. The ethnic Hungarian party submitted the only draft resolution supporting the Ahtisaari-led process.

Obviously, a significant change of the international environment (adoption of a new UN Resolution on Kosovo; *de facto* recognition of Kosovo by Serbia), or an essential increase of recognition by UN members, or even a sudden recognition of Kosovo by another EU member country, could provide an impetus for Slovak diplomacy to attempt to break the stalemate.

Looking at the media coverage from early 2007, as well as reading the transcripts of the parliamentary debate, we can clearly track two main issues that Slovak politicians had against the process leading to Kosovo independence. The first bears signs of a calculated policy, and can be summarized as follows: the need for a negotiated solution, the need to prevent a change in the borders of a country against the will of that country, and respect for international law. Invoking the principle of inviolability of borders might seem natural taking into account the existence of a ten percent community of ethnic Hungarians in Slovakia, and the fact that both Slovakia's and Hungary's governments raise the 'Hungarian card' any time it is convenient for their own domestic purposes. Largely, the fear of setting a precedent in the event of a unilateral secession, is one of the main official arguments of Slovak politicians and diplomats whenever the non-recognition position of Slovakia is on the table at formal or informal occasions. For example, Foreign Minister Mikuláš Dzurinda, who theoretically has the right to claim ownership over the non-recognizing position of Slovakia (since he, as the head of the Slovak Democratic and Christian Union, SDKU, proposed the issue while he was in the opposition), has explained on many occasions that "a unilateral secession of any nation is not in the European interest". He conveyed the same message during his address to the foreign ambassadors accredited to Slovakia shortly after taking up his post as foreign minister in the summer of 2010. He introduced them to the government's position on Kosovo as being one of the two hottest political issues aside from domestic concerns (the other one being the refusal to participate in the EU bailout of Greece). However, representatives of the current Slovak government have distanced themselves from drawing a parallel between Serbia-Kosovo and Slovakia and its Hungarian community, and have stressed on several occasions that there is no similarity whatsoever.

The second, more sensitive point of the whole political and public debate in 2007 is actually to be understood as the main reason behind Slovakia's non-recognizing position. It pertains to the "legitimate claims and grievances of Serbia over Kosovo" and "the moral and historical obligation of Slovakia to protect them". The abundance of remarks made by politicians of all parts of the political spectrum in this regard, can be illustrated through one expressed by Foreign Minister Dzurinda to a Slovak news agency in September 2010. He began his statement by claiming: "I have never said that we will never recognize Kosovo" — a sentence that was hugely covered in Kosovo — however, he continued asserting, "we have only been saying that we

will be seriously taking into account Serbia's interest as well, the voice coming from Belgrade. This is what it is all about..." It might be useful to also note this emotional and not so pragmatic origin of Slovakia's position.

The July 2010 decision of the International Court of Justice, stating that Kosovo's declaration of independence did not violate international law, did not cause much excitement in Slovakia and went almost unnoticed. Partially, this was due to the fact that it came at a time when the new government was in the process of establishing itself into office, and those politicians, the media, and the public were busy with other issues.

To sum up, Slovakia's position on Kosovo cannot be considered a well thought-out policy with a clear goal and plan. Slovakia's politicians have never provided a political alternative or vision of how the Kosovo issue could be settled, unless by granting independence. Before the deadlock caused by the Parliamentary Resolution in March 2007, leading diplomats, such as Eduard Kukan, Miroslav Lajčák, and Ján Kubiš, who had been aware of the process and were familiar with the Western Balkans, had on several occasions pointed out that there were no alternatives to the outcome of the Ahtisaari-led process. However, later on, speaking in their capacity as politicians, they had to defend – even though occasionally in a clumsy way – the country's official position. Although none of them are currently active in Slovak politics or diplomacy, there are other politicians and civil servants who are aware of the negative impact and lack of sustainability of Slovakia's current position on Kosovo. Therefore, even though a swift shift towards recognition is rather unlikely, there is room for a gradual change of approach that will be shaped and influenced by several external and internal factors. This will be described further in the chapter 'The Art of Possible'.

In Brussels on Kosovo

Slovakia's diplomats and politicians introduced the country's position on Kosovo as a constructive approach, which should mean in practice that it recognizes the "European future for Kosovo" and does not want to obstruct the European Union's initiatives in this regard. Slovakia supported — without being pushed to it (as was the case with Cyprus) — the EU-Serbia joint resolution submitted to the UN General Assembly in September 2010. Despite its broadcast good intentions, in practice however, Slovakia's approach slows down the decision-making processes in the European Council. At the Western Balkans Working Group meetings — COWEB — it is usually Slovakia, Cyprus, and Romania, who state that UNMIK should be involved in signing the agreements between Kosovo and the EU. This for example was the case of the April 2011 meeting on the participation of Kosovo in EU programs. In

this instance, Slovakia and Cyprus submitted written comments in which they asked for the inclusion of a reference to UNSC Resolution 1244 and a formulation on “non-prejudicing the position of the member states towards Kosovo status” each time that Kosovo is mentioned in the text of the agreement. Furthermore, Slovakia pointed to the need of legal and procedural clarity when signing agreements with Kosovo and, supported by Romania and Greece, asked about the role of UNMIK in the whole process. Therefore, a shift in Slovakia’s approach in the European Council that would imply a “silent” acceptance of the recognizing countries’ approach, would definitely be a first big step forward. (Spain, for example, keeps a lower profile and usually does not join the other non-recognizing countries in their requests to highlight the European Union’s status neutral position in the prepared documents.)

The Art of Possible

It would be beyond exaggerated to claim that, if Kosovo’s politicians, experts, and civil society, had tried to approach Slovakia during the Vienna talks on Kosovo’s status, or in the period between the declaration of independence in March 2008, things would have gone differently with Slovakia. As described before, the path to non-recognition in Slovakia was rather unpredictable and was not expected even by those in the country who were aware of the existing political settings and pro-Serbian sentiments in the mindsets of many politicians and state officials. However, the passive approach of important Kosovar stakeholders in the decisive period when the positions of EU states were being shaped, is worth mentioning. The lack of outreach from Kosovo to those actors who were respected and to whom people would have listened to (especially intellectuals, NGO leaders, or journalists) seems to have been predetermined by two inaccurate premises: first, that the smaller EU member states would follow the decision-making of big EU members, and that everyone would follow the position of the United States. Even at the time when it was already obvious that Russia planned to veto a new resolution on Kosovo in the UN Security Council that would have opened a path for supervised independence, many in Kosovo were calm claiming that the U.S. “would deal with this”. Another false assumption was that the politicians and people in EU countries would somehow automatically “understand” and sympathize with the Kosovo cause. Many Kosovars believed that everyone abroad shared the same awareness of what they had gone through in the 1990s. They also assumed that the fact that many of those EU politicians had voted in support of their countries’ participation in the NATO air-strike campaign, would automatically mean that they would simply “understand” that no solution other than independence was viable for Kosovo. Therefore, in the years leading to the declaration of independence, there was a poor, or rather non-existent outreach towards Slovakia and towards any other EU country. Again, without claiming that it would have changed the course of events in Slovakia, it could certainly have contributed to a more balanced approach,

or at least better understanding of each other's arguments.

Since presently more and more relevant Kosovar stakeholders are becoming increasingly aware that they have to be pro-active and that some of the "work" needs to be done by them, and cannot be done entirely by Kosovo's befriended countries, it is the right moment to look at the available room to maneuver in regards to Slovakia.

This paper claims that the ultimate act of recognition by Slovakia will most probably only arrive after gradual recognition of the situation on the ground manifested through a series of technical steps (in bilateral relations with Kosovo or in the EU). These would slowly lead to a *de facto* recognition before the announcement of a formal 'yes'. The dynamics of these steps, as well the length of the period before the actual recognition would take place, depend on several factors. Only some of these could be directly influenced by Kosovo's political or civil society stakeholders. In the big picture, important factors considered by Bratislava are the developments in the Western Balkans, in particular in the relationship between Kosovo and Serbia, but also in their neighborhood. Any sudden progress, or also fundamental deterioration, would of course be closely watched and evaluated. Moreover, the dynamics within the European Union and within the UN would also play a significant role. Internal developments in Kosovo, such as any extraordinary political or economic successes, or concrete results in improving the legal environment, could have only a secondary impact on recognition. However, they would certainly contribute to improving the quality of bilateral relations between Slovakia and Kosovo.

Leaving out a deeper analysis of what can be really achieved and changed by the EU-led dialogue process between Kosovo and Serbia, or at least recognizing that this only has to be considered in the future, it is helpful to know that Slovak foreign policy is keeping a close eye on the process. This may be a sign that it places great hopes on a positive outcome that could possibly make room for Slovakia to find a 'dignified' way out of its current, not quite constructive, position. The new generation of open-minded high level officials at Slovakia's Foreign Ministry is aware of the fact that Slovakia is currently excluded from the main international decision-making processes on the Western Balkans due to its position on Kosovo. The dynamics of gradual change in Slovakia's approach also depend on the dynamics of the relationship between Slovakia and Serbia, especially regarding individual politicians in both countries. Therefore, Serbia's failure to deliver what is expected from it by the EU or Slovakia could also accelerate trends leading to more constructive approaches towards Kosovo.

The final key point to be made before moving to individual recommendations, having in mind the objective and subjective constraints described earlier in this paper, is

that any strategy to approach Slovakia should be very sensitive and free of direct lobbying or advocacy in favor of recognition, but rather based on dialogue and the search for issues of mutual concern. Slovakia's politicians and diplomats like to stress at every possible opportunity — be it to their partners in the EU, to journalists, or their counterparts from Kosovo — that Slovakia's approach to Kosovo is not hostile, but rather constructive. “We want to look for ways of constructive cooperation so that the status issue does not have a negative impact on the everyday life of people”, former Minister Miroslav Lajčák said during his official visit to Pristina in April 2010. It is also in the hands of Kosovars to identify those issues and focus on them in their outreach to Bratislava. It is further important to know that the current political constellation in Bratislava chooses to believe that it can leave a positive footprint in the development and transformation of the Western Balkans. And, again, it is also up to the Kosovars to come up with ideas and proposals about how Slovaks can contribute to the materialization of changes in Kosovo.

Conclusions and Recommendations

To the Kosovo Government:

Goals: Build links to Slovakia's stakeholders that enable effective exchange of information and sharing of concerns and ambitions in both directions; achieve a more constructive approach of Slovakia towards Kosovo on technical issues, but also gradually on political issues concerning bilateral relations and EU decision-making.

Possible concrete actions:

1. *Engage Slovakia to provide practical assistance to Kosovo's institutions and agencies, such as pairing projects and other initiatives, and transferring know how on a broad range of issues: justice, economy and social reforms, coordination of EU and NATO integration efforts, regional cooperation, efficient management of IPA funds, transport and infrastructure networks, energy security, etc.*

Note: Slovakia's current representatives (in 2011) are more prone to listen to the visions and ideas on how to change things through the efforts of all relevant stakeholders in Kosovo, than to complaints about how external factors (i.e. lack of unity in the EU) are preventing Kosovo from progressing. Therefore, the ability to clearly formulate a future vision for Kosovo (beyond the traditional vision of EU integration), is a good start in approaching Slovak politicians.

2. *At every possible opportunity discuss issues of a practical character with Slovak stakeholders (such as the at least 'de facto' acceptance of documents issued by the Kosovar authorities). Once settled, these would have a positive impact on the everyday life of Kosovars, such as enabling freedom of movement and enabling the enhancement of trade and other relations between Kosovo and Slovakia.*

Note: it is important to first map and identify these issues, as well as the negative impact the present reality has on Kosovar, and in some cases even Slovak, citizens. For example, a relevant argument would be that a Slovak business that wanted to invest in, or export to, Kosovo cannot do so due to the existing restrictions. Paradoxically, the sooner Slovaks understand that the current situation is also harming their own citizens, the bigger the chance that they will search for ways to change their approach. Furthermore, rather than to ask for a lot at once (i.e. recognition of all Kosovo documents *en bloc*), it would be wiser to move slowly and take it one step at a time. In the end, the result will be the same.

- 3. Show good-will and understanding, and try to assist on issues of concern to Slovakia's authorities, even if only in small measure. However, these issues might be on different spheres; until now these usually concerned police and justice issues (i.e. the case of drug mafia boss Baki Sadiki, who is believed to have been hiding in Kosovo, and whose extradition Slovakia requested).*

Note: even though it sometimes is difficult for Kosovar authorities to learn about these cases, given that Slovaks tend not to communicate directly with Kosovo's authorities, but rather address the EU missions in Kosovo, there are ways to find out about them. One of them would be through maintaining regular channels of communication with the Head of the Slovak Liaison Office in Pristina.

- 4. When engaging in discussions with Slovak representatives, convey the message of the negative impact the stalemate in EU decision-making on Kosovo is having on Kosovar citizens, so as to achieve a more moderate approach of Slovakia on Kosovo in the European Council.*

Note: mapping and understanding the complexity of the decision-making processes in the European Council is essential before trying to influence them. A second step might be the identification of agendas that Slovakia can assist with in pushing through on the EU level.

- 5. Engage Slovakia in economic cooperation by introducing opportunities for businesses to invest or export.*

Note: economic cooperation is one of the most tangible arguments for Slovakia's authorities to be pragmatic on a range of practical issues concerning Kosovo.

- 6. Build contacts and channels of communication between political parties on the EU and international levels based on their ideological profile. Ask for assistance supporting programs that empower and build political parties in Kosovo. If any external donors were to design these programs (trainings, conferences), make sure that representatives of political parties from Slovakia are included.*

Note: there is an abundance of examples where the ideological links of political parties or individual politicians played a very important role in the relationship of Slovakia with other countries in the Western Balkans. The party links should not be underestimated.

- 7. Support programs promoting cultural exchange or exchange in sports activities, as well as promote people to people contacts. Gradually work on changing the image of Kosovo in the eyes of Slovaks.*

Note: all sorts of public diplomacy initiatives targeting non-government stakeholders in Slovakia, including the media, whose aim is to gain sympathies and support of the wider public, are welcome. Of course, it is good to support any PR initiatives with reality on the ground.

To civil society:

Goals: build partnerships and conduct networking on all levels; increase communication, exchange of information, and people to people contact, with the final goal of bringing Kosovo on the virtual map of Slovaks and challenge their traditional stereotypes.

1. *Supplement or even substitute Kosovo's government concerning any issue previously described.*

Note: take advantage of being free of the negative connotation that might be associated with Kosovo's government and which might thus hamper its efforts. Civil society representatives from Kosovo are generally receiving a warmer welcome in Slovakia than the official representatives, and are trusted more. The current political representatives in Slovakia have a close relationship with civil society and trust its judgment and approach more.

2. *Engage Slovakia in all struggles Kosovo is waging to make it an open and democratic country.*

Note: it is not always necessary to present Kosovo as if it were speaking with one voice. Sometimes it may even look suspicious if its civil society is not critical of the government. Constructive and well supported criticism is always welcome.

3. *In cooperation with Slovak stakeholders, design and organize all sorts of civic diplomacy activities such as workshops, meetings, and study tours, as well as cultural or sporting events in both directions.*
4. *Be pro-active in approaching Slovakia's civil society to develop cross-border projects supported by SlovakAid or EU funds.*

Romania



The Current State of Relations Between Romania and Kosovo and Prospects For Evolution

Oana Popescu, Global Focus, Bucharest

October 2011

SUMMARY

Romania has not recognised Kosovo's independence and argued extensively against its recognition at the International Court of Justice (ICJ). No diplomatic relations have been established with Pristina and there has been no official institutional communication, other than through a liaison office under a UN mandate. Even before independence, when Kosovo was a province under UNMIK's administration, there were no formal or informal relations between Romania and the autonomous entity.

On the international level, Romanian officials have made no concessions in the way of international agreements, events, or organisations which would have included Kosovo as a state, or that could have been interpreted as an implicit recognition. In fact, they have consistently opposed such membership/participation.

Romania has nevertheless maintained a sizeable number of troops in Kosovo under the mandates of KFOR/ UNMIK/ EULEX. However, the country indicated that it would withdraw its forces starting in December 2011.

At this time, prospects for recognition are dim. The two main reasons behind this are Romania's foreign policy and how the Kosovo issue fits in (from a historical perspective, as well as in today's context), as well as Romania's domestic political situation, given that the subject is closely linked with the internal and external interests of the present administration. With general elections coming up in 2012, the most likely change of course could occur through a potential change in government. Improvement of relations at lower levels could, however, occur earlier, irrespective of the facts mentioned above, given Romania's continued interest in a European future for the Western Balkans. Much will also depend on Serbia's evolution towards EU membership and the normalisation of relations with Kosovo, as well as on any changes in EU positions towards Kosovo.

The war in Kosovo and reluctant support for NATO's bombing campaign against Serbia

At the time of NATO's bombing campaign against Serbia in 1999, Romania was a candidate to NATO membership, awaiting with nervous anticipation the decision of the Washington summit in that respect. The sole, most prominent aim of the country's foreign policy was therefore to convince its allied partners that Romania deserved to be granted membership status. Another goal, that of EU membership, required the same sustained effort and focus. In both cases, this awareness was accompanied by a feeling of apprehension that Bucharest was not in fact fulfilling all the necessary criteria, and that the ultimate verdict regarding its performance would therefore be largely political.

President Emil Constantinescu and Minister of Foreign Affairs Andrei Plesu determined that, to be credible, Romania had to behave as a *de facto* member of the two alliances, and act in solidarity with them. A parliamentary majority supported the decision. Consequently, after already having allowed NATO limited access "for emergency and unforeseen situations" to the country's airspace in October 1998, Romania granted allied forces unlimited access to its airspace (which represented significant logistical and political support), just shortly before its delegation departed for Washington. The summit, however, failed to deliver the expected result and Romania remained outside of the Alliance until 2004. Nevertheless, the country received a significant compensation: on May 4, 1999, Tony Blair delivered a warm speech at Bucharest's Parliament, thus being the first of few European leaders to demand the start of negotiations aimed at Romania's EU membership. In December of that same year, the European Council in Helsinki turned the premier's proposal into a formal decision by the Union.

However, the decision to support NATO's bombings on Serbia was made reluctantly. Romanians have always been pro-Serb, be it because of their shared history (fight against the Ottomans, self-awareness as guardians of the West against occupation, then forsaken by the West), religion (Orthodox), or admiration for Serbia as the core of communist, yet Westernized and prosperous Yugoslavia during Tito's regime (a rich kin, regarded with envy). The cultural intelligentsia, much of the political elite, and the media, were hardly favorable to any actions which they considered to be against the proud and brave Serbs, or Milosevic's regime.

According to Andrei Plesu, Romania's Foreign Minister at that time, officials in Bucharest made it clear to Madeleine Albright, Strobe Talbott, and Javier Solana that, from their point of view, neither side was entirely guilty or entirely free of guilt, and that judging the situation in black-and-white terms would be wrong. This view of

conflicts in the Balkans, which asserts that a long and complicated history makes all actors responsible for the current state of tension in the region, has been maintained to the present day.

However, Romanian diplomacy also has a tradition of upholding the primacy of international law, based on moral principles. As such, action against Milosevic also relied on the recognition in Bucharest that horrible crimes against humanity were being perpetrated in Kosovo — ethnic Albanians were being displaced in huge numbers, and civilians were being terrorized by the regime.

Mixed feelings toward the West were nevertheless reinforced by President Constantinescu's change of heart, only three months after the campaign, and his expression of disappointment about the way NATO and the EU chose to reward Romania for its support during the war. The president declared himself frustrated with their "double standards", by not offering Romania security guarantees through NATO membership, and for not taking any action to mitigate the country's economic losses caused by the embargo on oil sales to Serbia.

It must be noted, however, that considerable fortunes were made both by locals on the Romanian side of the border, and by officials in Bucharest endorsing their actions, who broke the embargo in a large scale. The Serb-Romanian friendship was consolidated during that time, as Romania's central authorities supported Western action against the Milosevic administration in Belgrade, but also sought to help the population affected by sanctions, while individuals who had been trading across the border for years were doing something similar — conducting murky business, but also showing solidarity with regular Serbs who were suffering from the war.

On the whole, resentment towards the West ended up being on the rise at the end of the campaign, and a victimized Serb population benefitted from the renewed sympathy of ordinary Romanians, as well as of vocal elites and the media.

After the war: Romania, one of the main contributors to international missions

Romania has widely participated in international missions in Kosovo, becoming one of Europe's main contributors. Part of the reason has always been the training of its own personnel and the development of interoperability with NATO and other international partners. Romania's foreign policy interests in its own region provide another reason behind such consistent participation.

In June 1999, two officers were seconded to the police unit of UNMIK, supplemented by another 24 a month later. By the end of the year, upon two successive requests from the UN (in August and November), the Romanian contingent in Kosovo had reached the number of 70, plus one military liaison officer in the KFOR-OSCE mission on the ground. The country was thus one of the first to respond to the UN call for contributions to Kosovo's police mission. Over the years, seconded personnel have assisted in the creation of the KPS (Kosovo Police Service) and the training of its staff. Currently, Romania still has two military observers in UNMIK.

When transition to a mission under an EU mandate resulted in the creation of EUPT (the EU planning mission) in January 2007, Romania's police was again one of the first to participate. After EULEX become operational in December 2010, 60 Romanian police officers and 115 gendarmes changed the UNMIK hat for the EULEX one. According to the official position of the Ministry of the Interior, the decision to participate in EULEX was linked to "keeping international commitments and considerations of national security strategy regarding the region".

Rather unexpectedly, given the above stated fact, on September 26, 2011, Romania's Supreme Defense Council (CSAT) agreed on the complete withdrawal of police and gendarme troops at the end of their Kosovar tour of duty. The likely main reason (other than non-recognition more broadly) may have been a reaction to EU discord regarding Romania's and Bulgaria's admission into the Schengen area. It can be speculated that this decision is coupled with a need to redeploy some of these troops elsewhere, such as Libya, and, more importantly, due to rising tensions in the Serb-dominated northern Kosovo, where Romanian gendarmes are among the few European police troops present, and where they do a tough job under difficult circumstances.

Regardless of whether the latter argument carries any weight or not, due to of a controversial incident a few years ago, if Romanian gendarmes were put in a situation where they had to intervene using force during clashes between Serb and Albanian civilians, this would in fact create a problem for the troops.

In February 2007, Romanian gendarmes used their weapons against rioters to restore order during street protests in Pristina which were apparently getting out of hand. Since they used rubber bullets whose validation date had expired in 1994 (according to other reports, rubber bullets with a special iron core), two ethnic Albanians, members of the Vetevendosje (self-determination) movement, were killed. According to a UN inquiry, they did not pose an imminent threat. The Romanian gendarmes argue that the use of weapons was justified and legitimate, and according to procedures. Despite requests from the UN that the gendarmes should remain in Kosovo, at the disposal of the UN team, until the situation was clarified, they were pulled out of the country.

Final results of the investigation were never made public.

The image of the Romanian contingent in Kosovo suffered a severe blow due to this incident, with accusations from ethnic Albanians that the killing had been deliberate and an expression of anti-Albanian bias. On the other hand, officials in Bucharest, as well as Romanian representatives in Pristina, have repeatedly accused the Kosovar administration and diplomacy of fuelling anti-Romanian sentiment by continually bringing up the 2007 incident, and reducing its whole relationship with Romania to that isolated event. In this context, for instance, there have been protests in Pristina after the appointment of Romanian Gendarmerie Colonel Marian Petre as head of the EULEX Special Police Department in 2011.

In addition, another more recent incident consolidated the negative perception of Romanian troops in Kosovo. In 2010, EULEX police officers from Romania were allegedly involved in people smuggling and caught red-handed by Macedonian customs officers at the border with Kosovo, as they were trying to illegally transport cigarettes and alcohol in an official EULEX vehicle.

However, aside from these unfortunate events, the activities of the Romanian contingent have gained widespread appreciation, both among their local colleagues and with international forces. They have carried out missions under risky circumstances (high level visits, etc.) and in particularly dangerous areas, such as the north of Kosovo, for instance during the unrest caused by Serbs protesting that Kosovar Police had taken control of border crossing points Jarinje and Brnjak in July of this year. The withdrawal of troops by the government of Bucharest will probably be felt as a loss by Kosovar authorities, as well as EU partners, but it will also come at a cost to Romania, in terms of lost opportunities to participate in the post-conflict stabilization and architecture of the Balkans, and to derive associated benefits such as gaining expertise and improving the country's reputation.

Romanian KFOR troops (currently 59 in number) will stay behind, as they operate under NATO's mandate (not the EU's), which upholds Resolution 1244 and does not conflict with Romania's non-recognition of Kosovo's statehood.

Bilateral relations, inexistent at all levels

Institutional communication. Outside of Romania's participation in international missions, there has been almost no institutional communication between the country and Kosovo. This was the case even before independence. Given the close relationship between Bucharest and Belgrade, and Romania's consistent support for Serbia, while Kosovo was an autonomous province under the UN mandate, all

dialogue happened exclusively with and through Belgrade. After independence, given Romania's non-recognition, communication was even more difficult. Unlike other EU non-recognizers, such as Greece, Romania chose to avoid to have any official contact that could have been interpreted as an implicit recognition, as well as to reject all cooperation with Pristina within the framework of any international bodies and/or events. Nevertheless, Bucharest does maintain a liaison office in Pristina, under the UN mandate.

Civil society. Civil society cooperation has been reduced to sporadic projects, most of them multilateral and regional, which have brought Romanian and Kosovar organizations or individual participants together. NGOs like the Romanian Harm Reduction Network, PATRIR (Peace Action, Training and Research Institute of Romania), or The Aspen Institute, have cooperated with Kosovar institutions and NGOs on non-political projects. The Pro Democracy Association participated in the monitoring of the 2010 elections in Kosovo, under the umbrella of ENEMO (the European Network of Election Monitoring Organizations).

The examples above are only a few — more projects might have involved cooperation between Kosovar and Romanian non-governmental organizations, but none seem to have had a bilateral component. Additionally, no database exists that holds any centralized records of such projects, for the same reason of non-recognition of Kosovo as a state and therefore an international partner in any given project.

Trade. In terms of economic relations, the issue of status again prevents that a separate chapter be dedicated to Kosovo-Romania trade and investment cooperation within any official databases. The website of the Romanian Ministry of Economy and Trade includes details about the economic environment in Serbia and trade relations between the two countries, and delineates specific information about regions in Serbia which are considered to be particularly relevant to Romanian investors and business people. However, Kosovo is not one of them, and no mention is made of any differences between doing business in Kosovo and any other part of Serbia. Even during the period of intense commercial exchanges with the former Yugoslavia, Kosovo-based businesses were seldom a part of those activities, if at all.

The Representative Office of Romania in Pristina, which carries out its activity under the UN mandate, also serves as a point of contact for potential Romanian businesses in Kosovo — but no indication of this is given through any public channels (on the MFA website, or the like). Romanian companies are indeed present in Kosovo, most of them operating in the construction sector. Their exact names and activities are difficult to obtain, however, since they operate there in a completely private capacity and do not have to report their presence to Romanian officials. Some of these companies have

become known to Romanian authorities because they requested assistance from the latter as they became victims of Kosovar criminals and registered losses due to fraud or foul play. The general recommendation of Romanian authorities to entrepreneurs is for heightened caution when doing business in Kosovo, given that it is considered to have an unstable and corrupt investment and political environment. Nevertheless, recently there has been an increasing, even though still only exploratory, expression of interest from the government in Bucharest to identify whether business cooperation with Pristina would be possible, even under circumstances of non-recognition.

Independence and staunch non-recognition

When Kosovo declared its independence in February 2008, Romania refused to recognise it as a state from the very beginning. The reasons are multiple, some are based on objective circumstances which reflect upon the country's considerations of national interest, whereas others are strongly related to Romania's domestic political situation.

International law. To begin with, Romania considered that a unilateral declaration of independence was in breach of international law — and that upholding the supremacy of international law in a global context where violations and reinterpretations are multiplying, would not only be moral, but also serve the interests of a medium-size country like Romania.

In 2009, before the International Court of Justice, MFA State Secretary Bogdan Aurescu argued that while Serbia did indeed violate the human rights of the population in Kosovo during Milosevic's time, this was no longer the case at the time of Kosovo's declaration of independence. Serbia itself was a totally different country in 2008 than it was in 1999, and a declaration of independence could not be based on circumstances that were accurate 10 years ago, but no longer. Additionally, from the Romanian point of view, the disintegration of the former Yugoslavia ended in 1992 and Kosovo remained an integral part of Serbia, not an entity with the right to self-determination, which would have justified its secession. Its specific status in SFR Yugoslavia was irrelevant in 2008, when the Federative Republic no longer existed.

Even after the ICJ delivered its opinion, Romania has maintained its view that Kosovo had no right to secede, on the grounds that it did not contradict Bucharest's initial stance, given that the question which Serbia had addressed to the court did not directly touch on the arguments described above.

The dangers of instability and foreign intervention. Friendship with Serbia. Technical matters aside, Romania also did not like to see territorial changes, border disputes, and renewed tension and fragmentation happening in its immediate vicinity — even less through what it considered an unprincipled intervention of foreign powers and an imposition by force. Its national interest had always been to see the Balkans evolve peacefully towards stability, prosperity, and a European future, leaving the ethnic conflicts of the past behind.

One should also not forget that support of NATO's campaign against Serbia in 1999 had left a lingering feeling of remorse, a sense of guilt towards the Serbs, and some resentment towards the West. Another Western-forged "attack" on Serbia's territorial integrity was something the Romanian population, as well as its leadership, could not endorse. Bucharest had been working steadily with Belgrade as its advocate within the EU, supporting moderate factions in the hopes of consolidating Serbia's pro-European orientation and gradually discouraging nationalist factions and tendencies.

Firmly believing that such a positive approach would ultimately pay off and steer the country (which Romania considers key to regional stability) in the right direction, during successive administrations the Romanian diplomacy often gave Tadic blank cheques. This often defied even the complete lack of progress concerning Romanian requests regarding the rights of the sizable Romanian minority in Vojvodina and the Timoc Valley. Serbia distinguishes between a so-called "Vlah" minority and the Romanian one, both of which in fact share one and the same identity. Belgrade does not grant ethnic Romanians the right to education in their native language, and hinders the preservation of their own culture in every possible way. Just recently, Serb census teams in Romanian-inhabited regions pressured minority citizens to declare themselves Serb nationals.

Despite these longstanding problems, the Romanian government has been reluctant to push Belgrade harder. Even after Romania provided valuable support to Serbia by not recognizing Kosovo, it did not appear that this favor prompted its south-western neighbor to make any concessions on important bilateral issues. As a matter of fact, Romania does not seem to have made any visible gains in its relationship with Serbia as a consequence of its position on Kosovo.

Aside from the foreign policy calculations mentioned above, traditional Romanian sympathy for the Serbs is something even former Foreign Minister and Presidential Adviser Andrei Plesu, a distinguished intellectual, writer and connoisseur of the Romanian spirit, cannot seem to be able to understand. Asked about it in an interview, he in turn quoted Romanian writer Octavian Goga's surprise, expressed in the 1930's, at the Romanian pro-Serb inclination and their willingness to forget the repeated

Serb claims to the Banat (the western Romanian region bordering on Serbia). Plesu has dismissed one of the most common explanations — shared Orthodox religion — and favors the argument that the present-day sympathy derives from the communist years, when Romanians used to look at Tito's Yugoslavia and its comparatively open society as a beacon of prosperity.

Another reason could be a shared history of resistance against (mostly Ottoman) invaders, as defenders of Christianity and the West — and a self-perception as victims of this history, which slowed down the development of the two peoples, while Western Europe was taking advantage of the respite to make strides towards progress. Later on, the same Europe turned its back on both countries during communism, a wrong that it can only make up for through EU membership — which Romania strongly supports for Serbia.

One can add to this the fact that, with large pieces of its territory annexed by the former USSR (in present-day Ukraine and Moldova) and Bulgaria (the south of Dobroudja), and with a permanent claim of Hungary to Transylvania, the border with Serbia remained Romania's friendliest.

Whichever the reasons, this affinity has translated into constant support for Serbia, in spite of the mixed response Romania has received. Also, since this sentiment is shared by the large majority of the population, knowing that the recognition of Kosovo would hurt Serbia, is something that most people would react to. Non-recognition is therefore not an exclusively political decision, made in a particular context, but one that is met with widespread popular support if presented as an act of defense of Serbia's interests.

Dangerous precedent - for separatism within Romania itself, or the Republic of Moldova. A more political perspective is that which looks at Kosovo as a dangerous precedent for Romania's own territorial integrity — or that of the Republic of Moldova, which used to be a province of Romania.

Despite Kosovo's insistence that its circumstances have been singular and its unilateral action cannot serve as a precedent to other breakaway provinces, the Romanian presidency and part of the diplomacy consider that this is more a matter of political interpretation than an objective fact. On the basis of similarities with the Kosovo secession, other territories in the region, like Abkhazia, South Ossetia, or Nagorno-Karabakh, and more importantly, Transnistria, could follow suit. Romania has always denounced the illegitimate separatist regime in Tiraspol internationally, and has advocated for any resolution concerning this frozen conflict near its own border to respect Moldova's territorial integrity.

Truth be told, many in Romania, politicians or diplomats, in fact believe that Moldova would be better off without Transnistria and that its accession to the EU would be smoother, as well. Most of the population in Transnistria is comprised by ethnic Russians, the economy is Russian-owned, and although the region also hosts most of Moldova's crucial energy production capacities, at the same time it acts as Moscow's "Trojan horse" within the country. With no acceptable solution in sight, given Russian opposition, it seems that separation from the Republic of Moldova could at least ensure the settlement of the border dispute, a necessary requirement for Moldova's EU accession.

However, no Romanian politician can afford to support this course of action publicly, at least for now, without exposing him- or herself to public opprobrium. Romanians tend to be very sensitive about the subject of the Republic of Moldova — and this is precisely the chord that Romanian President Traian Basescu sought to strike when he mentioned the danger of a regional spread following Kosovo's unilateral secession.

Nationalist feelings come into play even more when Kosovo is discussed as a possible precedent for secession rights in Romania's own territory. Though this was not mentioned as explicitly in the beginning, emphasis is increasingly placed on the possibility that ethnic Hungarians in Romania might replicate the Albanian example. The Hungarian minority constitutes approximately 7% of the overall population and is concentrated in a few counties, where they are in the majority, and is also spread across Transylvania. The argument is often made that Hungarians will either use the Kosovo example to claim autonomy for the whole of Transylvania or — more frequently — that they will call for the secession of the Szekler Land, the group of counties (Harghita, Covasna, and parts of Mures) where they make up the overwhelming ethnic majority. The Hungarian minority has repeatedly put forward claims for autonomy, ranging from rather moderate requests of greater administrative power and more provisions for education in their native language, etc., to radical demands for recognition of the right to self-determination.

In recent months, the analogy between the Kosovo case and a possible move by Hungarian radicals to replicate the unilateral declaration of independence has been made more frequently. In the public space, arguments related to international law and the foreign policy context have faded out. This, however, does not at all mean that they have been eliminated from the official justification of Romania's position. Rather, it is the public discourse that has become more politicised, aided by an internal context conducive to heightened popular sensitivity on this topic.

Romania's foreign policy decision-making has become concentrated almost exclusively within the presidency, while Foreign Affairs Minister Teodor Baconschi, a loyal follower of President Traian Basescu, who entertains high aspirations within

the ranks of the president's political supporters, is often just the executor. Given that Romania's position on Kosovo has from the very beginning largely been the result of president Basescu's personal position (though by far not exclusively so), the positioning of other relevant public officials with regards to this subject has come to depend very much on their pro- or anti-presidential stance. Within the framework of a very radicalized internal political debate, most often lacking nuances and a middle ground, opposition to the president's policies in general has almost automatically been translated into opposition to his attitude towards the Kosovo issue. Conversely, support for the president has prompted support for Romania's non-recognition.

Various factors such as upcoming local and general elections in 2012, and a worsening economic climate that has brought the current Basescu-supported government under fire, have contributed to creating a climate very much prone to emotional approaches, rather than rational arguments.

These circumstances have been aggravated, and the Hungarian problem reignited, by the government's recent announcement to reorganize the country administratively and create 8 regions, instead of the current 41 counties ("judete"). The Hungarian minority reacted extremely vocally to this proposal. They were dissatisfied with the fact that the Szekler Land would "dissolve" into a territorial unit comprising other counties with a Romanian majority. As a result of this rearrangement, Hungarians would lose the geographically concentrated majority status which they presently enjoy.

Hungarian anger was also increased by the fact that the UDMR, the Hungarian political party, a coalition partner of the pro-presidential PD-L (Liberal-Democrat Party), had not been consulted prior to the public announcement of these plans. It has been speculated that the initiative and the particular manner of presenting it were in fact deliberate gestures on the part of the PD-L to push the UDMR out of government, or to trade this card for fewer concessions on Hungarian minority claims in later negotiations. On the other hand, others have accused the president, who eventually made an alternative offer to the UDMR to keep the two Hungarian-dominated counties out of the territorial reorganization, of secretly plotting to grant them the long coveted autonomy, or create the conditions for it, in exchange for political support.

At any rate, the UDMR threatened civil disobedience, but did not leave the government. In the end, a final decision on territorial reorganization was postponed, however not before causing a diplomatic row with Budapest, which rushed to support its ethnic citizens in Romania. The Foreign Ministry in Hungary and Deputy Prime Minister Zsolt Semjen (of Viktor Orbán's nationalistic party FIDESZ) released official statements on the topic, condemning what they called the deliberate attempt of Romanian authorities to change the ethnic balance. These comments forced a reaction from the Foreign

Ministry in Bucharest, which accused Budapest of meddling in Romania's internal affairs.

Against the background of this high-level exchange of accusations, public discussion of the Hungarian issue was reactivated, and the media coverage was filled with intensely emotional reactions from both sides.

The relationship between the Romanian majority and the Hungarian minority has never been uncomplicated, given the Hungarian claim that Transylvania historically belongs to Hungary. However, actual interethnic incidents have been rare and often the manifestation of isolated radical elements. The integration of the Hungarian community in Romania can in fact be considered a success story, one that could serve as a model to neighboring countries which are still dealing with ethnic conflict. However, Romania has failed to sufficiently publicize its success at an international level. Enormous progress has been made, from bloody incidents in the early 90's in Targu Mures and other places in Transylvania, to the current situation of the Hungarian minority: over 20 years of participation in government through the UDMR, local structures dominated by Hungarians at all levels in Harghita and Covasna counties, access to education and representation in court and public administration in their native language, etc.

This is precisely why initially the argument against Kosovo's recognition based on the analogy of potential Hungarian separatism was not made or taken too seriously. On the other hand, sensitivities are still present and animosity is easy to rekindle. Politically fuelled debates, such as the one on regionalization, met with hysterical reactions and any mention of Kosovo under these circumstances tends to obliterate any rational judgment or awareness of the historical context.

It is important to point out that many have noted — amongst these, officials in the Ministry of Defense and diplomats — that insistence on drawing a parallel between the Hungarian minority and Kosovar Albanians in Serbia actually creates a problem where it does not exist. When Romania comes under attack because of its problems with the Roma, for instance, as well as for many other reasons, rather than "selling" its minority rights record at the European level as a success, it chooses to overemphasize potential problems. Moreover, it creates the impression that similarities do exist between the kind of ethnic tensions in the Balkans and its own relationship with its Hungarian minority. Thus, there is a risk of generating a national security liability through such statements and a further loss of prestige internationally.

Internal debate on Kosovo – quasi-absent and mostly politicised

As outlined in the chapter above, the internal debate on Kosovo is very much a reflection of the political context in view of the upcoming elections. There are few who are able to and have discussed the issue using strictly historical and legal arguments. In fact, given Kosovo's proximity to Romania, the topic can hardly be separated from its subjective and emotional derivatives.

The arguments raised by officials in Bucharest against recognition have met with rather widespread agreement from the population because they represent widely held beliefs. It must be added, however, that this agreement was mostly implicit, and Kosovo's announcement of its independence, as well as the Romanian position, did not raise a lot of interest inside Romania. No elaborate debate has ever taken place, either among elites or the general public. Despite Romania's constant claim to a strong interest in the European evolution of its neighbors, Bucharest's active involvement in the Balkans, whether through trade relations, civil society, or diplomacy, has decreased throughout the years and is currently rather weak. Coincidentally, or not, this involvement started diminishing after 2004, when the current administration came to power. Genuine interest in the subject of Kosovo is therefore largely lacking, and when it comes to Romania's neighboring countries, the focus of both public opinion and foreign policy decision-making is rather on Moldova, Ukraine, and Russia.

In the absence of a consistent public debate, many opinions are formed on the basis of superficial reactions to the political context or historical (and often misconceived) sensitivities. How the issue is presented, often largely influences how people respond to it. If presented in a context where, as described above, associations with the intensely emotional theme of Hungarian separatism can be made, it is most probable that a balanced discussion of the core elements of Kosovo's independence would be utterly impossible, and a lost cause from the start.

Most reactions throughout time have not challenged Romania's official stance. Again, this is partly due to the support received for the arguments which have been presented as the basis of this position, and partly to a degree of indifference on the subject, and hence a lack of motivation to discuss these reasons.

The same relative indifference has determined the general focus of the media on the sensational, newsworthy events in Kosovo, both before and after independence. As is usual with popular journalism, this has often been limited to cases of reignited conflict, street clashes, events (in themselves negative in substance) which involved the Romanian forces there, allegations of organ trafficking made against Prime Minister Hashim Thaci, and the like. According to current media practice, good news

have never made news. Therefore, the perception of Kosovo as a region plagued by conflict, human trafficking, corruption, political instability, and poverty has been reinforced consistently, before and after independence.

It should also be mentioned that these perceptions are formed against the backdrop of widespread ignorance among the general population, as to the circumstances of the conflict in Kosovo, both before and after Milosevic. To many, the bloody conflicts in the Balkans are reduced to their knowledge of Milosevic as a criminal, perhaps through association with Ceausescu, and a history of fratricide, of “everyone against everyone”. Bosnia is probably known better than Kosovo, and after the breakup of Yugoslavia, the attention has certainly focused more on the countries that have come closer to accession to transatlantic structures: Serbia, Croatia, and Macedonia. At the same time, many probably even forget to think of Slovenia in the same context, since its evolution has been so distinct from the rest. Kosovo is little known, and known only through the lens of what Romania fears the most in its neighbourhood: instability.

However, a distinction must be made here to differentiate between elites and the general public. Romania’s actual and intellectual disengagement from the Balkans is only a recent phenomenon. This is most likely a result of the country’s exclusive concern to join the EU and NATO, which absorbed all foreign policy efforts in recent years. The region’s attention, on the other hand, has remained focused on the feared border to the east, with the former Soviet space, where Romania has some of its former territories. Amongst intellectuals and diplomats, there is extensive knowledge of the Balkans. Both the pre-communist period, and the era during which Tito was Ceausescu’s model — as the leader of the non-aligned movement and a promoter of a national agenda independent from both Moscow and the West — have raised the interest of historians, writers, and policy-makers.

While the popular media has tended to focus on easy and sensational news, the debate in more knowledgeable circles, for instance in niche magazines like “Dilema Veche”, “22”, “Foreign Policy Romania”, etc., has been more informed and consistent. It is hard to say whether the position has been more in favour of Kosovo’s independence, or against it. Much of Romania’s intellectual elite leans towards the centre-right, hence tending to have a somewhat nationalistic bias, and often gravitating towards the brotherly pro-Serb sentiment previously described. Opinion leaders with a more active role, or a closer connection to diplomacy or actual foreign policy decision-making, have been inclined to take a more pragmatic approach and argue against Romania’s official position. Yet even in those cases, one cannot say that the Kosovo subject has been treated as a central one.

Amongst analysts and the intelligentsia in general, positions are formed on the basis of personal arguments and priorities, irrespective of the political context, and are often nuanced and mindful of the complexities of this multifaceted problem. A pro-Serb stance, for instance, is not necessarily seen as anti-Kosovar, and support for President Basescu's arguments regarding international law may be balanced by critique of the foreign policy consequences of the same position.

Things are significantly more clear cut in the case of politicians and journalists or other commentators who are staunch allies or opponents of the government and president (and much of the public debate is subject to political alignments, either because of political ownership of the media or the general politicisation of discourse). Basescu supporters will advocate that non-recognition is just and fully compatible with Romania's national interest, while opponents will by default denounce the decision as self-defeating and damaging to Romania's international standing.

Given the non-centrality of the Kosovo issue, the only time when the media voiced particularly strong opposition to the president's position, was when it actually translated into a discussion of Romania's relationship with its EU and American allies. When Traian Basescu decided to boycott the May 2011 summit of Central and Eastern European heads of state in Warsaw because Kosovo had been invited, many in Romania considered that things had gone too far. Even those who were not pro-Kosovo, drew attention to the fact that Romania was being consistently obstructive, and that the president chose to miss a meeting with U.S. President Barack Obama, who was attending the summit, for reasons related to a foreign policy decision that many did not consider to be of such paramount importance as to risk ruining relations with its allies. Journalists and analysts said it was perhaps time to re-examine the benefits and losses derived from Romania's position.

The subject gained in importance when it was approached in terms of Romania's relationship with the US and EU, which is highly valued in the country. Basescu was increasingly accused of initially opposing the majority EU position in order to gain domestic popularity by playing the strongman, someone who would not behave as an "American puppet", and to avenge the isolation he perceived within the EU from most other heads of state. It was also noted that Romania's decision was making the country irrelevant in the region, and placed it in a group with the likes of Russia or China, while the internal political arguments and circumstances of other EU non-recognisers are a lot more relevant than Romania's.

Perspectives for the future: establishing lower-level relations before recognition

For now, recognition remains closely linked to President Basescu's potential personal change of heart — if it happens at all. This is, however, highly unlikely, considering the president's firmness on the topic. A change of government in 2012 (at this point still completely unpredictable, though very possible) could add significant pressure in that sense, although foreign policy decision-making ultimately rests with the president.

Another aspect which could tilt the balance is a potential move by other EU non-recognisers to modify their position. Of course, if Serbia itself reaches a negotiated agreement with Kosovo that would quite automatically remove all obstacles to recognition by Romania.

At levels below the presidency, positions are probably much less polarised than they might appear.

For one, many diplomats and political decision-makers tend to be pragmatic and realise that “the strong do what they want, the weak, what they must”. Strictly in the sense of foreign policy interests, officials in the Ministry of Foreign Affairs informally admit that the country's position has made life extremely difficult at times, as they have been striving to find arguments and devise strategies to oppose Kosovo's membership in various international organisations (even relatively minor ones, such as those dealing with environment or trade) at every single level. Setting the “logistical” effort aside, they acknowledge that such permanent obstruction has repeatedly cast a shadow on the image of Romania, as the country has not complemented this opposition with too many constructive proposals and involvement in the region.

Also, given that Romania and Bulgaria have permanently come up as negative examples during the EU accession negotiations with Croatia — which were delayed partly in order to avoid the same mistakes that were made in the case of the two newest EU members — Romania's reputation in the Balkans has not precisely improved. As for Serbia, again, many would admit that Romanian support has not brought any visible benefits and that Belgrade has not returned the favour in any shape or form — be it through enhanced cooperation on Romanian minority issues, or through other benefits. Romania is in fact missing out on the opportunity to participate in the post-conflict reconstruction of the Balkans at civil society or political levels, beyond its engagement through the provision of troops under a NATO or EU mandate. As a more involved participant, it could improve its image and turn a disadvantage into an advantage. As a country that has gone through an analogous process of democratisation

and EU accession, it could do so by sharing its lessons (and even mistakes) learned. Furthermore, Romania is missing out on trade and investment opportunities, while money is pouring into Kosovo's infrastructure and the (re)building of its economy. Overall, Romania simply cannot be a major actor in the region by refusing to cooperate in any shape or form with one of the region's players – whether it calls it a state, or something else. (In the meantime, Poland and Hungary are claiming increasing influence, after Greece has become too tied up due to its own domestic problems to continue being the agent of influence it had always been in the Balkans.)

Many decision-makers in Romania would like to see the country follow the same path as Greece, which has cooperated with Kosovo, has held high-level contacts with Pristina, and has not opposed Kosovo's membership in some international organisations, even though it has never recognised it as a state. The desire is there, at multiple levels, to at least work with Kosovo, while its status question is being clarified internationally. Such positions, while freely expressed by opposition politicians, cannot however be voiced publicly by diplomats or governing party politicians as long as the presidential line remains unchanged.

How to?

The most important thing to avoid when discussing Kosovo in general, would probably be to fall into the trap of associating the issue with emotional and sensitive matters to which Romanians tend to react adversely and which leads them to block out all arguments. Contexts or subjects which could trigger references to Moldova, Hungarian separatism, or the Romanian-Serb brotherhood, would only strike very sensitive chords and make openness to compromise virtually impossible. Moral arguments related to Albanian suffering might at least fall partly on deaf ears, since most Romanians would instinctively probably agree with them, but resent its implications, which would be to blame the Serbs — thus, they might not be willing to carry the argument to its ultimate consequences. In addition, the possibility exists that many will make the case that the KLA was also a perpetrator of horrendous crimes.

On the other hand, if the issue were approached through the lens of joint interest in transatlantic relations, European aspirations, Romania's commitment to EU accession for the Western Balkans, freedom of movement for all European citizens, etc, reception of the debate itself may have more chances of success. As long as differences are not emphasized and new division lines are not drawn, and a mutually exclusive Kosovo-or-Serbia paradigm is avoided, there could at least be a partial reversal of negative perceptions.

It may be more efficient to try to introduce to the public opinion facets of the Kosovar reality which it has not previously been exposed to, rather than try to contradict already formed opinions. As an aside, let it be noted that often, during study visits or similar communication projects, people prefer to selectively see only those aspects which reinforce their preexisting perceptions, enjoying the comfort of certainty, rather than accept to have their preconceived ideas challenged.

When mentioning ignorance of Kosovar realities, this refers to the present day as much as historically. While most Romanians are acutely aware of their kinship with Serbs, through religion, traditions and history, the knowledge of Romanian-Albanian relations is generally limited to informed intellectuals. Perceptions of Albanians have been formed in recent years mostly through accounts of violent crimes perpetrated by the Albanian community in Italy, which is comparable to the crime rate within the Romanian community. Also, prior to Romania's EU accession (but not exclusively), Albania used to be the only country ranking lower than Romania in the Commission reports, concerning all aspects related to living standards, rule of law, etc. Not surprisingly, perceptions of Albanians are often negative.

There is comparatively little anti-Albanian bias related to religion. Kosovo is associated with Islam, and for sure there is some resistance to a vision of "the Other", but perhaps more in cultural than strictly religious terms, at least judging by the Western European dimension of the problem. Though overwhelmingly Orthodox, Romanians tend to be relatively tolerant (or at least not militantly intolerant), perhaps given their constant interaction with the Ottomans throughout the centuries, and due to the presence of a Muslim community in southern/south-eastern Romania (Dobroudja). An oversimplified portrayal of Islam in the media has led many people to identify Islam with conflict and the Arabs, therefore it is to be anticipated that a majority will expect Kosovo to be much more radicalized than it in fact is, and assume that it is much more like Middle Eastern countries — prone to conflict and religious extremism.

Raising awareness of the country's secular state structure and its tolerant, open approach to religion (including other religions), and the rights granted to women (publicizing and highlighting, for instance, the high number of woman MPs and ministers, as well as the fact that Kosovo has a female president), would probably be worth considering. Additionally, it might help to introduce facts which counter public perception developed during and after the 1999 war, such as that the KLA was supported and financed by al-Qaeda, and that consequently fundamentalism and illegitimate foreign interests of some fundamentalist Arab states (such as Saudi Arabia) still structurally plague Kosovo.

Unfortunately, while very many people in Kosovo will readily recognize Romania as a friendly country (which can be extremely surprising to a Romanian aware mostly only about the more recent relationship between both countries) and tell you all about the crucial role that Bucharest played during the Albanian proclamation of independence in 1912 and the subsequent refuge of its government in Romania at the beginning of the 20th century, few Romanians have at all been educated about the strong traditional relationship between Romanians and Albanians.

Only a handful of intellectuals will remember that Albanians and Romanians share a few hundred words which do not exist in any other language (amongst which are the popular Dacian words *viezure*, *barza*, *murg*, etc.), a fact that supports a theory of common Thracian origins. Or that one of the famous Moldovan kings, Vasile Lupu, was an ethnic Albanian. Or that Albanians actually fought alongside Romanians for an extended period of time to preserve their Orthodoxy against Ottoman invaders. Or that the Albanian national anthem, *Hymni i Flamurit*, is sung to the tune of Romanian composer Ciprian Porumbescu's *Pe-al nostru steag e scris unire*, while its lyrics were written by a resident of Bucharest, Aleksander Stavre Drenova. In 1912, Drenova also attended the meeting in Bucharest of the Albanian government in exile, during which the first resolution regarding Albania's independence was adopted.

Along that same line, few people know that several prominent Romanian figures, such as the poet Victor Eftimiu or the famous Ghica family, are of Albanian origin. Or that Kosovo currently hosts both ethnic Romanians, who have built a life there, and Albanian Kosovars who have studied in Romania and speak fluent Romanian. Amongst them are, for instance, Pleurat Sejdiu, the current Director of the Ministry of European Integration, who is related to former Kosovo President Fatmir Sejdiu, or the director of the National Library in Pristina, who has translated extensively from Romanian literature. Others include a wide range from famous surgeons to local spokespeople for KFOR.

Cooperation concerning mutual awareness of historical and good neighborly relations might help to create the sense of kinship between Romania and Kosovo which is clearly currently lacking from the Romanian side, and as such creates the feeling that the choice is between a related Serbia and a totally unrelated, alien Kosovo, with which Bucharest has nothing in common.

In addition to offering a narrative of traditional relations, it may be appropriate to show the face of present-day Kosovo through its less publicized components: a young, English speaking community that includes many well-educated professionals who returned from the Diaspora after the exile imposed by ethnic cleansing, to contribute to building a European society, and whose aspirations are the same as those that stimulated Romanians to make a similar kind of effort towards joining the EU.

The right to travel freely, study and work abroad, achieve a more prosperous and democratic society — all these issues resonate with Romanians, who have only recently gone through the same steps and are still facing similar cases of rejection from Western European partners when it comes to free travel (see the recent row over admission of Romania and Bulgaria into the Schengen area), labor rights (certain countries still maintain restrictions imposed against Romanian workers), or discrimination (against Romanians and the Roma of Romanian origin throughout Europe).

It should perhaps be highlighted that the political stalemate at the EU-level, to which Romania is contributing, is in fact obstructing Kosovo's development and denying its citizens rights which Romanians have fought for, obtained, and which they would never relinquish again. An opinion poll among regular citizens would probably show that the most palpable benefit of EU membership that any Romanian can name, is visa-free travel. Kosovars, however, don't even have a perspective on this, since the process is stalled by the same EU political differences. In today's interconnected world, perhaps much more so than ten years ago, denying free travel to a young, English-speaking, educated person seems like taking away a natural right, rather than refusing to grant one. Romania's foreign policy has certainly never intended to deny such prospects for a better life to anybody in the Balkans or anywhere else. Nor has it intended to fuel instability in the region by contributing to what is currently a failure of EULEX to implement a genuine rule of law.

There is no denying, for sure, that some EU criticism regarding corruption and human trafficking in Kosovo, or concerning considerations about a possible tide of migration upon the opening of the borders, etc., has its well-founded arguments. However, Romania should be one of the countries to best understand the regional context and — without turning a blind eye on any of the issues mentioned above — therefore should rather work with its neighbors to share its own experience in overcoming these obstacles. From the standpoint of a more insightful "older brother", it would likely be in a better position to do so than some of the Western European countries. Carried out within the framework of Romania's commitment to the integration of the Western Balkans into the EU, the discussion might be constructive and mutually beneficial.

Romania in turn would have a chance to boost its international profile and be seen as a constructive, rather than obstructive actor, and a friendly ally to Kosovo's supporters, such as the United States, Great Britain, Germany, or France. Despite its position of not recognizing Kosovo, Romania would be an actual player in the region, and in the process would be able to do some internal capacity-building, as well. Especially as the European Union is facing tremendous internal challenges, and enlargement seems to be slowing down even further, any cooperation with EU neighbours would be greatly

appreciated and would be fundamental to strengthening ties with the European Union, while the latter cannot, at this time, offer much more than that.

Romania's moral duty to its former communist neighbour, and its pragmatic interest in taking that responsibility should both lie at the foundation of all communication between Kosovo and Romania. Whether the tide can be turned radically in terms of public opinion and political decision-making is hard to say. However, building a relationship between Pristina and Bucharest starting almost from scratch — given the absence of any recent efforts to this end — at human and even institutional levels, whenever possible given the circumstances, should not be impossible. Fostering better civil society and academic cooperation, creating conditions for trade and business (all of which can comfortably avoid getting embroiled in issues of statehood), and supporting a more balanced, accurate and less emotional representation in the media of the realities happening on the other side, may not be bad starting points.

Romania's Attitude towards Kosovo: A Historical and Cultural View

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On February 17, 2008, Kosovo proclaimed its independence from Serbia. This event was followed by a number of recognitions from countries of the European Union and North America. However, five EU members refused to recognize Kosovo's independence: Cyprus, Greece, Romania, Spain, and Slovakia. Thus, they rallied to the position of the Serbian government, which considers Kosovo to be its lawful autonomous region (according to the new Serbian Constitution of 2006), a position backed, amongst others, by two members of the UN Security Council: Russia and China. In the following article we aim to explain some of the historical and cultural reasons on which Romania based its decision and attitude towards Kosovo.

Romania and Serbia – a short reminder of a long-lasting relationship

Romania's relationship with Serbia plays a decisive role in the present attitude towards Kosovo. One thing must be outlined from the beginning: across time, both countries became increasingly closer historically, to the extent that in the interwar period the famous Romanian diplomat Nicolae Titulescu said that "Yugoslavia [Serbia] and the Black Sea were Romania's only friendly neighbours"⁴⁴.

The good relationship between both countries had been paved long ago in history by the connection between the two neighbouring peoples. It must be mentioned that both were influenced by the Byzantine Slav Orthodox type of Christianity, introduced during the rule of the First Bulgarian Empire over the two peoples, during the 9th-11th centuries AD⁴⁵. The first time they collaborated on a political and military level, however, was in 1389, on the occasion of the Battle of Kosovopolje, when a small contingent of warriors was sent by

44 Sabina Fati, „România, prizonieră între Serbia și Marea Neagră” (“Romania, caught between Serbia and the Balck Sea”) in *România liberă*, joi, 28 mai 2009, <http://www.romanalibera.ro/editorial/a155212-romania-prizoniera-intre-serbia-si-marea-neagra.html>, accessed on 24 January 2010

45 Vlad Georgescu, *Istoria românilor de la origini până în zilele noastre (History of Romanians from Origins until Our Days)*, Editura Humanitas, București, 1995, p. 52

Walachia's prince Mircea the Elder (1386-1418) to join the Christian coalition of Serbs, Bulgarians, Bosnians, Albanians, and Hungarians against the Ottoman Turks. Until the complete conquest of Serbian lands by the Ottomans, the Principality of Walachia was an ally of Serbian princes⁴⁶.

A second important moment of collaboration occurred during the second Battle of Kosovopolje (1448), when Hungarian King John Hunyadi led a Christian coalition comprised of Hungarians, Walachians, and Serbs once again against the Ottomans. The fact that the Hungarian king had some Romanian background on the side of his father, known in Romanian history as Iancu de Hunedoara, Prince of Transylvania (1441-1456), and that he led an army made up of Transylvanians and Walachians, is an indication of the good relationship with the Serbs⁴⁷. Later, when the Serbs were under Ottoman rule and Romanian principalities had a larger degree of autonomy, many Serbian nobles and clergymen found refuge in Transylvania and Walachia.

The coexistence between the two peoples was at its best within the Banat region, formed by the Turks under the name of *Eyalet of Temesvar* in 1552, after the latter had conquered most of Hungary. The region was ethnically dominated by Rascian Serbs and Walachians (Romanians). After the establishment of Austrian rule in 1718, Germans colonized the area, but the two dominant groups until the end of the 19th century remained the Romanians and the Serbs⁴⁸. During the 1848 Revolution, both groups became allies to fight against the Hungarian revolutionary armies, under the false promise of autonomy from the Austrian imperial administration. This proved to be a strategic mistake, as the revolution was defeated and the two groups came under harsher Hungarian rule after the formation of the Austro-Hungarian dualist monarchy in 1867⁴⁹.

At the beginning of the 19th century, a project of union between the Romanian principalities of Moldova and Walachia and Serbia even existed. After the Adrianople Peace of 1829, the Turks were weakened and the Russian influence over the two Romanian principalities became dominant. This led to a rise of the religious Orthodox clergy, which began to undertake political projects of uniting Orthodox peoples against the Turkish suzerainty. On the other hand, Serbia gained its autonomy under Ottoman rule in 1817, led by the Obrenovic family. It was at this point (1839), that Leonte Radu from Moldova designed his plan to create an Orthodox buffer confederate state between the Turks and the

46 *Ibid*, p. 28

47 Georgescu, *op. cit.*, p. 69

48 Vasile V. Muntean, *Contribuții la istoria Banatului (Contributions to the History of Banat)*, Editura Mitropoliei Banatului, Timișoara, 1990, pp. 109-113

49 *Ibid*, pp. 136-139

Russians made up of the three principalities. The project was not, however, supported by the ruling nobility of the three entities⁵⁰.

On April 19, 1841, the Serbian principality established official diplomatic relations with the Principality of Walachia⁵¹. This was a result of the good relationship between the two countries during the Russian protectorate (1829-1856), in spite of persisting Turkish suzerainty. The diplomatic relations were confirmed after the union of Walachia and Moldavia in 1859 and the establishment of the modern Romanian state (1862).

During the Russian-Turkish War of 1875-1878, the two countries allied themselves again, together with the Russians, in order to gain their full independence from the Ottoman Empire. This was eventually achieved through the Treaties of San Stefano and Berlin (1878), which granted them this independent status⁵². From this point on, Serbia became an official ally of Russia in the Balkans, while Romania signed an alliance with the Central Powers (Austro-Hungary, Germany, and Italy).

In 1914, when Serbia was attacked by Austro-Hungary and the First World War started, Romania remained neutral, in spite of its alliance with the Central Powers, as did Italy. In 1916, as a result of the diplomatic efforts of the Entente, which promised to support Transylvania's union with Romania, Romanian troops entered the war against Austro-Hungary, Germany, and their allies⁵³. At that point, Serbia had already been occupied and defeated. After a similar resounding defeat in 1916-1917, in 1918, Romania and Serbia found themselves together on the winning side, due to the collapse of the Central Powers under the joint efforts of France, Great Britain, the United States, Italy, and their allies. Following these events, Romanian and Serbian troops were remobilized and occupied Transylvania and Banat. In 1919, together with the French and Czechoslovakian troops, they contributed to the defeat of the Hungarian Soviet Republic of Bela Kun⁵⁴.

The good neighbour relationship between Romania and the newly created Kingdom of Serbs, Croats, and Slovenes was confirmed in 1921 through the commonly agreed demarcation of a border between the two countries in Banat. The agreement, signed

50 Maria Bulgaru, *Gândirea iluministă în Moldova: opinii și realități (Enlightenment Thought in Moldova: Opinions and Realities)*, Centrul Editorial al Universității de Stat din Moldova, Chișinău, 2001, p. 147

51 Serbian Ministry of Foreign Affairs, "Serbia-Romania, Bilateral Political Relations" in http://www.mfa.gov.rs/Policy/Bilaterala/Romania/basic_e.html, accessed on 24 January 2010

52 Vasile Petrișor, Vasile Niculae, *Românii în lupta pentru cucerirea independenței depline de stat (Romanians in the Fight for Conquering Full State Independence)*, Editura Politică, București, 1987, pp. 14, 18-19, 198

53 Comisia Română de Istorie Militară (Romanian Commission for Military History), *Istoria militară a poporului român (The Military History of the Romanian People)*, vol. V, Editura Militară, București, 1988, p. 347

54 Valeriu-Florin Dobrinescu, „Tratatul de la Trianon” (“The Treaty of Trianon”), in Gheorghe Nicolescu (coord.), *România în ecuația păcii și dictatului (Romania in the Equation of Peace and Dictates)*, Editura Paralela 45, Pitești, 2001, pp. 133-134, 142-148.

by Romanian Prime Minister Take Ionescu and Serbian Prime Minister Nikola Pasic, also included the first agreements of what became known as the Little Entente, a political organisation made up of Romania, Yugoslavia, and Czechoslovakia meant to deter Hungarian revisionism⁵⁵. The new political entity was also supported by France, which tried to build an alliance with Central and Eastern Europe countries against German revisionism.

Another sign of the good relationship between the two countries during the interwar period was the foundation of the Balkan Bloc in 1924. The initiative also included, aside from Romania and Yugoslavia, Greece and Turkey. In 1934, it developed into the Balkan Pact which aimed to preserve regional stability and also to involve revisionist countries such as Bulgaria and Albania. However, it failed to achieve its goals and, in 1940, after failing to act following the outbreak of the Second World War, it was dissolved⁵⁶. Nevertheless, after the invasion of German troops into Yugoslavia, Romania refused to be attributed the Serbian Banat. It should be highlighted that, after the border demarcation of 1921, 37.000 ethnic Serbians remained in Romania and 66.000 ethnic Romanians remained in Serbia⁵⁷.

After 1948, the relationship between Romania and Yugoslavia was cordial again, as both countries were led by communist regimes. At the same time, they both had certain hard feelings towards the Soviet Union and its supremacy within the communist camp: Tito's Yugoslavia aimed to become a leader of the non-alignment movement, and Romania resented the loss of Bessarabia and the Soviet occupation⁵⁸. As a consequence of this, the bilateral relationship improved steadily throughout the 50s, 60s, and 70s. During the 80s, a period of cold relations between the two countries followed, as a result of the dictatorial communist regime leading Romania and the increase of immigration to the west using Yugoslavia as a transit country. Belgrade's good relations with the West were envied by Bucharest, as well as Yugoslavia's good economic state achieved through a different type of communism that was more liberal and market oriented.

After the fall of communism in Central and Eastern Europe in 1989, the relationship between Bucharest and Belgrade improved again, in spite of the Yugoslav wars and their consequences (including the blocking of the Danube as a transport axis towards the west). Romania's left wing government supported Slobodan Milosevic until 1996. Even though there was an economic embargo imposed against Yugoslavia, Romanian trains with fuel were transported under cover into Serbia, in what became known as

55 Eliza Campus, *Mica Înțelegere (The Little Entente)*, Editura Academiei Române, București, 1997, pp. 55-59, 64-65

56 *Ibidem*, pp. 190, 192

57 Muntean, *op. cit.*, p. 234

58 Jean-Francois Soulet, *Istoria comparată a statelor comuniste: din 1945 până în zilele noastre (The Comparative History of the Communist States from 1945 till Our Days)*, Polirom. Iași, 1998, pp. 80-81

the Jimbolia affair (after the name of the Romanian border town where the trains left the country).⁵⁹

Following the change in Romania's government in 1996 and the rise of a centre-right coalition in Bucharest, Slobodan Milosevic began to be seen as a dictator and the Serbian opposition was supported to assume power. After Romania allowed NATO troops to use its military facilities in order to bomb Milosevic's Yugoslavia in 1999 (in an effort to get closer to NATO accession and avoid isolation amongst Russian allies), the country's efforts to get the Serbian opposition into power increased. In 2000, amidst intense international pressure, this finally happened.⁶⁰ After this development, Romania has become a constant supporter of Serbia's integrity and candidacy for EU accession.

Romania and Kosovo – historical moments and attitudes

Romania did not have an official position towards Kosovo until 1998. It had always considered the issue to be a matter of domestic concern for Serbia and did not interfere. In 1998, however, as a result of the concerning evolution of the conflict, which was widely condemned by the international community, Romania joined the choir of critics towards Slobodan Milosevic's regime. It was considered that the Serbian government had abused its power in dealing with the Albanian minority and fair treatment was demanded.

In March 1999, Romania faced a tough decision: whether to support, or not, NATO's bombing campaign in Yugoslavia. The Romanian administration was conscious that military action included risks and that the civilian population was in great danger. At the same time, as a good neighbour, it could not participate in an aggressive act against Serbia. However, Romania had been a candidate country for NATO accession since 1997. In 1995, all of Romania's political forces (even the nationalists) had signed the so-called *Snagov Declaration*, which had set the country's strategic targets: NATO and EU accession. In 1997, the newly inaugurated administration in Bucharest had hoped that Romania would be included in the last minute in the first wave of NATO enlargement. To this end, a strategic partnership had been concluded earlier in the year with France, which became a strong supporter of this case. However, the United States considered that only three Central and Eastern European countries were prepared to join NATO (Poland, Czech Republic, and Hungary) and the Madrid Conference sealed this decision⁶¹.

59 Marius Oprea, „Operațiunea Banat” (“The Banat Operation”) in *Ziua*, joi, 3 martie 2005, <http://www.ziua.net/prt.php?id=170836&data=2005-03-03>, accessed on 24 January 2010

60 John Cherian, “The arrest of Milosevic” in *Frontline*, Volume 18 - Issue 08, Apr. 14 - 27, 2001, New Delhi, <http://www.hinduonnet.com/fline/fl1808/18080520.htm>, accessed on 24 January 2010

61 NATO, “July 1997”, NATO Update in <http://www.nato.int/docu/update/1997/9707e.htm>, accessed on 25

Therefore, in 1999, Romania was in the process of achieving acceptance by the US administration for a future wave of enlargement. To this end it had supported all US actions in the Balkan and Black Sea areas; this was the result of the signing of a Strategic Partnership Agreement with the US at the end of 1997. In 2000, following the model of the Visegrad Group, Romania, together with other countries in Eastern and Central Europe (Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Slovakia and Slovenia), established the Vilnius Group. Its aim was to create a common platform to integrate these countries into NATO⁶².

In this context, when NATO intervened in Yugoslavia in March 1999, Romania's administration decided to offer its airspace, airports and air bases as facilities for NATO troops. A similar request from Russia, as a counterbalance in favour of Milosevic's regime, was denied. At the same time, the airport of Timisoara was offered to the Yugoslav civilian airlines to host their planes during the air strikes⁶³. In spite of Belgrade's accusations that Romania was actually supporting an aggression against its territory, some JAT (Yugoslav national air company) planes landed in Timisoara, where they shared the runway with NATO military planes. At the same time, the Romanian government accepted to host 100 Kosovo Albanian refugees coming from refugee camps already existing in Macedonia. All but one refugee returned to Kosovo afterwards⁶⁴. There was also limited humanitarian aid provided through private assistance from a *World Vision Romania* project joining 12 Romanian companies and US Aid in Mitrovica. This initiative also attempted to initiate trade relations between Romania and Kosovo, but did not manage to do this in a significant manner and was unsuccessful.

Romania's government's decision to support NATO intervention in Yugoslavia was not very popular among Romanian citizens. The common view was that Yugoslavia had been a close friend of Romania for a long time and that it should not have been attacked under any circumstances. Especially in Banat, where the country's Serbian minority lives, anti-NATO feelings were growing. In an attempt to encourage media coverage from both sides, Romania's cable TV operators introduced, aside from CNN and EuroNews, the Serbian public TV channel, RTS. Another negative factor was the bombing of bridges over the Danube in Serbia, which blocked traffic and caused serious trading problems for Romania. The country's mass media offered very negative news coverage about this, and the issue began to be considered more important than the

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62 Ministry of Foreign Affairs of Latvia, "Vilnius group" in <http://www.am.gov.lv/en/security/4494/4509/>, accessed on 25 January 2010

63 Tom Gallagher, "Romania, NATO and Kosovo: Right Instincts, Wrong Tactics" in *Politica Externă*, 3(7-8) 1999-2000, pp. 84-95

64 Encyclopaedia of the Nations, "Romania - Migration" in <http://www.nationsencyclopedia.com/Europe/Romania-MIGRATION.html>, accessed on 26 September 2011

repression against ethnic Albanians in Kosovo⁶⁵.

Adding to the other economic and social problems happening in the country during 1999, one can assert that the decision of Romania's government to support NATO air strikes on Yugoslavia contributed to a significant extent to the fall of the centre-right coalition in power at that time in Romania, and to the ascent of the nationalists. In fact, among the main political forces, it was the nationalist Greater Romania Party which had the strongest pro-Serbian position. During the 2000 legislative elections the party's percentage of representation tripled (from 7% to 21%) and its candidate, Corneliu Vadim Tudor, passed into the second round of Romanian presidential election against the social democratic opposition candidate, Ion Iliescu. The position of the social democrats was neutral, they rejected NATO air strikes, but also condemned Serbian atrocities in Kosovo. What is striking is that none of the forces supporting NATO air strikes managed to get a significant result in the elections: the Democratic Party obtained half of the votes of 1996 (only 8%), the National Liberal Party received only 7%, and the Romanian Democratic Convention, the main governmental force, saw its percentage decrease six fold (to only 5%), thus being left out of parliament (it required 10% to be included in an alliance). The sitting president refused to stand for a second mandate as his popularity was incredibly low (well below 10%).

After the 1999 intervention, Romania sent peace-keeping troops to Kosovo (78 policemen and, later, 115 gendarmes) — much like in the case of Bosnia during the early 90s — under the aegis of the United Nations Interim Administration Mission in Kosovo (UNMIK), later integrated in EULEX. Their support focused especially on areas inhabited by Serbs, where they were received as protectors. The Albanian population, on the other hand, considered them occupation forces loyal to the Serbian authorities. During some violent demonstrations in 2006, a few Albanians were injured and two were killed after the intervention of the Romanian police contingent⁶⁶.

Even today, most of the public opinion in Romania opposes Kosovo's independence. This attitude was confirmed by both the country's president's and parliament's firm attitude against Kosovo's declaration in 2008. Only the Hungarian Democratic Union was in favour. Moreover, the Romanian authorities undertook legal action against the decision at the International Court of Justice in The Hague⁶⁷. Nevertheless, the issue does not rank very high on the priorities agenda of Romanian citizens. This is also

65 Sabina Fati, "Kosovo: interesul național și propaganda anti-occidentală" ("Kosovo: the national interest and anti-Western propaganda") in *Sfera Politicii*, 70, 1999, pp. 23-28

66 Euractiv, „Jandarmii romani - suspectati ca au ucis doi albanezi in Kosovo” (“Romanian gendarmes suspected of having killed two Albanians in Kosovo”), 15 februarie 2007 in http://www.euractiv.ro/uniunea-europeana/articles%7CdisplayArticle/articleID_9438/Jandarmii-romani-suspectati-ca-au-ucis-doi-albanezi-in-Kosovo.html

67 Financiarul.ro, “Romania tables with ICJ, remarks on independence of Kosovo”, 16 aprilie 2009, in <http://www.financiarul.ro/2009/04/16/romania-tables-with-icj-remarks-on-independence-of-kosovo/>, accessed on 25 January 2010

partly due to the economic crisis of the last years.

However, apart from legal arguments, we must take into consideration some in-depth historical reasons for this attitude. One of the primary reasons which is currently often mentioned, is the existence of a significant Hungarian minority in Transylvania. Historically, it has been a part of Romania after Austro-Hungary dissolved in 1918. Before that, for ten centuries, Hungarians had been the prominent population in that region, which was a part of the historical Hungarian Kingdom. From 1948 to 1968, Hungarians from Eastern Transylvania, called Szecklers, benefited from autonomy in what was called the Mures Hungarian Autonomous Region⁶⁸. Granting them autonomy was a measure of precaution of the communist authorities to prevent events such as those occurring during the Second World War, mainly in 1940, from happening.

1940 is a symbolically disastrous year for Romania. It came after a period during which the Romanian state had reached its maximum territorial sphere as a result of the First World War. In 1919, Romania doubled its surface, gaining Transylvania and Banat from Hungary, Bucovina from Austria, and Bessarabia from Russia. It had previously also obtained Southern Dobruja from Bulgaria in 1913. In all these regions, under the influence of the dominant nationalist feeling of the times, Romanians became the favoured population, and former minorities, such as Hungarians, Ukrainians, Bulgarians, and Jews went into disgrace. However, the move was supported by France and Great Britain, two of the winning powers of the so-called "Great War".

In 1940, as a result of the German, Italian, and Soviet supremacy on the continent and of French defeat and British retreat, the situation changed dramatically for Romania. As the Ribbentrop-Molotov Pact was signed in 1939, just before the outbreak of war, Bessarabia was granted to the Soviet Union, while the rest of Romania remained in the German sphere of influence⁶⁹. Thus, on June 26, 1940, the Soviet Union gave an ultimatum to Romania to surrender this territory and the north of Bukovina, threatening military intervention in the event of non-compliance. Being isolated from their former allies, Romanian authorities decided to accept their fate and surrender this territory to the Soviet Union. During this quick process, however, 356 Romanian officers and 42.876 soldiers were killed by the Red Army, helped by the local Ukrainian and Jewish population⁷⁰. In 1941, Romanian troops returned as German allies against the Soviet Union and took revenge on the respective minority groups. However, after

68 Dănuț-Radu Săgeată, Dragoș-Mihail Baroiu, *Granițele de stat ale României – între tratatele internaționale și dictatele de forță (Romania's State Borders – between International Treaties and Forced Dictates)*, Iași, Princeps Edit, 2004, p. 98

69 Grigore Gafencu, *Prelude to the Russian campaign: from the Moscow Pact (august 21st 1939) to the opening of hostilities in Russia (June 22nd 1941)*, Frederick Muller, London, 1945, pp. 268-269, 28.

70 Gheorghe Zaharia, Constantin Botoran, *Politica de apărare națională a României în contextul european interbelic (1919-1939) (Romania's National Defence Policy in the Interwar Political Context, 1919-1939)*, Editura Militară, București, 1981, pp. 277

1944, Romania had to retreat once again — this time for good — as the Soviets won the war. But to this day Romanians have not forgotten that the Russians forced them to leave a former province where they were (and some consider they still are) the majority population.

Meanwhile, the Hungarian government developed close relations with Nazi Germany and Fascist Italy. In 1939, Budapest participated in the split of Czechoslovakia, receiving the southern portion of Slovakia and the Trans-Carpathian region. Romania refused to take part in this, as it was a close ally of Czechoslovakia⁷¹. On August 30, 1940, the Second Vienna Award was organised by the Germans and Italians to settle matters between two of their allies, Romania and Hungary. On this occasion, Hungarians received the northern part of Transylvania, where most of the Hungarian minority lived (1 million people). But this area also included 1.2 million Romanians⁷². After this event, approximately 200,000 Romanians were forced to take refuge in the rest of Romania, and 300,000 Hungarians were colonized to replace them⁷³. Romania was forced to accept this situation until 1944. After the Soviet troops advanced into the north-east of the country, Romania surrendered and, together with the Red Army, recaptured Northern Transylvania. The peace treaties of 1947 re-established the borders of this region to where they were before 1940. Nevertheless, for the last decade the memory of these events has affected the relationship between Romanians and Hungarians in Transylvania.

1940 did, however, not end with the Vienna Award. On September 7, 1940, Bulgaria and Romania were forced by Germany to sign a border treaty in Craiova. Romania had to give back Southern Dobruja and 110,000 ethnic Romanians and Vlachs which had been colonized there since 1913 had to leave their homes. At the same time, 77,000 ethnic Bulgarians from Northern Dobruja were relocated on the Bulgarian side of the province⁷⁴. The situation was recognized after the war treaties. However, the memory of 1940 and the territorial losses are still very present in Romania.

Just like Romania in 1940, Serbia faced a similar but gradual process after its establishment in 1919. The main difference was that, after 1945, it had become a federal state where more nationalities lived side by side. Nevertheless, after 1989 and the fall of communism, the nationalist feelings within Yugoslavia re-emerged and the fighting resumed. Belgrade saw its territory decrease year after year: in 1991, Croatia and Slovenia declared their independence and they were recognized by the West. In 1992, Bosnia and Herzegovina proclaimed its independence and the war between

71 Gheorghe I. Bodea, Vasile T. Suci, Ilie I. Pușcaș, *Administrația militară horthystă în nord-vestul României (The Horthyst Military Administration in North-West Romania)*, Editura Dacia, Cluj-Napoca, 1988, p. 65

72 Bodea, *op. cit.*, pp. 129-131

73 *Ibid.*, p. 138

74 Theodore I. Geshkoff, *Balkan Union: A Road to Peace in Southeastern Europe*, Columbia University Press, New York, 1940, p. 57

Muslims, Serbs, and Croats lasted for three years. After the Dayton agreement of 1995, Belgrade had to withdraw its troops and accept the situation, dominated by the US intervention and deployment of NATO troops. Meanwhile, in 1993, Macedonia separated peacefully from the federation, becoming an independent state.

After the deployment of NATO troops in Kosovo following the 1999 military intervention, Serbians saw their territory diminish even more with the ensuing independence of Montenegro in 2006. In a period of 15 years, the Yugoslav federation was completely dismantled, something which would have seemed almost impossible to most people three decades ago. This was the result of a deficient nationalist policy applied by authorities in the former Yugoslavia after Tito's death. It had overemphasized Serbian predominance over the federation (Serbia being the largest country amongst the member nations), thus fostering a process of reactive actions from the other co-existing nations. This mistake was paid in full by the Serbians who were reduced to a minimal territory, with many significant Serbian minorities left in the new independent states. It is an example of how politicians must not behave if they don't want to lose everything (Milosevic eventually died in prison in The Hague on March 11, 2006).

During these difficult times, Romania, understanding from its own experience that Serbia must be supported at least by its former allies, chose not to recognize Kosovo as an independent nation, thus protecting Serbia's territorial integrity. Even if, during the last 20 years, it had chosen a different approach towards ethnic minorities, Romania does not support secession on ethnic grounds. Its own model of ethnic co-existence has been based on granting national minorities full rights within the state of origin, at least after 1996. Thus, in the Romanian Parliament, within the Chamber of Deputies, 18 places are allocated to representatives of each recognized national minority. Moreover, since 1996, the Hungarian Democratic Union has participated in or has supported virtually all Romanian governments. The party managed to obtain leading positions in the national government (up to the ministerial and deputy prime minister levels) and also at the local administration, where the Hungarian population is represented by ethnic Hungarians and is able to use its native language at all levels.

This is not yet the case in Serbia, with the exception of Vojvodina, and this is an area where an improvement is necessary. It also concerns the 40,000 Vlachs living in the Timok Valley, who suffer from a process of forced assimilation by the Serbs⁷⁵. In Kosovo, the situation has improved, but rather late, while Serbs in the northern part still choose not to participate in the new constitutional setting. The new Serbian

75 9AM, „Vlahii din Timoc refuză să renunțe la graiul românesc” („The Timok Vlachs refuse to give up their Romanian mother tongue”) in *9AM*, 17 martie 2007, <http://www.9am.ro/stiri-revista-presei/2007-03-27/vlahii-din-timoc-refuza-sa-renunte-la-graiul-romanesc.html>, accessed on 25 January 2010

Constitution represented a step forward but it also happened very late, when probably the point of no return had already been crossed by both Kosovo Serbs and Albanians.

Romania's current position on Kosovo

In spite of its status as EU and NATO member state, Romania chose not to recognize Kosovo, even if this position is supported only by a minority of EU Member States. However, like other countries that do not recognize Kosovo (such as Russia or China), Romania has a liaison office in Pristina, which is closely related to its EULEX presence.

Romania has chosen to defend a position which is in conformity with its national policy both internally and externally. Internally, Romania opposes the formation of ethnic states, thus promoting a civic type of nationality that includes all ethnic minorities. It envisages all people living in a state having equal rights, irrespective of ethnic origins, and considers that any separate developments of any one group hurts the coherent development of the state as a whole. To this end, Romanian authorities continue to reject territorial autonomy according to ethnic principles, as supported by some radical leaders of the Hungarian Democratic Union.

Externally, Romania has supported, since 1955 and its accession to the United Nations, the principle of inviolability of frontiers established after 1945. This principle was strengthened at the European level by the adoption of the Helsinki Final Act in 1975, and was seen as the only way of preventing inter-state wars on the European continent. It also included some of the decisions taken on the occasion of the Versailles Treaty of 1919-1920, which was the basis of existence of the current Romanian state within most of its present borders, and jointly accepted and supported for a long time by Bucharest and Belgrade (as opposed to Sofia, Tirana, and Budapest, which were revisionist capitals during the interwar period). An exception to the principle of inviolability of frontiers was the acceptance of separation amongst states making up a federation, such as the USSR, Czechoslovakia or Yugoslavia (between the constituent republics). In the case of Kosovo, during its existence its official maximum status has been at the level of "Autonomous Region within Serbia". Therefore, internationally, Romania cannot support but this status, remaining true to the principles it had previously adopted.

It could be argued that any people have the right to self-determination, according to article 1 (2) of the UN Charter⁷⁶. However, this article cannot be interpreted without taking into account article 2 (7), which provides that "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are

⁷⁶ UN, *Charter of the United Nations* in <http://www.un.org/en/documents/charter/index.shtml>, accessed on 25 January 2010

essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter” and constitutes a basis for international law among countries. Romania considers that any breach (or *sui generis* interpretation) of the democratic sovereignty of countries can threaten the whole peaceful framework that currently exists throughout the world, creating the basis for an arbitrary intervention by stronger states over weak ones, and eliminating all positive developments since 1945. In fact, such events have already happened, by way of Russia’s illegal intervention over sovereign parts of Georgia, using Kosovo’s case as a precedent. In view of such cases, Romania’s national interest is the ultimate determinant in the country’s position towards other international subjects. Fearing a threat to its own sovereignty, Romania has chosen not to recognize Kosovo and instead favours a preservation of the *status-quo ante*. Only history will tell if this was the right decision, but in any case, taking into account past experiences, it can only be concluded that it was the logic decision.

Recommendations

The official recommendation of the Romanian state concerning Kosovo is that the issue must be settled through direct negotiations with Belgrade. As the matter is very complex, this recommendation is hard to be implemented. However, there are also other means of bridging the communication gap, which can be found at the civil society level.

One of the means of communication at the level of civil society is the inclusion of representatives from both Romania and Kosovo in joint regional groups. During the last years, there have been several such initiatives fostered by various international organizations, like the Geneva Centre for Democratic Control of Armed Forces (DCAF) initiative called *Young Faces Network*, which took place in the period 2005-2010. Another initiative was the 2006 *Balkan Mosaic* series of seminars concerning a Regional Security Strategy, which was supported by the Atlantic Treaty Association (ATA) and the Norwegian Ministry of Foreign Affairs. A Regional Programme organized in 2006-2007 by the Bulgarian School of Politics called *Political Debate in South-eastern Europe*, which included participants from Romania together with participants from the whole Balkan area (including Kosovo), is another such example.

An on-going dialogue at the civil society level is also supported by the members of Bucharest’s “Ovidiu Sincai” European School and the Pristina Institute for Political Studies (PIPS) within the European Association of the Schools of Political Studies, an initiative supported by the Council of Europe. In the framework of this network, in November 2009, a delegation of four representatives of the Romanian school participated at the conference *Challenges Ahead and Opportunities of the Balkans Region*, organized by PIPS in Pristina.

Another opportunity of communication between Kosovo and Romania presents itself through the important presence of Albanian minorities and students in Romania. The Albanian minority in Romania comprises 4.670 people, mainly living in Bucharest and the southern part of the country. They are represented in the Romanian Chamber of Deputies by one member of the Association League of Albanians of Romania. Furthermore, the Romanian government annually offers scholarships to Albanian citizens coming from or having ancestors within the Vlach community from Albania. Some of them have chosen to remain in Romania and developed close ties with their country of origin.

However, the critical point of all discussions reaches one significant difficulty: the position of Serbia. That is why, without addressing the relationship with Belgrade, any significant progress in the relationship with Romania will be prevented in the long term. The main mistake of all strategies applied so far by Belgrade and Pristina has been the zero-sum approach in which each side wants to achieve its goal over the other. However, no emphasis has been made on the issues which unite both sides, such as their aspiration to become EU member states and economic prosperity.

This is why, one major recommendation for the Kosovars would be to organize a civil society cooperation campaign with Serbian NGOs to show that, regardless of the position of their governments, ordinary people on both sides are not naturally-born enemies and to prove that this incomplete image is only generated by a historically-biased approach of the realities.

Another recommendation would be to try to prevent the development of any campaigns by one side or another that aim to ignore the existence and position of the other. By acknowledging each other as worthwhile discussion partners, both sides could overcome the dialogue barrier and identify the main issues of contention. After this exercise, they should be able to jointly decide if these differences are truly irreconcilable, or if they can possibly be overcome by a mutually advantageous compromise in the spirit of modern and contemporary diplomacy.

Finally, the aggressive promotion of one party's position against the other can constitute a major obstacle to proper communication between civil society organizations on both sides. One should acknowledge that political institutions are not the only instruments in bilateral communication processes, and that civil society initiatives can be as good, if not better, in overcoming differences. Once a positive relationship is established at the civil society level, there might be a better chance for the mutual recognition of at least parts of the other side's principles.

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Greece



Greece – Kosovo

A complex relationship

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Introduction

Since the 1990s crisis in the former Yugoslav Federation, and the increasingly assertive and successful campaign by Kosovo Albanians for separate state structures, Kosovo has become an actor on the international scene. Initially in the form of a movement for independence that gained international sympathy and support, later as a United Nations-administered entity, and today as a partially recognised independent state, Kosovo, in any shape described above, has had a voice in the international arena.

Greece too, even though a non-recogniser, has developed substantive relations with Kosovo pursuant to the leading role the former aspires to play regionally. These relations, usually overshadowed by the much reiterated special Greek-Serbian relationship, are often described as cautious or peripheral. However, a closer examination, such as the one attempted in this paper, sheds light on this little known relationship and suggests that Greece is interested in fostering ties with Kosovo at least as much as it is with the rest of its Balkan neighbours.

This paper aims to provide a brief overview of the recent history and the current relationship between Athens and Pristina. It attempts to offer insights about the foundations of this relationship’s complexity, as well as provide some basic information about its various features (political, institutional, economic, societal). The paper is a work in progress and calls upon the scholarly and policy research communities to invest more time and resources into the study of the relationship between Greece and Kosovo. Despite their close geographic proximity, both countries still need to learn more about each other.⁷⁸

⁷⁷ The authors would like to thank Theodore Couloumbis, Thanos Dokos, Evangelos Kofos and Alexandros Mallias for invaluable comments on earlier drafts of this paper and the A3 Directorate for Balkan affairs of the Hellenic Ministry of Foreign Affairs for helpful information. Needless to say, the authors alone are responsible for any errors.

⁷⁸ Beyond the immediate post-1999 war period when several books on the Kosovo conflict were published,

PART I: Greece and the Kosovo war

Greece, in full alignment with the initial Western policy, sought to prevent the breakup of the Yugoslav Federation. When, despite international efforts, the country started to violently disintegrate, the developments presented a shocking experience for Greece. The Yugoslav collapse altered the power balance in the Balkans. Additionally, the competition of elites over national borders, and the emergence of a new state bearing the same name as its adjacent Greek province, raised fears in Greece that its own country might also be carried away by the revisionist wave. Greek perceptions of the developing Balkan crisis were also tainted by what was at that time seen as an attempt of the Turkish diplomacy to forge an Islamic branch in the new Balkans. Greek political elites quickly adopted a defensive posture, which made the adjustment to the new Balkan realities slower. In this context, Greece viewed the breakup of Yugoslavia as a threat to stability and consequently initially aligned itself with Belgrade, which was at first perceived as a status quo force. This laid the foundations for the establishment of a Greek-Serbian understanding that was often seen internationally as an alliance. While this was not an unjustified assumption, it was essentially an exaggeration, as Greece never effectively opposed Western policies developed in response to the wars in Croatia and Bosnia-Herzegovina.

When the Kosovo crisis escalated later on in the decade, Greece's Balkan foreign policy had already dramatically changed. Already between 1994-95, and especially after the dispute with FYROM over the use of the name 'Macedonia' reached its zenith, Greece's Balkan policy started changing. Soon thereafter, a new genre of politicians in top governmental positions introduced a pragmatic and outreaching foreign policy.

there are a number of studies by Greek academics attempting to shed light on the largely unknown neighbour and the Kosovo crisis at large. See for example, amongst others, Ιωάννης Αρμακόλας: "Ισλάμ, μειονότητες και πολιτική αστάθεια στην πρώην Γιουγκοσλαβία (Ισλαμιστική τρομοκρατία, καθεστώς Κοσόβου, Σερβία)", *Defence Analyses Institute*, unpublished report, 2007; Ιωάννης Αρμακόλας & Θάνος Ντόκος "Εισαγωγή-1999-2009: Τα Βαλκάνια μεταξύ ρευστότητας και σταθεροποίησης" in Ιωάννης Αρμακόλας & Θάνος Ντόκος (eds.), *Από τα Βαλκάνια στη Νοτιοανατολική Ευρώπη: Προκλήσεις και προοπτικές στον 21^ο αιώνα*, Σιδέρης, 2010; Alexis Heraclides: "The Kosovo conflict and its resolution: In pursuit of Ariadne's thread", *Security Dialogue*, Vol.28, No.3, 1997, pp.317-331; Alexandros Mallias: "Kosovo after the Hague", *ELIAMEP* Thesis 6/2010, November 2010; Παντελής Σκλιας & Φώτης Βλάχος, "Η πρόκληση της επιστροφής: Η επανεγκατάσταση των προσφύγων στο Κόσοβο" in Νικόλαος Τζιφάκης & Αστέρης Χουλιάρης (eds.), *Η διεθνής αναπτυξιακή βοήθεια στα Βαλκάνια – Οι αντιφάσεις της γενναιοδωρίας*, Παπαζήσης, 2007; Δημήτρης Σωτηρόπουλος: "Κόσοβο, 1999-2005: Αδιέξοδα και εναλλακτικές λύσεις", *Αγορά Χωρίς Σύνορα*, Vol.11, No.3, 2006, pp.243-258; Dimitrios Triantaphyllou (ed.), *What status for Kosovo?*, Chaillot Papers No. 50, Institute for Security Studies, 2001; Aristotle Tziampiris, *Kosovo endgame: Sovereignty and stability in the Western Balkans*, Defence Analyses Institute, 2006; Aristotle Tziampiris: "Kosovo's future sovereignty: A role for the European Union", *Southeast European and Black Sea Studies*, Vol.5, No.2, 2005, pp.285-299; Νικόλαος Τζιφάκης & Ευστάθιος Φακιολάς: "Κυριαρχία, ανθρώπινη ασφάλεια και ανθρώπινη ανάπτυξη: Μια εναλλακτική προβληματική για την διευθέτηση του τελικού καθεστώτος του Κοσόβου", *Αγορά Χωρίς Σύνορα*, Vol.12, No.1, 2006, pp.3-25; Thanos Veremis & Dimitrios Triantaphyllou (eds.), *Kosovo and the Albanian dimension in Southeastern Europe: The need for regional security and conflict prevention*, ELIAMEP, 1999; Thanos Veremis & Evangelos Kofos (eds.), *Kosovo: Avoiding another Balkan war*, ELIAMEP & University of Athens, 1998

However, this change had yet to transfer into the Greek society, as well as large parts of the intellectual and political elites, who continued to employ the same analytical framework when looking at the renewed Yugoslav crisis.

Greek public opinion and the Kosovo war

Detailed table of negative and positive stereotypes as reported in 4 Greek daily newspapers

	22-26/3/'99		15-18/4/'99		16-19/5/'99		Total	
	-	+	-	+	-	+	-	+
NATO	19	0	60	2	48	2	127	4
USA	22	0	43	0	34	0	99	0
Clinton	19	0	21	0	5	0	45	0
Milošević	9	0	55	0	41	2	105	2
EU	13	0	15	0	14	0	42	0
the war	53	1	158	1	78	1	289	3
Albanians	6	2	20	29	14	15	40	60
Serbs	0	9	0	16	0	9	0	34

In the late 1990s, the mobilization of the international community decisively prevented a new descent into a protracted war in the Balkans by intervening in the conflict between Milošević's regime and the Kosovo Albanian insurgency. In contrast to the situation in other Western countries, Greek society remained strongly opposed to Western military intervention. NATO's decision to launch an air offensive to stop violence in Kosovo without explicit UN authorisation, was met with strong disapproval by Greek public opinion. Opinion polls throughout NATO's campaign indicated that Greek popular condemnation of the international intervention ranged between 92-97%.⁷⁹ Moreover, public opposition was active in the form of frequent mass demonstrations in big Greek cities.⁸⁰

The media, often using inflammatory language, played a decisive role in shaping negative public opinion.⁸¹ This stance was clearly different from the public opinion attitudes expressed in other NATO countries, and from the official line of the Greek government (as we will see later). Making use of material provided by Serbian sources, a few Greek media outlets treated Milošević's regime favorably; but even those that didn't, reached the conclusion that bombing was not the adequate response to Milošević's policies.⁸² The predominant narrative was the victimization of the Serbs by NATO and its political and military leadership, whose image was presented in a very

79 Σωτήρης Ντάλης, *Η Κρίση στο Κόσοβο: η Ελλάδα, η Διεθνής Κοινότητα και τα ΜΜΕ*, Εκδ. Παπαζήση, 1999, p. 194

80 Carol Migdalovitz: "Kosovo: Greek and Turkish Perspectives", *CRS Report for Congress*, 27 May 1999, p.3

81 Margarita Kondopoulou: "The Greek media and the Kosovo crisis", *Conflict & Communication online*, Vol. 1, No.2, 2002, p.2

82 *Ibid.*, p.4, 6

negative way. Interestingly, the image of the Albanians was only occasionally negative, especially in the right-wing press which raised the fear of an unmanageable influx of refugees.⁸³ According to a quantitative analysis of the Greek press coverage vis-à-vis the Kosovo crisis in the beginning, the middle, and towards the end of the bombing campaign, the war, NATO, Slobodan Milošević, the United States, American President Bill Clinton, and the EU were linked to almost exclusively negative stereotypes; Albanians had slightly more positive than negative stereotypes, while Serbs were only viewed positively. Interestingly, as time progressed, the negative references to Clinton dropped, while similar references to Milošević multiplied (see table).⁸⁴ Another favourite subject of the Greek media at the time was the accusation of biased reporting leveled against Western media, while self-criticism on the part of the Greek media was negligible.⁸⁵

Influential individuals and institutions also helped to shape the specific attitude of Greek public opinion, including certain elements within the Orthodox Church and academia. Even the President of the Republic, who in Greece holds a largely ceremonial role with no executive functions, made the following statement: “The entire Serbian people, bravely and proudly struggling for their rights, have our sympathy”.⁸⁶ What was important in the establishment of this ‘popular unity’ front, is that nearly all political sides on the ideological spectrum found reasons and arguments to join in. For the religious-affiliated right it was the suffering of fellow Orthodox Serbs, for the liberal center it was a direct threat to the stability and prosperity of the broader region, and for the left it was the ‘New World Order’s’ blatant exercise of neo-imperialist power.⁸⁷

Greek opinion makers dismissed the humanitarian motives of the intervention and suggested instead that humanitarianism was the pretext for Western plans to further fragment Yugoslavia.⁸⁸ The anti-American sentiment, mainly among leftist groups, nourished by memories of America’s embrace of the Greek military dictatorship

83 Ibid., p.6-7, 9

84 Χριστόδουλος Γιαλλουρίδης, Βιβή Κεφαλά, *Κόσσοβο: η εικόνα του πολέμου – όψεις σύγχρονου μιλιταριστικού ανθρωπισμού*, Ι. Σιδέρης, 2001, p.142

85 Γιάννης Παντελάκης: “Η μάχη της «πληροφόρησης»”, Σωτήρης Ντάλης, *op. cit.*, p.128-131; Τραϊανός Χατζηδημητρίου: “Ο πόλεμος, η γεωοικονομία και η Θεσσαλονίκη”, Σωτήρης Ντάλης, *op. cit.*, p.186-187

86 Carol Migdalovitz, *op. cit.*

87 Margarita Kondopoulou, *op. cit.*, p.2-3, 7, 10; Λεωνίδα Κύρκος: “Ο ρόλος της Αριστεράς” in Σωτήρης Ντάλης, *op. cit.*, p.85-87; Δημήτρης Σωτηρόπουλος: “Η κοινωνία πολιτών και ο πόλεμος” in Σωτήρης Ντάλης, *op. cit.*, p.179

88 Margarita Kondopoulou, *op. cit.*, p.2, Costis Hadjimichalis: “Kosovo, 82 Days of an Undeclared and Unjust War: A Geopolitical Comment”, *European Urban and Regional Studies*, 2000, p.177; Keith Brown, Dimitrios Theodosopoulos: “The performance of anxiety: Greek narratives of war in Kosovo”, *Anthropology Today*, Vol.16 No1, February 2000, p.5. For responses to these anti-interventionist arguments from the viewpoint of humanitarian intervention and the ‘responsibility to protect’, see Αλέξης Ηρακλείδης: “Από τη Ναυμαχία του Ναυαρίνου στην επέμβαση στο Κόσσοβο”, *Newstime.gr*, 24 March 2010, (<http://www.newstime.gr/?i=nt.e.l.article&id=37413>); Αλέξης Ηρακλείδης: “Απολογισμός για το Κόσσοβο”, *Τα Νέα*, 14 April 2010, available at (<http://www.ananeotiki.gr/el/readRelated.asp?intThemeID=58&textID=4521>)

(1967-'74), was strong. Furthermore, some opinion makers feared that the Kosovo model of secession might in the future be applied to the case of Cyprus.⁸⁹

Additionally, one can mention some of the more exaggerated fears and concerns that were raised by Greek media and opinion makers. For example, due to Greece's geographical proximity to the war battleground, some were concerned about the effects of environmental pollution; at a later point concerns about the effects of depleted uranium used in NATO's weaponry were also added.⁹⁰ Some interpretations viewed the Kosovo war as an American attempt to undermine the emergence of the European Union as a powerful actor in world politics, to distract the American public's attention from the Lewinski affair, or to materialize the Greater Albania plans.⁹¹ Last but not least, though less frequent, concerns were heard about the potential resettlement of Kosovar refugees into Southern Albania, which as a consequence would alter the demographic balance in the territories inhabited by a Greek minority.⁹²

Greek government: tough choices under difficult circumstances

The Greek government, headed by Costas Simitis at that time, was operating under serious constraints. On the one hand, it had several reasons to be concerned about the war and its effects. Apart from the public opinion's opposition to the war, the government also feared that an escalation of violence in the region might cause a sharp decrease in foreign investment, tourism, and export revenues of the Greek economy, and, consequently, derail its national bid to join the European Monetary Union.⁹³ Additionally, the government feared that a full-scale war and a possible change of geographical borders might cause a domino effect in the region. Hence, Greek diplomacy was adamantly opposed to any border changes and remained a status quo power par excellence.⁹⁴ In this context, Greece engaged in intensive diplomatic efforts before the military intervention and towards its end to strengthen the chances of a peaceful solution.⁹⁵

On the other hand, the Greek government did not want to be at loggerheads with its NATO allies. Prime Minister Costas Simitis of the Socialist Party (PASOK) held that vetoing NATO's decision to intervene in Yugoslavia would have certainly marginalized

89 Georgios Kostakos: "The Southern Flank: Italy, Greece, Turkey", Albrecht Schnabel, Ramesh Thakur (ed.), *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action and International Citizenship*, United Nations University Press, 2000, p.171

90 Ibid., p. 175-176; Margarita Kondopoulou, op. cit., p.5

91 Keith Brown, Dimitrios Theodossopoulos, op. cit.; Costis Hadjimichalis, op. cit., p.179-180

92 Margarita Kondopoulou, op. cit., p.6

93 Carol Migdalovitz, op. cit., p.2-3

94 Margarita Kondopoulou, op. cit., p.2; Georgios Kostakos, op. cit., p.168

95 Carol Migdalovitz, op. cit., p.2, 6

Greece, something he had struggled to avoid throughout his whole mandate.⁹⁶ Especially as time passed, Greek politicians realized that if Greece were to be associated with Serbia, it would lose international support for its own vital foreign policy issues.⁹⁷ In his speeches, PM Simitis clearly stated the rationale that his foreign policy employed: “To address the risks in the region we have to cooperate with EU countries, but also to preserve our role in NATO. We are not alone in the world. We operate under specific circumstances, often shaped by others. We need to carefully observe our national interest. Turkey lurks to fill in the gap that a possible Greek detachment from the developments will create. We will not allow this”⁹⁸

However, convincing his country people to consent to the military campaign was not an easy task.⁹⁹ Simitis’s government was already weakened due to having to shoulder the political cost of the austerity measures and the mishandling of the Abdullah Öcalan crisis. During the latter, the leader of the militant Kurdistan Worker’s Party, who was wanted by Turkey, found refuge in the Greek Embassy in Nairobi shortly before he was apprehended by the Turkish secret services. Additionally, despite Simitis’s re-election to the party presidency, his intra-party rivals, some of whom comprised the party’s uncompromising faction on foreign policy issues, had retained a sizable share of power and influence within PASOK and the government.¹⁰⁰

Despite these internal difficulties, the government gave its consent to NATO’s military intervention against Yugoslavia. It even refrained from adding a non-blocking dissenting footnote under its signature, thus distancing itself from the so-called ‘asterisk policy’ of previous socialist Prime Minister Andreas Papandreou.¹⁰¹ At the same time, the government decided that no Greek troops would participate in any enforcement operation in Kosovo.¹⁰² For the pragmatic Greek government of the time, the decision to support military intervention made absolute sense in terms of the actual situation on the ground in Kosovo, and the general goal of its pro-Western foreign policy. But this policy, no matter how well it was received abroad, did not come without consequences and political costs inside Greece. Going against the wishes of the overwhelming majority of Greek public opinion, which had mobilized against NATO’s intervention in Yugoslavia, politically weakened the Simitis government and solidified its popular image as an excessively pro-American and pro-Western force.

96 Κώστας Σημίτης: “Εξωτερική Πολιτική της Ελλάδας: Εξελίξεις και Προοπτικές”, Θ. Κουλουμπής, Δ. Τριανταφύλλου, *Ανασκόπηση Αμυντικής και Εξωτερικής Πολιτικής ’99 - Η Ελλάδα και ο κόσμος 1998-99*, Παρατηρητής - ΕΛΙΑΜΕΠ, 1999, p.23-28

97 Ibid.; Margarita Kondopoulou, op. cit.

98 “Κ. Σημίτης: Διάγγελμα υποτέλειας σε NATO - ΕΕ”, *Ριζοσπάστης*, 6 April 1999, p.6

99 Georgios Kostakos, op. cit., p.175

100 Carol Migdalovitz, op. cit., p.3

101 Georgios Kostakos, op. cit., p.176

102 Ibid., p.167

Greece's facilitation of NATO military operations in Yugoslavia

Within its tight action framework, the Greek government fulfilled its conventional NATO obligations. Upon inception of military operations in Yugoslavia, Greece kept its ports and fuel lines open and a Greek destroyer was at NATO's disposal on the Adriatic patrol.¹⁰³ Aktion air base was provided to the allies for AWACS flights throughout the military campaign. Moreover, Greece gave permission for Turkish humanitarian aid flights to cross its airspace, but excluded fighter aircraft and supply planes. The Thessaloniki-Skopje-Pristina road became the main land supply route for NATO troops. Thessaloniki was also given a prominent role as the main docking port for NATO forces. In return, the Alliance chose the Greek Macedonian port as the primary rest and relaxation center for its soldiers in an effort to ease Greek government concerns about the dire effects of military operations on Greece's economy.¹⁰⁴ Although Greece did not participate in the military campaign per se, it carried out conflict containment functions in neighboring countries (Albania and FYROM), mainly by managing the influx of refugees.¹⁰⁵ In that context, Greek troops did participate in NATO's Operation Allied Harbor, whose mandate was to assist in the reception of refugees in Albania.¹⁰⁶ Overall, Greece's involvement in the Kosovo war reflects a balancing act between the conflicting pressures emanating from the choices of its NATO allies and the disposition of Greek public opinion.

Greece's humanitarian aid and refugee assistance

Presenting itself as a peaceful regional actor, Greece assumed a key role in humanitarian relief during the Kosovo war. Greece demonstrated a particular interest in providing humanitarian aid, an effort which was consistent with the Greek society's call for alleviating the human suffering of the Kosovo war. As such, Greece's humanitarian endeavors were aimed at assisting both sides of the conflict. Thanks to Greece's overall attitude toward the war, Yugoslav authorities treated Greek humanitarian agencies favorably and did not regard them with suspicion.¹⁰⁷ This allowed Greek NGOs to perform their humanitarian duties unobstructed. As a result, a Greek medical group was the first foreign humanitarian aid NGO to receive permission to operate inside Yugoslavia less than a month after the beginning of NATO's operations.¹⁰⁸ Greece, together with Austria, Russia, Switzerland, and the International Red Cross Committee, formed *FOCUS*, a group that organized the first humanitarian mission which arrived in

103 Karen Donfried: "Kosovo: International Reactions to NATO Air Strikes", *CRS Report for Congress*, 21 April 1999, p.4

104 Georgios Kostakos, op. cit., p.170

105 Ibid., p.174-175

106 Karen Donfried, op. cit.

107 Georgios Kostakos, op. cit., p.173

108 Karen Donfried, op. cit.

Pristina during the war and the bombing campaign.¹⁰⁹

Very shortly thereafter, a 100-ton humanitarian aid package donated by Greece arrived in Pristina. It was the first foreign government donation aimed at displaced persons in Kosovo.¹¹⁰ Distributed aid was given either directly by state agencies or through NGOs to Yugoslavia itself, as well as to Albania and FYROM, the countries that received the largest influx of Kosovar refugees. The Greek state spent a total sum of \$1 million for relief inside Yugoslavia, divided between Serbia and Montenegro in a 2:1 ratio, while an even larger amount (\$1.8 million) was spent on financing projects run by Greek NGOs. In Albania and FYROM, less money was allocated to NGO-run initiatives (\$0.8 million), but direct state assistance was more than 10 times as much (almost \$11 million), pursuant to the close cooperation Greece had established from the very beginning of the war with the respective governments¹¹¹. Although Greek aid was also directed towards people suffering from the bombings at home (primarily Serbs),¹¹² the amount of resources allocated to refugees (primarily Albanians) in Albania and FYROM represents the largest Greek humanitarian campaign of all times.¹¹³

With regards to hosting refugees in its own territory, Greece had initially offered to shelter 5,000 people. However, following the failure to reach an agreement on recipient states' quotas at the European level, this promise was never actually met.¹¹⁴ After all, some xenophobic circles in the country were not happy with the idea of a further increase of the Albanian presence in Greece, adding to the already high numbers of immigrants from Albania.¹¹⁵ In fact, official national statistics registered zero refugees from Kosovo in 1999, although there was a small Kosovar Albanian presence in the country. Instead, along with several European partners, Greece opted for the 'remain close to home' policy. In this framework, Greece ran three refugee camps in Albania: the entire camp in Pogradec,¹¹⁶ a camp close to Tirana 'the only one with prefabricated houses', and a small one in the Kukës area, close to the refugee entry points. Apart from these initiatives, Greece offered the Thessaloniki airport for air transportation of several Kosovo refugees to overseas destinations.¹¹⁷

109 Authors' interview with Mr. Alexandros Mallias Ambassador (ad Hon.), who was the Greek Ambassador to Albania at the time of the Kosovo crisis.

110 Greek humanitarian aid arrives in Kosovo capital, Agence France-Presse, 25 April 1999 (<http://reliefweb.int/node/46120>)

111 Nikos Ziogas: "Greek Humanitarian Contribution to the Kosovo Crisis", *Hellenic Resources Network* (<http://www.hri.org/MFA/thesis/spring99/humanitarian.html>)

112 Georgios Kostakos, op. cit., p.168

113 Authors' interview with Mr. Alexandros Mallias Ambassador (ad Hon.)

114 Georgios Kostakos, op. cit., p.173

115 Carol Migdalovitz, op. cit.

116 Joanne van Selm (ed.), *Kosovo's Refugees in the European Union*, Printer, 2000, p.218

117 NATO Kosovo Force (http://www.nato.int/kfor/structur/nations/placemap/kfor_placemat.pdf)

PART II: Relationship between Athens and Pristina

Contrary to common belief, the relationship between Greece and Kosovo is far from marginal. Greek-Kosovar relations have not obtained much publicity, but they do exist and move forward according to the interests and objectives of both sides. In this section, we attempt to provide an overview of the main aspects of the bilateral relationship between Athens and Pristina from the period of the Kosovo war to this day. The subsequent segment will deal more specifically with the question of Kosovo's declaration of independence.

Greece's contribution of human and material resources to Kosovo

Greece has kept a visible presence in all international missions in Kosovo. Throughout its history, UNMIK has included Greek nationals among its ranks. However, Greece made a more notable contribution to KFOR: it provided 1,500 soldiers upon deployment (when the mission counted around 40,000 personnel). The Greek contingent of KFOR has since been reduced together with the downsizing of the overall mission, and currently counts 245 persons. This makes Greece the 9th largest (out of 30) contributor in terms of personnel, only behind big partners (like Germany, the US, Italy, and Turkey) and Austria and Slovenia, countries that also lay claim to a greater role in the region.¹¹⁸ Overall, according to a knowledgeable source, a total of 11,000 members of the Hellenic Armed Forces have served in KFOR on a rotating basis, having gained valuable field experience.¹¹⁹ However, Greece's presence in EULEX is less prominent. With a staff of 35, Greece is almost the median contributor (15th out of 32).[®]

Table 1: The allocation of HiPERB funds by recipient country¹

HiPERB countries	Country total (in €)	Per capita total (in €)
FYROM	74,840,000	36.50
Serbia	232,500,000	31.95
Montenegro	17,500,000	27.99
Albania	49,890,000	15.62
Kosovo	15,000,000	8.22
Bulgaria	54,290,000	7.37
Bosnia and Herzegovina	19,530,000	5.08
Romania	70,430,000	3.22
Management / Administrative costs (2.91%)	16,020,000	
Total:	550,000,000	11.44

¹¹⁸ Authors' interview with Mr. Alexandros Mallias Ambassador (ad Hon.)

¹¹⁹ EULEX Staff Info (<http://www.eulex-kosovo.eu/en/info/StaffInfo.php>)

In response to the special conditions prevailing in the Balkan region, and in the context of Greece's obligations as member of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD), in 2002 Athens launched a direct economic assistance programme.¹²⁰ The goal of the Hellenic Plan for the Economic Reconstruction of the Balkans (HiPERB), as it was named, was to boost development in the neighboring countries in order to contain the negative effects of the war from spilling over to the rest of the region.¹²¹ Originally drawn up for a five year period (2002-2006), HiPERB's timeframe was later extended for another five years to 2011. The provisions of HiPERB reflected the special interest that Greece had in the stability and development of FYROM and Serbia, as key components of regional security. The high levels of pledged HiPERB funds for FYROM and Serbia also reflected the increased interest that Greek investors had in these two countries. Nevertheless, it is important to point out that from as early as 2002, Kosovo was a separate entry on the recipient list and the total of €15 million allocated to Pristina constituted a pledged donation of approximately €8.22 per capita. Unfortunately, due to the slow levels of absorption from the recipients, along with the inadequate implementation by the Greek side, HiPERB was much less successful than it had been expected to be at its inception.¹²² The public debt crisis in Greece will likely prevent the completion of the project.¹²³

Bilateral governmental communication

Apart from Greece's contribution of human and material resources to Kosovo, both countries also communicate at the institutional level. Although Greece has not recognized Kosovo as an independent state, its policy is to keep communication channels open to improve social and economic conditions. Therefore, their bilateral relationship is fully normalized: Athens regularly talks with Pristina, it accepts several documents issued by the Kosovar authorities, and has not objected to Kosovo's communication with and inclusion in international bodies.

In that context, although Greece does not formally recognize the Kosovar passport, its holders can travel to the country with a national (not Schengen) visa issued on

120 Ibid.

121 For details on the HiPERB, see Charalambos Tsardanidis & Evangelos Karafotakis: "Greece's Economic Diplomacy towards the Balkan Countries", *Perceptions – Journal of International Affairs*, Vol.V / September-November 2000; Μιχαήλ Χαροκόπος: "Το ελληνικό σχέδιο για την οικονομική ανασυγκρότηση των Βαλκανίων (ΕΣΟΑΒ)", *Αγορά Χωρίς Σύνορα*, Vol.11 No.4 2006, p.380-398; Αστέρης Χουλιάρης: "Τα επτά παράδοξα της ελληνικής κρατικής αναπτυξιακής βοήθειας", *Αγορά Χωρίς Σύνορα*, Vol.9 No.2 2003, p.91-104

122 Χαράλαμπος Τσαρδανίδης, Αστέρης Χουλιάρης: "Η άνοδος και η πτώση του Ελληνικού Σχεδίου για την Οικονομική Ανασυγκρότηση των Βαλκανίων", *Αγορά Χωρίς Σύνορα*, Vol.11 No.1 2005, p.34-58

123 Σχέδιο διάσωσης του ΕΣΟΑΒ, Voria.gr, 21 January 2011 (<http://www.voria.gr/index.php?module=news&func=display&sid=37812>) Apostolis Fotiadis: "Economy: Greek Crisis Impacts the Balkans", ipsnews.net, 20 March 2010 (<http://ipsnews.net/news.asp?idnews=50734>)

a separate sheet of paper.¹²⁴ Cars with Kosovo registration plates are also allowed entry into Greece provided they have green card insurance. With regards to the movement of goods, since 2009, Greece unilaterally applies ad hoc arrangements of a practical nature: indication “Kosovo/1244” is required to be included in documents accompanying incoming and outgoing goods and transports; furthermore the transport of Greek and Kosovar products is allowed bilaterally by trucks bearing plates of Greece or Kosovo (with a green card), but not by vehicles of third countries. The importance Greece attributes to its presence in Kosovo is also evidenced by the existence of a Greek diplomatic representation in the Kosovar capital. Out of a mere 27 national diplomatic missions deployed in Pristina, Greece has its own (calling it Liaison Office), along with only four other non-recognizers.¹²⁵ The Greek office in Pristina was the first national mission to open there already in the middle of the war, under the name Hellenic Humanitarian Assistance Office. Upon establishment of the UN special administration regime, it was converted into a Liaison Office (November 1999) and was placed under the jurisdiction of the Greek Embassy in Belgrade, where the first Greek diplomats in Pristina were formally accredited. Since early 2001, every chief of mission has had an ambassadorial rank, but it was only in 2005 that the mission in Pristina was removed from the supervision of the Embassy in Belgrade. Since then, the Greek authorities in Pristina are reported (this term is used instead of ‘accredited’) to UNMIK. Reversely, Greek authorities have clearly stated that, if asked, they will grant accreditation to a Kosovar diplomatic representation, not as an Embassy, but as a Liaison Office.¹²⁶

In the cultural sphere, since February 2010, the head of the Greek Liaison Office in Pristina has assumed the additional position of EU Facilitator for the protection of the religious and cultural heritage of the Serbian Orthodox Church in Kosovo.¹²⁷ The work of Ambassador Moschopoulos, who has worn this hat since then, is evaluated positively by all sides, a consensus usually not easily reached in this part of the world.

The frequency of the high level visits between Athens and Pristina is also indicative of the positive political climate existing between both sides. Since the end of the war, almost every Greek foreign minister has paid at least one visit to Pristina, starting with former Foreign Minister George Papandreou, who embarked on a Balkan tour in January 2003 — in other words, as soon as Greece assumed the presidency of the EU. Papandreou’s Balkan visit sought to convey the message of the European Union’s support for the integration of the region into the EU. Pristina was the last stop on

124 Διμερείς σχέσεις της Ελλάδας – Κόσοβο* (<http://www1.mfa.gr/blog/dimereis-sheseis-tis-ellados/kosovo/>)

125 China, Romania, Russia, and Slovakia

126 Κύρια Αδάμ: “Κι άλλο βήμα προς αναγνώριση Κοσόβου”, *Ελευθεροτυπία*, 19 June 2008 (http://archive.enet.gr/online/online_text/c=110,dt=19.06.2008,id=26051928)

127 RADIO KiM: “Dimitris Moschopoulos – We will consult with the Serbian Orthodox Church to determine priorities and ways of protecting the religious heritage in Kosovo” – 20 February 2010 (<http://www.eparhija-prizren.com/en/media/radio-kim-dimitris-moschopoulos-we-will-consult-serbian-orthodox-church-determine-priorities-a>)

Papandreou's tour; during the visit he met with representatives of the Albanian and Serbian communities, as well as with officials of the international community.¹²⁸

Similarly, (former) Prime Minister Costas Karamanlis visited Kosovo in March 2005.¹²⁹ This represents a landmark visit, since it remains the only one conducted by a Greek Prime Minister to Kosovo to date.

Continuous Greek commitment to the final resolution of the Kosovo status issue was also demonstrated by Foreign Minister Petros Molyviatis, who visited Pristina in December 2005 as head of the unofficial EU Southeast Europe Cooperation Process (SEECPP) troika.¹³⁰ Less than 3 months later, then newly appointed Foreign Minister Dora Bakoyanni visited Pristina soon after Kosovo's final status talks were initiated in Vienna.¹³¹ Bakoyanni returned to Pristina in February 2009, when — as Chairperson-in-Office of the Organisation for Security and Cooperation in Europe — she visited the organization's mission in Kosovo.¹³²

The following year, in July 2010, a few days after the ruling of the International Court of Justice on Kosovo, Greek Alternate Foreign Minister Dimitris Droutsas, with the endorsement of his European counterparts, visited Belgrade and Pristina in an attempt to bring the two sides back to the negotiation table.¹³³ Former Greek Foreign Minister Stavros Lambrinidis also visited Pristina, where he met with local communities' representatives, encouraged the dialogue with Belgrade, and reaffirmed Greece's commitment to support the whole Western Balkan region in its European integration course.¹³⁴ While not all of the above-mentioned visits had the status of bilateral official exchanges, their occurrence strengthened the collaboration between both sides and once again demonstrated Greece's interest to play a positive role in Kosovo's development. Unsurprisingly, all Greek official visits to Pristina were preceded by a visit to Belgrade.

128 Ελένη Μπουκαούρη: "Επίσκεψη Γιώργου Παπανδρέου στην Πρίστινα", *Αθηναϊκό Πρακτορείο Ειδήσεων*, 15 January 2003 (<http://www.papandreou.gr/papandreou/content/Document.aspx?d=6&rd=7739474&f=1355&rfr=1290529066&m=3005&rm=22480569&l=2>)

129 "Περιοδεία - σφίνα Καραμανλή σε Βελιγράδι, Ζάγκρεμπ, Πρίστινα", *Ελευθεροτυπία*, 2 March 2005 (http://archive.enet.gr/online/online_text/c=110,dt=02.03.2005,id=1872616)

130 "EU Troika visited Pristina and Belgrade on Kosovo's future", *Athens News Agency*, 9 December 2005 (<http://www.greekembassy.org/embassy/content/en/Article.aspx?office=10&folder=24&article=16395>)

131 Κύρα Αδάμ: "Η Αθήνα μπροστά σ' ένα νέο κράτος: το Κόσοβο", *Ελευθεροτυπία*, 7 March 2006 (http://archive.enet.gr/online/online_text/c=110,dt=07.03.2006,id=31178072)

132 Επίσκεψη Ντ. Μπακογιάννη στο Κόσοβο - Δελτίο Ειδήσεων ΝΑ Ευρώπης (http://web.ana-mpa.gr/balkans/article.php?doc_id=595372)

133 Επίσκεψη Δρούτσα στην Πρίστινα, *Voria.gr*, 31 July 2010 (<http://www.voria.gr/index.php?module=news&func=display&sid=23501>); Παρουσίαση βασικών αξόνων εξωτερικής πολιτικής από την πολιτική ηγεσία ΥΠΕΞ στους διπλωματικούς συντάκτες - Αθήνα, 15 September 2010 (http://www2.mfa.gr/www.mfa.gr/Articles/el-GR/150910_AH2157.htm)

134 "Επαφές Λαμπρινίδη στο Κοσοφοπέδιο" *Καθημερινή*, 9 September 2011 (http://news.kathimerini.gr/4dcgi/_w_articles_politics_1_09/09/2011_455411)

With regards to Kosovars' visits to Greece, Edita Tahiri, Kosovo's Deputy Prime Minister, became the most senior Kosovar official to visit Athens in June 2011. During what the Kosovo press described as an official visit,¹³⁵ Edita Tahiri was received in the Greek Ministry of Foreign Affairs. Later on, Tahiri had a few other meetings with Greek businesspersons and academics.¹³⁶ Previously, in April 2011, Hajredin Kuçi, the Kosovar Minister of Justice, had visited Athens on the occasion of a World Bank forum in Greece. During his meeting with the Secretary General of the Hellenic Ministry of Foreign Affairs, Ambassador Yannis-Alexis Zeppos, Hajredin Kuçi requested the decrease of the car insurance fee that Kosovars have to pay when visiting Greece. He also discussed Greek investment in Kosovo, as well as bilateral collaboration in education, in particular the possibility of Greek scholarships for Kosovar students in Greece.¹³⁷ Another important visitor from Kosovo, albeit not a state official, was Veton Surroi, who gave a lecture at the Hellenic Ministry of Foreign Affairs as a guest of the Hellenic Foundation for European & Foreign Policy (ELIAMEP) in November 2010.

Overall, the institutional communication between Athens and Pristina reflects the major foreign policy goals of each side. For Greece, the frequent visits, the establishment of official communication channels, and its various initiatives, represent the country's desire to establish itself as an important regional actor; to keep a fair balance in its relations with both Belgrade and Pristina, and to contribute to the stability of its immediate vicinity through peaceful and mutually accepted solutions. Kosovo, for its part, welcomes the fact that Greece does not contribute to its isolation, despite the Greek policy of non-recognition.¹³⁸

Economic relations between Greece and Kosovo

Greece has not only kept trade channels with Kosovo open, but, more significantly, is one of its most important trading partners.¹³⁹ Even before the war, Greece imported one of the biggest shares of Kosovar agricultural products intended for non-Yugoslav markets.¹⁴⁰ In the post-war period, Kosovo exports mainly scrap metal to neighboring

135 M-Magazine: "Edita Tahiri, officially in Greece", *M-M@G*, 2 June 2011 (<http://www.m-magazine.org/index.php/en/news/kosovo/352-edita-tahiri-officially-in-greece.html>)

136 Deputy Prime Minister Edita Tahiri meets Greek Government officials - Athens, 3 June 2011 (<http://www.kryeministri-ks.net/index.php?page=2,9,2071>).

137 Muhamet Brajshori: "Kosovo builds ties with Greece on economy, EU", *Southeast European Times*, 10 September 2011 (http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/09/10/feature-01)

138 For data on the economic relationship between Greece and Kosovo, see relevant information and analysis in "Ecuritë ekonomike dhe ambienti për biznes në Republikën e Kosovës", *Kosovo Chamber of Commerce*, 2008, available at (http://www.oek-kcc.org/publikimet/publikime_te_tjera/816); "Vlera e eksportit Kosvar në Greqi nënçmuese", *Koha Ditore*, 27 August 2011, (<http://www.kohaditore.com/index.php?page=1,3,67438>)

139 Will Bartlett: "Regional integration and free-trade agreements in the Balkans: opportunities, obstacles and policy issues", *Springer Science + Business Media*, 14 October 2008, p.38

140 *Trade Policy of Kosovo*, Republic of Kosovo - Ministry of Trade and Industry, August 2009, p.9

countries, of which Greece, along with FYROM and Italy, absorb the biggest share.¹⁴¹ According to official statistics, in the period between 2003 and 2008, Greece received the 3rd largest share of Kosovo exports amongst EU states. Reversely, in the same period Greece was the 2nd largest exporter of goods to Kosovo amongst all EU states.¹⁴²

Over time, trade relations between Greece and Kosovo have increased significantly. A possible reason might be that Greece (along with Albania to a certain degree) has successfully taken over Serbia's, Montenegro's and Bosnia-Herzegovina's trade share with Kosovo after political reasons caused a decrease (or even interruption for a certain period of time) of their economic transactions.¹⁴³ A significant increase was recorded in 2007, when exports to Greece increased approximately by 118%, whereas imports from Greece increased by 71% compared to the previous year.¹⁴⁴ This sharp rise was partly due to the introduction of European standards for oil by-products into the Kosovar legislation, which resulted in a switch from FYROM, Kosovo's main provider of these by-products until then, to Greece.¹⁴⁵

Interestingly, FYROM constitutes an important parameter in the Greek-Kosovar trade relationship. The Pristina-Skopje-Thessaloniki road remains Kosovo's best land route connecting it with other countries. FYROM has entered into trade agreements with EU member states as well as ex-Yugoslav countries, which makes the country an important platform for Greek companies targeting the Kosovar market.¹⁴⁶ Additionally, there are several Greek-owned companies in FYROM that aim to export their products to Kosovo, amongst other examples.¹⁴⁷

Foreign direct investment is another crucial dimension of bilateral economic relations. However, compared with trade flows, Greek investments in Kosovo have played a less significant role in fostering bilateral economic ties. Despite the prominent presence of Greek enterprises elsewhere in the region, Greek businesspeople showed little interest in Kosovo. That said, Greek business associations have organized three visits of Greek investors to Kosovo under the auspices of the Greek MFA. They all received a warm welcome from Kosovo's political and business world.¹⁴⁸ According to 2004 data,

141 Ibid., p.12

142 Ibid.

143 Myrrete Badivuku-Pantina & Muje Gjonbalaj: "Trade Exchange of Kosovo with Balkan's Region Countries", *Analele Științifice ale Universității „Alexandru Ioan Cuza” din Iași*, Număr special, Științe Economice 2010, p.8

144 Ibid., p.7-8

145 Christos Nikas: "The effects of the Interim Accord on the economic relations between Greece and FYROM", Evangelos Kofos, Vlasis Vlasidis, *Athens-Skopje: An Uneasy Symbiosis (1995-2002)*, ELIAMEP, 2005, p.114

146 Ibid., p.109

147 "Kosovo invites Greek companies to invest", *Economic Initiative for Kosovo – ECIKS*, 8 April 2009 (http://www.eciks.org/english/lajme.php?action=total_news&main_id=894)

148 "Κάλεσμα για ελληνικές επενδύσεις στο Κόσοβο", *Pathfinder News*, 5 December 2007 (<http://news.pathfinder.gr/greece/news/445508.html>)

there were 12 firms of Greek or joint interests in Kosovo, making Greece the 7th largest investor there.¹⁴⁹

Without doubt, Greece's public debt crisis, which indirectly affects the region altogether, also has a visible impact on Kosovo. The recession of its national economy has inevitably reduced Greek demand for goods from Kosovo and the turnover of Greek enterprises.¹⁵⁰ This trend is already reflected in the statistics: the trade volume in 2010 decreased to €63.5 million (from €66.4 in 2009). Compared with 2009, Greek exports (mainly oil and its by-products) decreased by 4.6%. Imports from Kosovo also decreased significantly by 37.1% (in 2009 they had doubled compared to 2008). According to the Greek Statistical Authority, the downward trend of Greek exports continued during the first half of 2011 (-9.8%). Greek foreign investments are already diminishing, fearing high investment risks in an era of uncertainty and, not least, because Greek banks offer fewer loans in an effort to maintain liquidity at home.¹⁵¹

Kosovo in the Greek media and public opinion

After the end of the war, as in other countries, media attention on Kosovo has fallen. Information on Kosovo appears in the Greek media only when important developments take place. Accordingly, the Greek public opinion is by and large uninformed and indifferent regarding the key issues surrounding Kosovo. The occasional references to Kosovo often tend to portray negative images of Kosovo as a non-viable international protectorate or a state with strong links to organized crime. With regards to the former, reports tend to stress Kosovo's dire economic situation, its failure to provide basic social goods and services (i.e. electricity), inter-ethnic tensions, the need for indefinite international protection, the lack of international recognition, and the inability to extend its control over the North and its Serbian majority.¹⁵² References to the mafia include the alleged link of Kosovo's leadership to organized crime, the increase in human trafficking and smuggling, and the high degree of corruption.¹⁵³

149 Tomasz Dąbrowski, Marta Szpala: "The Impact of the Greek Crisis on the Western Balkans", *Central European Weekly* – Ośrodek Studiów w Schodnich im. Marka Karpia, Centre for Eastern Studies, issue 17 (72), 12 May 2010, p.2

150 Svetlana Jovanovska: "Greek crisis raises concern in Balkan neighbours", *EU Observer*, 17 February 2010 (<http://euobserver.com/9/29490>)

151 Αργύρης Ντινόπουλος: "Κόσοβο, μετά τον πόλεμο τι;", *NET*, 2007 (<http://www.youtube.com/watch?v=-dYidQrrB4M>); Σταύρος Τζίμας: "«Το Κόσοβο μπορεί να επιβιώσει»: Ενα χρόνο από την ανακήρυξη της ανεξαρτησίας ο πρόεδρος του νέου κράτους κ. Φαντμίρ Σεϊντιού εμφανίζεται αισιόδοξος", *Καθημερινή*, 22 February 2009 (http://news.kathimerini.gr/4dcgi/_w_articles_world_1_22/02/2009_304503).

152 "Ο Χασίμ Θάτσι «αρχηγός της κοσοβάρικης μαφίας»!", *Το Βήμα*, 15 December 2010 (<http://www.tovima.gr/world/article/?aid=373209>); "Διαφθορά στο Κόσοβο", *Οι Νέοι Φάκελοι*, ΣΚΑΪ (<http://folders.skai.gr/main/theme?id=30&locale=el>); Κόσοβο (2007) (<http://www.youtube.com/watch?v=-dYidQrrB4M&feature=related>)

153 For example see "Διαφθορά στο Κόσοβο", *Οι Νέοι Φάκελοι*, ΣΚΑΪ (<http://folders.skai.gr/main/theme?id=30&locale=el>); Κόσοβο (2007) (<http://www.youtube.com/watch?v=->

In that context, the problem is not so much misinformation or false reporting on Kosovo. Quite the contrary, by focusing on some of the most problematic features of Kosovo's statehood and governance, some good Greek investigative journalism and quality research has been done.¹⁵⁴ Overall, reporting nowadays is more limited, but of much better quality than during the wartime. The problem instead is that the limited analysis and reporting on Kosovo, driven by a focus on important events and sensational stories, fail to inform the Greek public about the positive developments and other interesting features in Kosovo. By and large, very little is known or reported in Greece about the Kosovar society, culture, identity, and history. Kosovo remains a largely unknown place about which Greeks know very little and, as a result, if they have any opinion, it is formed by outdated stereotypes, wartime emotionally charged views, or contemporary negative reporting.

Two caveats have to be mentioned here. One is that the lack of reporting and limited knowledge is not limited to Kosovo only. Greeks generally have a limited knowledge, marginal interest, and receive little reporting about developments in their Balkan neighborhood. With the notable exception of Thessaloniki media, which is generally more interested in Balkan affairs, news coverage in Greece is dominated by developments in Western Europe, North America, and elsewhere. Additionally, since the start of the Greek economic meltdown, non-Western related reporting has become even more limited. It is only natural that in the context of such limited exposure to the Balkans, small and lesser-known countries like Kosovo, Montenegro, and Bosnia and Herzegovina, would receive even less attention from the Greek media.

The second caveat relates to a niche-market that is still emotionally charged and receives plenty of reporting about the Balkans. It involves the religiously-oriented and nationalist circles which tend to provide more news and analysis about the Balkans. However, they do so in a very one-sided and stereotypical manner that reproduces the 'black and white' images of the 1990s.¹⁵⁵ But, these are marginal media outlets and blogs that cannot in any meaningful way be considered as mainstream or generally influential.

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- dYidQrrB4M&feature=related)
- 154 "Πογκρόμ κατά Σέρβων στο Κοσσυφοπέδιο", *Ελεύθερος Κόσμος*, 13 September 2010 (http://elkosmos.gr/index.php?option=com_content&view=article&id=5389:2010-09-13-08-28-18&catid=97:2008-10-17-07-33-49&Itemid=284)
- 155 Thanos Veremis, *Solutions Proposed by a Greek Think-Tank for the Kosovo Conundrum*, Working Paper No 7/2010, ELIAMEP, April 2010, p.4-5, 9-10

Civil society exchanges

Civil society contacts and exchanges, outside those developed in the context of humanitarian aid and cooperation, have been limited. This can be attributed to the complex picture of Kosovo's status and consequently the intricate nature of the official communication channels. It is also a by-product of the lack of knowledge that both societies have of each other, and the particular disposition of Greek society towards the Yugoslav conflicts of the 1990s. The Hellenic Foundation for European & Foreign Policy (ELIAMEP), probably the most influential think tank in Greece, represents an exception to the rule. ELIAMEP was one of the first institutes in Europe to expand its knowledge base on Kosovo after the collapse of the Yugoslav Federation. It was also among the first to develop programs and actions aimed at addressing the Kosovo problem even before the end of the Bosnian war and well before most other European think tanks started focusing on Kosovo.

Already in 1995, ELIAMEP launched a research project that focused on conflict prevention in Kosovo. The project involved a field research visit to Kosovo conducted by Greek experts on Balkan affairs and conflict resolution (such as Ambassador Evangelos Kofos and professors Thanos Veremis and Alexis Heraclides). It also involved a series of policy-oriented analyses and expert meetings, in which several Balkan opinion makers and scholars (such as Veton Surroi, Predrag Simić, Shklzen Maliqi, Marina Blagojević, Gramoz Pashko) took part. The project's conclusions included a set of comprehensive and innovative policy recommendations on how to avoid a conflict in Kosovo.¹⁵⁶ The conclusions were presented in several fora between 1996 and 1998, and were published in a volume edited by Thanos Veremis and Evangelos Kofos.¹⁵⁷ ELIAMEP continued its efforts to contribute to dialogue and the resolution of the Kosovo problem even after the conflict had started. One such example was the conference "Recent Developments in the Kosovo Region: Strategies and Options for a Peaceful Solution", which was held in Athens in January 1999 and brought together representatives of both the Serb and Albanian communities.¹⁵⁸ In 1999, the Foundation published another book which was the outcome of Kosovo conflict analysis and resolution efforts.¹⁵⁹

After the end of the Kosovo war, ELIAMEP continued its activities aimed at facilitating dialogue between the conflicting parties in Kosovo, even at times when such efforts could appear futile. One such initiative took place in the context of the yearly Halki island seminars, after the 2004 riots in Kosovo.¹⁶⁰ When the discussions on Kosovo's

156 Thanos Veremis & Evangelos Kofos, op.cit.

157 Thanos Veremis, op.cit.

158 Thanos Veremis & Dimitrios Triantaphyllou, op.cit.

159 "Hope flares in the Aegean: Talks continue between Kosovo's Serbs and Albanians", *The Economist*, 24 June 2004 (<http://www.economist.com/node/2792630>)

160 "Establishing a Serbian Orthodox Monastic Community (SOMC) in Kosovo, as an integral part of a comprehensive 'future status' settlement", *ELIAMEP non-paper*, 1 November 2005 (<http://www.kosovo>).

final status intensified, ELIAMEP developed an elaborate and 'out of the box' proposal concerning Kosovo's rich Orthodox heritage. That proposal envisioned the establishment of a Serbian Orthodox Monastic Community (SOMC), as a special self-governing status for the historical monasteries in Kosovo. SOMC would be run by an elected body of monks, under the spiritual authority of the Serbian Patriarchate, and according to a Charter accepted by the future governing authority of Kosovo and guaranteed by the international community.¹⁶¹ ELIAMEP's proposal was met with reservations both by Belgrade and the EU, but later on Serbian diplomats presumably expressed regret for not having endorsed the foundation's proposal.¹⁶² To this day, ELIAMEP contacts and exchanges with Kosovo continue unabated, thus contributing to the increase of understanding between Greek and Kosovar societies.

net/news/archive/2005/December_25/files/1135470181_uoxl9qp67q4_Kofos-Couloumbis%20SOMC%20in%20Kosovo%20%20proposal%20_2_.pdf)

161 Alexandros Mallias: "Kosovo after the Hague", *ELIAMEP* Thesis 6/2010, November 2010 (<http://www.eliamep.gr/en/eliamepnews/eliamep-thesis-62010-kosovo-after-the-hague-scribd-version/>)

162 See, for example, media reports on the Greek academics' and opinion makers' visit to Kosovo organised by the Foreign Policy Club and ELIAMEP in April 2010: "Κόσοβο-Σερβία: Επίσκεψη αντιπροσωπείας του ΕΛΙΑΜΕΠ", *ΕΞΠΡΕΣΣ*, 27 April 2010 (http://www.express.gr/news/ellada/296035oz_20100427296035.php3)

PART III: Greece's attitude towards Kosovo independence

Greece is one of five EU members that have not recognized Kosovo's independence. It is interesting to analyze the official position of the Greek government on this issue, looking at both the background that led to this stance, as well as at the practical implications resulting from this position. The latter are not necessarily as detrimental to Athens-Pristina relations as one would initially expect.

Before we move to the analysis of the official Greek position and its background, we will briefly outline the main schools of thought that can be found in the public domain in Greece on this question.

Kosovo's independence: The debate within Greece

Kosovo's independence is not a widely debated subject in Greece. It is publicly discussed largely among a narrow circle of academics, policy makers, and business and media opinion makers.¹⁶³ The stance against independence is not expressed by specific social, ideological, or professional groups, but by a wide and heterogeneous spectrum, which often employs different arguments to reach the same conclusion. The arguments of those skeptical of Kosovo's independence generally fall into three large categories:

1. *Defiance of international law* currently represents the most frequently employed group of arguments.¹⁶⁴ Emphasis is put on the violation of certain aspects of international law, and application of double standards by strong actors of the international system, undermining the role of the United Nations. Particular concerns are raised out of fear that this practice will open Pandora's box and that the international community will have to face an endless series of secessionist claims following Kosovo's pattern. Along those lines, the negative repercussions for Cyprus' problem, if Kosovo's example were to be followed by other separatists, are also often brought up in public debates.

2. *Ill-treatment of minorities*.¹⁶⁵ The arguments in this category usually stress that the new political regime that was put in place of Belgrade's governance structures, fails to provide security and comfort to minorities, especially the Serbs. New discriminatory policies and insecurity, this time directed against the Serbs, have replaced similar policies of the past. Thus, independence does not bring visible change in the country.

163 For interesting debates, see the documents in footnote 1.

164 For a characteristic example, see the work of a prominent Greek international law professor: Στέλιος Περράκης, *Κόσσοβο: ανατρέποντας τη διεθνή δικαιοταξία: αυτοδιάθεση και απόσχιση εθνοτήτων στον 21^ο αιώνα*, Ι. Σιδέρης, 2008

165 See, for example, Αργύρης Ντινόπουλος: "Κόσσοβο: ο Χριστός ξανασταυρώνεται", *ANT1*, 2006 (<http://www.youtube.com/watch?v=CAVkWvI-Hmk>).

3. *Creation of an organised crime haven.*¹⁶⁶ According to this view, Kosovo's weak institutions not only cannot fight flourishing mafia networks in its jurisdiction, but in fact organised crime is very much linked to Kosovo's political system. This reality is said to inhibit the tackling of illicit activities in Kosovo. Thus, independence does not bring stability to the region, it actually establishes a new state that, at best cannot fight criminal networks, and, at worst, supports them.

Finally, there is a fourth and quite popular group of opinion makers, who adopt what can be called a pragmatist or national interest-based approach. The proponents of this approach do not a priori support or reject independence. The most important issue for them is how Greece would best pursue its national interests on the matter, free of any historical or purely sentimental elements.¹⁶⁷ In their view, Greece has to make a decision on whether to recognise Kosovo or not, based exclusively on national interests and not on perceptions about permanent friends or enemies. Analysts in this school of thought also stress that the relationship with Serbia was not always smooth, mentioning as examples Belgrade's recognition of FYROM by its constitutional name and, more recently, its attempt to develop a 'strategic partnership in the Balkans' with Turkey.

The official position of Greece

It is useful to first quote in some length the official position of the Greek government.

"Greece has not recognised Kosovo's unilateral declaration of independence. We believe that matters of this kind need to be resolved through diplomacy and consensus. The stability of the wider region remains the cornerstone of our policy.

At the same time, we are looking ahead. Greek policy is inspired by our sincere will to build an environment of peace and prosperity for all the peoples of the region, with respect for human rights and fundamental freedoms. Improvement of the standard of living, protection of minorities, and respect for cultural and religious heritage are high priorities. We emphasise economic growth in parallel with stability. We fully support the process of dialogue between Belgrade and

166 For documents focusing on the question of organised crime in Kosovo, see Μαίρη Μπόση: "Το οργανωμένο έγκλημα στα Βαλκάνια: η περίπτωση του Κοσσυφοπεδίου" in Σωτήρης Ντάλης (ed.), op. cit, p. 105-110; Ελευθέριος Καραγιάννης: "Η Ευρωπαϊκή πορεία του Κοσσυφοπεδίου", **Διπλωματικό Περισκόπιο**, 2 Μαρτίου 2011 (http://www.diplomatikoperiskopio.com/index.php?option=com_content&view=article&id=746:2011-03-01-22-23-01&catid=35:2008-05-31-14-16-15&Itemid=59).

167 For a characteristic example, see Σταύρος Τζίμας: "Η Ελλάδα και το Κόσοβο", **Καθημερινή**, 30 April 2010 (http://news.kathimerini.gr/4dcgi/_w_articles_columns_2_30/04/2010_399391)

Pristina, to be facilitated by the EU, in accordance with the UN General Assembly decision of 9 September 2010, which was taken following a relevant Advisory Opinion – issued on 22 July 2010 – from the International Court of Justice in The Hague”¹⁶⁸

This quote from the Greek Ministry for Foreign Affairs’ website, clearly demonstrates the main features of Greece’s official policy on Kosovo’s independence. Greece does not rule out recognition of Kosovo’s independence in the future (see the present tense used “Greece has not recognised...” that denotes a practice occurring up to now and does not preclude continuation of the same practice in the future, as a simple present tense would denote. It just conditions it on a mutually accepted negotiated settlement. Two key features are identified for the resolution of the Kosovo question: an agreement of all parties involved (“consensus”) and that it must be the product of political dialogue (“*diplomacy*”). Stability and prosperity are repeatedly and emphatically mentioned in the citation, as the ultimate goals to be achieved. The particular reference to the protection of human rights, minorities, and cultural heritage, shows that Greece is especially concerned about these sensitive issues.

Another standard feature in official Greek statements, although not included in the above quote, is the formulation of Greece’s key policy goals in the Balkans. Greek diplomacy continuously reiterates that the final negotiated resolution must be in line with the principles of international law and that, whatever the outcome, the future of the whole region lies within the EU.¹⁶⁹ Greece views Europe as a grand ‘peace project’, hence it advocates a fast track for the integration of the whole Western Balkans, including, of course, Kosovo. The fact that Greece is working for the European prospects of the entire region, is appreciated by Kosovar policy makers.¹⁷⁰

In that context, Greece launched an initiative, called ‘Agenda 2014’, in an effort to reconfirm the EU’s commitment to the European integration of the Western Balkans and the promise delivered in Thessaloniki in 2001.¹⁷¹ Per this initiative, all Western Balkan states should become members of the EU, or at least enter irrevocably the last leg of their accession course, by 2014. This a symbolic date, since it marks the 100th anniversary of the assassination of the heir to the Austrian throne, which led to World War I. In its campaign to promote Agenda 2014, the Greek Ministry of Foreign Affairs correlates the successful resolution of the security problems of the region with its

168 Greece’s bilateral relations – Kosovo*, Hellenic Republic – Ministry of Foreign Affairs (<http://www1.mfa.gr/en/blog/greece-bilateral-relations/kosovo/>)

169 Συνέντευξη Τύπου ΑΝΥΠΕΞ, κ. Δ. Δρούτσα, μετά το ΣΓΥ και το ΣΕΥ (Βρυξέλλες, 26.07.10), Hellenic Republic – Ministry of Foreign Affairs (http://www2.mfa.gr/www.mfa.gr/Articles/el-GR/260710_F1023.htm)

170 “Greqia nuk ndryshon qëndrimin ndaj Kosovës”, *Bota Sot*, 8 September 2011 (<http://www.botasot.info/def.php?category=3&id=135659>).

171 Ατζέντα 2014, Hellenic Republic – Ministry of Foreign Affairs (http://www1.mfa.gr/images/docs/periferiaki_politiki/agenda_2014_gr.pdf)

European integration.¹⁷² Another consistent clause in Greek official announcements states that the Greek stance on Kosovo's independence is firm and well known. According to ministerial statements, Greek diplomacy did not consider a revision of its position neither after the European Parliament resolutions calling on EU member states to recognize Kosovo independence, nor after the ruling of the International Court of Justice (ICJ) on Kosovo.¹⁷³

Interpreting the Greek position

Greek officials have occasionally provided their formal argumentation based on which decision not to recognize an independent Kosovo had been taken. The arguments, often interrelated, can be divided into those that plead for respect of international law, and those which express concern about setting a precedent for other unilateral acts, and the potential implications these might have on global stability.

The first argument emphasizes the importance of acting in accordance with international law. The term is usually meant to entail respect for states' territorial integrity and sticks to the UN framework and the resolutions adopted by its bodies. The key point is that a war-torn region cannot head forward towards peace and stability unless a solution is reached based on universally accepted principles, and not on disputable unilateral choices that lead to perpetual deadlocks and fragile security conditions. The highlighting of international law is consistent with the attitude Greece adopts regarding its own issues (e.g. the Aegean) and reflects the country's image as a status quo defender and non-revisionist power ever since the early 1990s.¹⁷⁴

Building on the above argument, Greece has warned that recognition of Kosovo's unilateral declaration of independence will effectively create a legal precedent. This precedent will inevitably also move on to the sphere of international politics, initiating a domino effect in several conflict zones around the globe, where break-away entities will try to apply the Kosovo model on their course to independence, with heavily detrimental effects on global security and stability.¹⁷⁵ After all, the caveat of setting a precedent is the main argument of other non-recognisers, certainly the EU ones. More importantly, Greeks have their own reasons to worry about eventually setting

172 Ενημέρωση των διπλωματικών συντακτών από τον Εκπρόσωπο του ΥΠΕΞ, κ. Γρηγόρη Δελαβέκουρα, Hellenic Republic – Ministry of Foreign Affairs (http://www2.mfa.gr/www.mfa.gr/Articles/el-GR/020910_AH1807.htm)

173 "Greece unmoved by EP resolution", *B92*, 6 February 2009 (http://www.b92.net/eng/news/politics-article.php?yyyy=2009&mm=02&dd=06&nav_id=56965); "Δ. Δρούτσας: Δε θα αφήσουμε την Τουρκία να μας παρασύρει σε ανεξέλεγκτες καταστάσεις", *Αγγελιοφόρος*, 26 July 2010 (<http://www.angelioforos.gr/default.asp?pid=7&ct=1&artid=52076>)

174 Αγγελος Αθανασόπουλος: "Το μακροχρόνιο πρόβλημα", *Το Βήμα*, 6 March 2008 (<http://www.tovima.gr/opinions/article/?aid=230330&wordsinarticle=>)

175 Ιωάννα Παπαδημητροπούλου: "Το Κόσσοβο ανοίγει την πόρτα για αποσχιστικό ντόμινο", *Εθνος*, 7 December 2007 (<http://www.ethnos.gr/article.asp?catid=22769&subid=2&pubid=162404>)

such a precedent, because of the Cyprus problem. International recognition of the Turkish Cypriot self-proclaimed state remains limited to Turkey, but nonetheless, any possibility that recognition of Kosovo's unilateral declaration of independence might constitute a precedent for Cyprus, keeps the Greeks suspicious and concerned.¹⁷⁶ Some Greek analysts warn that any association between the Kosovo issue and the Turkish Cypriot problem is detrimental to the Greek position.¹⁷⁷ And Greek officials clearly draw a distinct line between the case of Kosovo and that of self-proclaimed Northern Cyprus, citing the similar explicit reference made in the advisory opinion of the ICJ on Kosovo in July 2010.¹⁷⁸ The Republic of Cyprus has even been seen as “a collateral beneficiary” of the ICJ's advisory opinion on Kosovo.¹⁷⁹

Still, the fear of setting a precedent through the Kosovo case is overwhelming and tends to firmly align Greek diplomacy with the non-recognition group. “Better safe than sorry”, as the proverb goes, especially since “in politics everything can be connected to everything”.¹⁸⁰ Interestingly, opinion makers in Kosovo have increasingly come to realize that the fear of setting a precedent for Cyprus through Kosovo's independence is the key driving force behind the Greek stance. In fact, a post-ICJ decision report by the Kosovar Foreign Policy Club urged the Pristina government to address the fears and concerns of the Greek government by, amongst other measures, arguing and formally declaring that the Kosovo case is different from the Cyprus one, which involves aggression by a third state.¹⁸¹

Finally, some analysts, especially outside Greece, tend to explain the Greek position by pointing to its special bonds with Serbia.¹⁸² According to this argument, Greece sides with Serbia on the Kosovo question because of the two country's economic and political ties. And Greece would not like to spoil this relationship by recognizing Kosovo. Surely, Greece views Serbia as a partner and a key component in the Balkan security system, and seeks to maintain a good rapport with Belgrade. But the over-emphasis on this relationship by some international analysts is rather a reflection of the situation in the turbulent 1990s. Greek foreign policy today views the Balkans and the Kosovo problem in a much more pragmatic manner, and its stance on Kosovo's independence is linked to concerns about the precedent that might be set and its consequences for

176 Evgeny Postnikov & Brandon M. Boylan, “The European Union and the Politics of Kosovo Recognition: Domestic Separatism and Institutional Flexibility”, *European Union Studies Association Biennial Conference*, 3-5 March 2011, p.8

177 See, for example, Σταύρος Τζιμας: op. cit.

178 Greek position on Kosovo: Greek Alternate Foreign Minister Dimitris Droutsas speaks up on the position of Athens on Kosovo, Radio *Athens 98.4*, 10 August 2010 (<http://www.kosovocompromise.com/cms/item/topic/en.html?view=story&id=2959§ionId=2>); for an elaboration of the ICJ's opinion on Kosovo declaration of independence and its relevance for the Cyprus case, see Alexandros Mallias, op.cit.

179 Alexandros Mallias, op.cit. p.3.

180 Authors' interview with Hellenic Ministry of Foreign Affairs source

181 “*Athina – sa afër e sa larg*”, *Foreign Policy Club*, August 2011, available at (<http://www.foreignpolicyclub.org/pdf/301011016181813.pdf>)

182 Evgeny Postnikov & Brandon M. Boylan, op. cit.

international politics.

A Greek balancing act

As explained earlier, Greece maintains a clear policy of non-recognition of Kosovo's independence, which, from the point of view of its own policy makers, is in line with its principled approach on the Balkan problems and world politics at large. Furthermore, this policy cannot be reduced to a pro-Serb stance or a mere reflection of the good relations between Athens and Belgrade. Yet, despite its clear non-recognition policy, Greece is following a careful balancing act that allows for the unobstructed development of its relationship with Kosovo, as well as the full implementation of international, especially EU, policies on the Kosovo problem.

The day after Kosovo's declaration of independence (and for an extended period of time after its proclamation)¹⁸³, the Greek leadership did not make an outright and assertive statement denying recognition of the newly proclaimed state. Instead, not long after the declaration of independence, then Foreign Minister Bakoyanni stated: "Greece will take its decisions at a coming stage, when it has examined all of the developments in depth; all of the dimensions and consequences these developments have for regional security and Greece's interests".¹⁸⁴ Rather than indicating that Kosovo's recognition was in the cards at that time, this approach was more likely a cautious effort to avoid hasty moves.¹⁸⁵ After all, we should not forget that most of Greece's EU partners have recognized Kosovo's independence, and Athens did not want to, once again, be isolated in Europe as a result of its Balkan policy. In time, an informal group of EU non-recognizers developed and any potential pressure on them was eased as more urgent concerns were put on the table.¹⁸⁶ This made Greek policy choices much easier and removed the burden of recognition, since Greece is not seen as the most fervent anti-Kosovo independence member among the five EU non-recognizers.

Despite this policy of non-recognition, Greece has opted for a constructive relationship with Pristina. We have seen earlier (section 'Bilateral governmental communications') how Athens has maintained the official channels of communication with Pristina, accepted documents issued by Kosovo's authorities, facilitated citizens'

183 "Greece: No rush with Kosovo recognition", *B92*, 15 March 2008 (http://www.b92.net/eng/news/region-article.php?yyyy=2008&mm=03&dd=15&nav_id=48474)

184 Statements of FM Ms. Bakoyannis following the EU General Affairs and External Relations Council (GAERC, Brussels), Hellenic Republic – Ministry of Foreign Affairs (http://www2.mfa.gr/www.mfa.gr/Articles/en-US/190208_alp_1300.htm)

185 Authors' interview with Hellenic Ministry of Foreign Affairs source

186 "Kosovo / EU: Pressure eases on anti-independence five", *Oxford Analytica Global Strategic Analysis*, 4 January 2010.

communication and transport between Kosovo and Greece, and promoted trade and investment between both sides. In addition, Greece is particularly active in assisting Kosovo through its Liaison Office in Pristina.¹⁸⁷

This constructive approach can also be seen in Greece's attitude towards Kosovo's membership in some international organizations. According to analysts, Greece's stance during the relevant voting at the International Monetary Fund and the World Bank, contributed to Kosovo's successful membership application.¹⁸⁸ And although there isn't yet official confirmation to that effect, media reports suggest that Greece will support Kosovo's entry into the European Bank for Reconstruction and Development.¹⁸⁹ These developments have not gone unnoticed by Kosovar policy makers and opinion makers, who appear to appreciate Greece's pragmatic approach on the issue.¹⁹⁰ As a report from the Kosovar Foreign Policy Club noted, Greece "has the most constructive stance towards Kosovo" among the EU non-recognizers.¹⁹¹

Greece's attitude towards Kosovo's case before the International Court of Justice (ICJ) is also indicative of the country's policy on Kosovo. Greece initially voted for the UN General Assembly resolution backing the Serbian initiative to seek an advisory opinion from the ICJ. But during the court proceedings, Athens neither submitted a written statement, nor presented its position orally at the public hearings. All other four EU non-recognizers, on the other hand, were among the 42 countries participating in the court proceedings and strongly rejected Kosovo independence.

All the facts described above demonstrate that despite non-recognition, Greece has adopted a special approach towards Kosovo's independence that translates into smooth bilateral communication in a friendly atmosphere. The reason for this attitude is that, aside from the considerable reservations Greece has vis-à-vis independence, it does not want to isolate Kosovo, nor deviate from the basic policy choices of its Western partners. As a result, EU partners acknowledge the constructive and coordinating potential of Greece.¹⁹²

Kosovars themselves do not resent Greece's policy and, although they would like to be recognized by Athens, they do not seem to exert any pressure.¹⁹³ Pristina takes

187 Foreign Policy Club, op.cit.

188 Neil MacDonald: "Kosovo points to enough votes to join IMF", *Financial Times*, 6 May 2009 (<http://www.ft.com/intl/cms/s/0/db5f737a-39d6-11de-b82d-00144feabdc0.html#axzz1Xh8ik696>)

189 Artan M. Haraqija: "Greqia, pro anëtarësimit të Kosovës në BERZH", *Zëri.info*, 3 September 2011 (<http://www.zeri.info/artikulli/2/8/33298/greqia-pro-anetaresimit-te-kosoves-ne-berzh/>)

190 Ibid.; Foreign Policy Club, op.cit.; Muhamet Brajshori: "Kosovo builds ties with Greece on economy, EU", *Southeast European Times*, 10 September 2011 (http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/09/10/feature-01)

191 Foreign Policy Club, op. cit., p.3.

192 Muhamet Brajshori, op. cit.

193 Deputy Prime Minister Edita Tahiri meets Greek Government officials, op. cit.

Greek concerns into consideration and welcomes the constructive role of the Greek government.¹⁹⁴ After the fairly recent visit to Pristina of former Greek Foreign Minister Stavros Lamprinidis, Kosovar Prime Minister Hashim Thaçi articulated the position of his government as follows: The relationship between Kosovo and Greece “[...] will be promoted and will be a relationship between two friendly countries. Our request for recognition of course always exists, but this is a choice that is up to Athens as a sovereign state to make, and we support this decision which is in accordance with the interests of the state and the Greek people. Also, I would like to thank once more the Greek MFA for his full support that has brought a spirit of unity inside the EU with regards to the European perspective of Kosovo.”¹⁹⁵

Such an understanding about the other country’s national interests and sensitivities, is reciprocated. For example, Greece has not expressed resentment when Kosovo recognised and established official diplomatic relations with FYROM under its constitutional name.¹⁹⁶ In addition, Greece has not allowed the sometimes turbulent relations with Albania and the disagreements between Athens and Tirana to worsen its relations with Kosovo. Greece has remained a consistent contributor to Kosovo’s political and material well-being even in the times when Greek public opinion overwhelmingly supported Serbia, or when relations with Albania were tense in the past. It is understood that, should relations between Athens and Tirana further improve, one can expect a positive impact on the relationship between Athens and Pristina.

Overall, as this paper has demonstrated, the relationship between Greece and Kosovo goes well beyond the politics of recognition. The relationship has developed, increased and matured despite Greece’s lack of recognition. Both sides are likely to further intensify their contacts and collaboration, and Athens is likely to continue its policy of non-isolation of Kosovo. For Kosovo, access to Thessaloniki’s pivotal commercial and transport junction is of utmost importance. In addition, Greek policy, both within Kosovo and in international organisations, contributes to Kosovo’s stability. Moreover, Greece plays the role of a key advocate of the Balkans in the EU. Especially in an era of enlargement fatigue, Greece is perhaps the most ardent champion of the Western Balkans’ swift EU accession, a process that also includes Kosovo. The *modus vivendi* seen between Greece and Kosovo can be considered a success story in what

194 “Greqia nuk ndryshon qëndrimin ndaj Kosovës”, *Bota Sot*, 8 September 2011 (<http://www.botasot.info/def.php?category=3&id=135659>).

195 For the establishment of diplomatic relations, see “Komunikata e përbashkët për vendosjen e marrëdhënieve diplomatike ndërmjet Republikës së Kosovës dhe Republikës së Maqedonisë”, signed in October 2009 (<http://www.mfa-ks.net/repository/docs/shqip-226.pdf>); for the intensification of the Kosovo-FYROM economic relations, see Fatos Musliu & Pandeli Pani: “Marrëdhënie diplomatike mes Maqedonisë dhe Kosovës”, *Deutsche Welle*, October 2009 (<http://www.dw-world.de/dw/article/0,,4803300,00.html>); “Rritet këmbimi tregtar midis Maqedonisë dhe Kosovës”, *Lajm Maqedonia*, October 2011 (<http://lajmpress.com/lajme/maqedoni/11199.html>); Marrëdhëniet ekonomike Kosovë-Maqedoni kanë shënuar zhvillim pozitiv (<http://mem.rks-gov.net/?page=1,42,395>)

is otherwise a complex and difficult task to bridge disagreement over a key Balkan problem. In fact, Greece's approach may provide useful ideas to other states as to how a country that has not recognised Kosovo can still maintain a collaborative and constructive attitude towards it.

Cyprus



CYPRUS

Position Paper on Kosovo

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September 2011.***

Introduction

This paper examines the position of Cyprus on Kosovo.¹⁹⁶ Cyprus has neither formal nor informal relations with the REPUBLIKA E KOSOVËS. It is one of the five EU member states that do not recognize Kosovo, but the only member state of the Union that does not contribute to the EULEX-Kosovo force, the EU's Rule of Law mission in Kosovo (2008/124/CFSP).¹⁹⁷ Cyprus' position on Kosovo is so firm that it does not even recognize Kosovar documents (i.e. travel documents).¹⁹⁸ This position is drawn based on some peculiarities that must be thoroughly examined.

The rationale behind the attitude of Cyprus towards Kosovo is informed by historical, political, cultural, and economic considerations. Cyprus' relationship with the Balkans dates back to the first Balkan War (1912-1913).¹⁹⁹ As an independent state, however, Cyprus' first encounter with the Balkans is associated with the establishment of the Non-Aligned Movement in 1961. The first President of Cyprus, Archbishop Makarios III, and the President of Yugoslavia, Josip Broz Tito, were among the founders of the Movement.²⁰⁰ During the Cold War, Cyprus and Yugoslavia developed a strong relationship and considered one another close allies. In the 1960s, when the Republic of Cyprus dealt with a number of internal and external considerations that sometimes amounted to existential threats, Yugoslavia was a committed supporter of Cyprus' cause for survival.²⁰¹ In the aftermath of the Turkish military invasion in 1974,

196 The analysis focuses on the position of the Republic of Cyprus. The positions of other Cypriot actors are also taken into consideration.

197 G. Crevi, 'EULEX Kosovo', in G. Crevi *et al.*, *European Security and Defense Policy* (Lisboa: EU Institute for Security Studies, 2009), pp. 353-368.

198 Today, Cyprus exports just one commodity to Kosovo, though it does not import any commodities from Kosovo; See Republic of Cyprus, *Intra-Extra EU Trade Statistics by Commodity and Country* (Nicosia: Statistical Service of Cyprus, 2011).

199 Greek Cypriots associated the Balkan Wars with their struggle for liberation and they considered themselves part of Hellenes' strife for freedom. See P. Papapoliviou, *Cyprus and the Balkan Wars* (Nicosia: Cyprus Research Center, 1997), in Greek.

200 Upon its admission into the EU in 2004, Cyprus withdrew its membership from the Non-Aligned Movement, but it participates in its meetings under the status of a Guest.

201 In October 1964, President Tito of Yugoslavia arrived in Cyprus for a six-hour visit with President Makarios.

Yugoslavia was one of the first countries to come to the aid of the Republic of Cyprus. Up until the dissolution of the Socialist Federal Republic of Yugoslavia in the early 1990s, the bilateral relationship between both countries was in very good shape.

The Balkan crisis, however, brought to the fore a latent bias in the relationship between Cyprus and Yugoslavia. Looking into the relationship from an International Relations (IR) vantage-point,²⁰² its form and caliber was based on common interests, Cold War considerations, and personal ties between the two historic leaders of these countries. Secessionism, ethnic conflict, and war in Yugoslavia, however, revealed a deeply embedded cultural-religious element of the relationship. From the early stages of the conflict in (the former) Yugoslavia in 1991, up until the ultimate breakup of the Federal Republic of Yugoslavia in 2008, the Republic of Cyprus was a committed supporter of the Serbian cause. This bias, however, did not prevent Nicosia from recognizing the new state of affairs in the region and pursuing smooth relations with the succeeding states.

The position of the government of Cyprus on the new state of affairs in the Balkans was strictly based on political criteria. Nicosia recognized all new states, except for Kosovo. The decision not to recognize Kosovo is based on a certain interpretation of International Law.²⁰³ Nicosia is also concerned about the potential implications of the case of Kosovo on the ultimate settlement of the Cyprus Problem.

On the other hand, the people of Cyprus see the issue of Kosovo through a cultural and religious lens. The majority of Greek Cypriots empathize with the Serbs because they consider them to be victims of foreign intervention and religious discrimination. There is a sense of common faith among Christian Orthodox populations. The majority of Turkish Cypriots empathize with the Muslim populations in the region. Thinking along similar ideological lines as Greek Cypriots, they consider Muslims to be victims of Christian discrimination and oppression. Although religion has never been a significant element of the Cyprus conflict, when it comes to international conflicts, Greek and Turkish Cypriot views are shaped by ethno-cultural and religious considerations.²⁰⁴

Historical, political, and cultural-religious considerations are supplemented by economic ones. The robust economic relationship between Serbia and Cyprus may

That visit stressed the support of Yugoslavia to Cyprus' struggle for independence; see The Resister-Guard, 'Tito in Cyprus', 18 October, 1964.

202 I refer to the academic field of International Relations that mainly deals with inter-state relations.

203 This is taken up in the sections that follows.

204 This attitude, however, is not reflected in the political discourse of the two communities' leaderships. The latter tend to politicize or securitize the implications of international conflict for the evolution of the Cyprus conflict. Neither the Greek Cypriot community nor the Turkish Cypriot community is homogeneous in social, cultural, or political terms. As is the case in all political communities, some views prevail over others.

be reduced to the strong historical and political ties between the two countries, as well as to the vested interests of certain Cypriot and Serbian entrepreneurs.²⁰⁵ Cyprus maintains good economic relations with all Balkan states, but the bulk of economic transactions between Cyprus and the Balkans lies with Serbia. This aspect of the relationship between Cyprus and Serbia, however, is sufficient, but not necessary to explain the attitude of Nicosia towards Pristina. Moreover, historical and cultural-religious ties between both countries may be essential and cannot easily be done away with, but, once the relevant political considerations are addressed, Cyprus' attitude towards Kosovo will probably shift irrespectively of everything else.²⁰⁶

Bearing this "reality" in mind, this paper traces the historical evolution of Cyprus' position on Kosovo over the last two decades (1991-2011). The first section makes some brief observations on Cyprus' reaction to the War in the Balkans in the early 1990s. The second section examines Cyprus' reaction to the War in Kosovo in 1999. The third section analyses the reaction of Cyprus concerning Kosovo's declaration of independence in February 2008, and examines differences in the views of the Republic of Cyprus, Greek Cypriots, Turkish Cypriots, and Turkey. Finally, the fourth section considers the prospect of an attitude shift in the relationship between Cyprus and Kosovo.

1. Reaction to the War in the Balkans

The outbreak of the war in the Balkans in the early 1990s and the subsequent humanitarian crisis prompted a wave of sympathy for the victims. The bitter experience of the 1974 war was still relatively fresh in the minds and hearts of Cypriots, who felt that they had to take action. The government of Cyprus, as well as the Church of Cyprus,²⁰⁷ sent considerable humanitarian aid to the Balkans. This aid was exclusively channeled to the Serbs, not because other victims of the war were ignored, but because there was a sense of urgency to help the people of the same religious and cultural background, who were struggling for their freedom. There is no

205 For further analysis of this relationship, see the Cyprus Serbia Business Association (<http://www.cyprus-serbia.org.cy/>, last accessed September 2011).

206 This issue was discussed with Cypriot and Serbian diplomats. The prevalent view is that, if a mutually acceptable solution to the status of Kosovo is reached between Pristina and Belgrade, Cyprus will have no problem normalizing its relationship with Kosovo. A Cypriot diplomat suggested that the normalization of Cyprus-Kosovo relations depends on the normalization of Serbia-Kosovo relations. A Serbian diplomat, however, contended that Kosovo will always be a source of political insecurity for Nicosia, because it sets a precedent for the Cyprus conflict. Interviews in March 2008 and September 2011. Also see interviews with G. Macris (US), V. Maystrenko (Russia), P. Millet (UK), and M. Jelic (Serbia) on Kosovo in *Apopsi* Magazine (April, 2008), accessible via <http://www.apopsi.com.cy/date/2008/04/> (in Greek but also readily translatable in English).

207 The Cypriot Orthodox Church played an important role. This institution pre-dated the creation of the state of Cyprus and it functions independently from political institutions. The pivotal role of the Church is criticized by some who suggest that it galvanizes nationalism and hatred.

doubt that Cyprus' contribution to the relief of the humanitarian crisis in the Balkans was one-sided.²⁰⁸

Concerning the politics of the war in the Balkans, the government of Cyprus appeared skeptical towards third party mediation. The prevalent view across political elites and the general public was that third party intervention was aimed at promoting NATO's interest in the region.²⁰⁹ Being immersed in the Cyprus Problem, Greek Cypriots' central concern pertained to the difficulties of a Dayton-like process for the settlement of their own political problem. Mediators, on the other hand, saw things in a different way. Richard Holbrooke, for instance, a leading figure at the time, argued that Cyprus represented a bad example of conflict management in the Balkans. "We must prevent Bosnia," he wrote, "from becoming a Cyprus or a Korea."²¹⁰

The outcome of the war in the post-Dayton era did not affect the relationship between Cyprus and Yugoslavia. The succeeding state of Yugoslavia (i.e. the Federal Republic of Yugoslavia) was considered a close ally and a friendly state. The foreign policy of the Republic of Cyprus, however, was undergoing a significant shift. Some months before the signature of the Dayton Agreement (November 1995), the European Union made an important pledge to Cyprus: it considered the Republic of Cyprus for future EU membership. Since then and until admission was achieved, Nicosia considered entry into the EU its top foreign policy priority. A basic implication of future EU membership was the obligation of the Republic of Cyprus to align its foreign policy with the EU's Common Foreign and Security Policy. During accession negotiations, neutrality was not a choice for Cyprus.

In 1998, when accession negotiations began, the first signs of a foreign policy alignment with EU positions became apparent. Between 1998-2002 (i.e. during accession negotiations), Cyprus had to readjust its foreign policy in accordance with the foreign policy of the EU. Amongst other things, it joined the common position of the Union on a number of issues, including Kosovo and the Former Republic of Yugoslavia.²¹¹ As is the case with all candidate states, however, the Europeanization of Cyprus' foreign and security policy was limited in scope, i.e. it did not shape the national interests of Cyprus to an absolute degree. The government of Cyprus maintained some political views and positions which it considered vital for its national interests.

208 This, however, must come as no surprise, for Cyprus may have just followed an established practice in international relations that is regularly followed by all states.

209 This concern is based on historical considerations. NATO is considered by many Greek Cypriots to have played a role in the preparation of the 1974 coup in Cyprus. During the 1990s, Greek Cypriots thought that, when it comes to Cyprus, NATO supports the interests of Turkey due to the pivotal role of the latter in the North-Atlantic Alliance.

210 R. Holbrooke, *To End a War* (New York: Random House), p. 226. Critics of Mr. Holbrooke, however, may have a point. In the same book, he suggested that the method that was used for Bosnia may also be used in other cases such as Cyprus; see *Ibid.*, p. 232.

211 See, for example, European Commission, 'Regular Report on Cyprus' Progress Toward Accession', Brussels, October, 1999, p. 42. In the Regular Reports that followed this one, there are considerable references to Cyprus' positions on Yugoslavia and Kosovo in line with EU positions.

2. Reaction to the War in Kosovo

The new phase of the conflict in Kosovo (1998-1999) did not come to the attention of the general public in Cyprus until February 1999. As the situation dramatically deteriorated on the ground, and the possibility of a NATO intervention was mounting, both the political elites and the general public became alarmed. It will come as no surprise that the majority of Greek Cypriots took side with the Serbs.²¹² Humanitarian issues and other considerations concerning the violation of human and political rights of ethnic communities in Kosovo were only sporadically raised in the public debate. The focal point of the political discussion in Cyprus was the use of force by NATO and the implications that this had for International Law and the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

A day after NATO's air-campaign began (March 25, 1999) Cyprus' House of Representatives described the use of force against Yugoslavia as an "unacceptable provocation of international order and the UN Charter."²¹³ The parliamentary parties²¹⁴ issued a statement that was read by the President of the House of Representatives, Spyros Kyprianou (former President of the Republic). The statement read that "no resolution of the Security Council authorizes NATO or any country to use military force against Yugoslavia [...] bombardments will not solve the Kosovo problem[...] [they will rather] create conditions of instability and uncertainty in the sensitive Balkan area."²¹⁵ All political parties denounced NATO air strikes against Yugoslavia and urged for a peaceful resolution of the dispute.

The President of Cyprus, Glafcos Clerides, took an explicit position on the matter. Talking at the University of Athens two days after NATO's campaign was launched (March 26, 1999), he stressed that "Kosovo should remain within the borders of Yugoslavia."²¹⁶ He supported a more active role of the Security Council and expressed the opinion that Kosovo may "receive a certain autonomy" without, however, inflicting on the sovereignty and territorial integrity of Yugoslavia.²¹⁷

Two major questions were raised during, and in the aftermath of, NATO's air campaign

212 Between March and June 1999, a number of demonstrations and rallies were organized in Nicosia outside the US Embassy against NATO's intervention. These events were organized by student unions, trade unions, political parties, and other movements.

213 Cyprus News Agency (CNA), March 25, 1999.

214 Right-wing Democratic Rally (DISI) backed by 34.5% of the electorate had 20 seats; left-wing Progressive Party of Working People (AKEL) with 33% and 19 seats; center-right Democratic Party (DIKO) with 16.5% and 10 seats; the Social Democratic Party (EDEK) with 8.1% and 5 seats; and Liberal Democrats Movement with 3.7% and 2 seats.

215 CNA, March 25, 1999.

216 CNA, March 26, 1999.

217 Ibid.

against Yugoslavia: first, whether the actions of NATO render a new mode of conflict management, and second, whether Kosovo sets a precedent for conflict resolution. Looking back at the public discussion in Cyprus, a number of unfortunate speculations were made in relation to the case of Kosovo.²¹⁸ With the benefit of hindsight, however, one may argue that the historical contingency of the conflict in Kosovo in 1999 has given the international community some leeway to exert pressure on the Greek Cypriot community to enter a new round of inter-communal negotiations. On the other hand, developments in Kosovo alone did not suffice for setting the grounds for a new round of negotiations.²¹⁹ If Kosovo had an impact on the evolution of the Cyprus Problem from 1999 until the submission of a final plan for the comprehensive settlement of this problem in 2004, it must have been a marginal one when compared to the impact that the completion of Cyprus' EU accession negotiations and Turkey's bid for opening accession negotiations with the EU had on the Cyprus Problem. Still, the case of Kosovo continues to be present in the Cyprus conflict.

Irrespective of any political considerations, the war in Kosovo provoked a sense of uncertainty in Cyprus. Cypriot elites and the general public mostly held the U.S. responsible for the unjustified use of force against Yugoslavia. This act was considered in defiance of International Law and the Law of War. The friction on the island was such that the very day that the war in Kosovo came to an end (June 11, 1999), the political confrontation between two political parties and the U.S. Embassy reached a tipping point. The left-wing AKEL, which was backed by 33% of the electorate, and the center-right DIKO, with 16.5% support from the electorate, did not accept invitations to U.S. Embassy-sponsored events, and instead demonstrated against the bombings of Yugoslavia outside the Embassy.²²⁰ The U.S. Embassy issued a statement that, amongst other things, stated that "members of AKEL and DIKO have not accepted invitations to Embassy-sponsored events in recent weeks [...] Our impression is that AKEL and DIKO members have only come to the Embassy recently to demonstrate against NATO's efforts to stop Serbian regime's criminal actions in Kosovo."²²¹ In response to this statement, AKEL Parliamentary Spokesman Andreas Christou said that "relations with foreign missions could not remain unaffected when some of these countries bomb a country friendly to the people of Cyprus."²²²

This incident, which involved verbal and written exchanges between the U.S. Embassy

218 At this point, I could refer to dozens of articles that were published in local newspapers, but I don't deem it necessary for the purposes of this paper.

219 The new round of negotiations was launched in December 1999 in New York. At the same time, the EU declared Turkey a candidate country and promised that, if no settlement had been reached by the completion of Cyprus' accession negotiations, the decision on accession would be made without the above being a precondition, but, the EU would take all relevant factors into account. See Helsinki European Council 10 and 11 December, 1999, Presidency Conclusions.

220 CNA, 11 June, 1999. EDEK, the fourth largest party in Cyprus, was also outspoken against the U.S. role in the war in Kosovo.

221 Ibid.

222 Ibid.

in Nicosia and Cypriot political parties, underlines the political and emotional environment within which the case of Kosovo was discussed in Cyprus. At some point the dust settled, but this was not enough to remove the political considerations that underpin Cyprus' position on Kosovo.

3. Reaction to Kosovo's Declaration of Independence

Kosovo's declaration of independence was announced on February 17, 2008. On that same day, Cypriots went to the polls to vote for the new president of the Republic.²²³ The first reaction of the Republic of Cyprus to Kosovo's declaration of independence came one day later through a written statement from the Ministry of Foreign Affairs. The statement read that "the unilateral declaration of independence by the majority in Kosovo [...] constitutes a violation of the territorial integrity and sovereignty of Serbia."²²⁴ Cyprus considered the declaration as a "secessionist action that falls outside the framework of international legality, and it is therefore legally invalid, in violation of the UN Charter, the Helsinki Final Act and Security Council Resolution 1244 (1999), which affirms the adherence of the UN member states to the sovereignty and territorial integrity of Serbia."²²⁵ The statement suggested that the final status of Kosovo must be reached within the framework of a dialogue and negotiations between Pristina and Belgrade. Any settlement, the statement concluded, should be approved by the Security Council.

This position, however, did not just emerge in 2008. The opposition of Cyprus to a unilateral declaration of independence was overtly stated on a number of occasions in the past. In April 2007, for example, during a press conference with the Slovak president, who was on an official visit to Cyprus, President Papadopoulos suggested that a settlement of the conflict in Kosovo must "be achieved within the best possible agreement", adding that "a new Security Council decision is necessary."²²⁶ Mr. Papadopoulos opposed the prospect of a unilateral declaration of independence.

At the EU level, the official view of Cyprus on the future status of Kosovo was stated by Foreign Minister Kozakou-Marcoullis in the framework of an EU General Affairs and External Relations Council that was held in Brussels in November 2007. On the basis of information concerning an ultimate deadlock in the negotiations for the final status of Kosovo, and amid rumors about an imminent unilateral declaration of independence

223 Former Foreign Minister Kasoulides of DISI and House President Christofias (Secretary General of AKEL) secured most of the votes and went to the second round of presidential elections. Incumbent President Papadopoulos did not reach the second round. A week later (February 24, 2008), Mr. Christofias was elected President of the Republic of Cyprus.

224 Republic of Cyprus, 'Ministry of Foreign Affairs: Kosovo UDI legally invalid', February 18, 2008.

225 Ibid.

226 Republic of Cyprus, 'Press and Information Office', April 20, 2007.

by the majority in Kosovo, Mrs. Kozakou-Marcoullis made the following statement:

“Cyprus supports a solution of the problem, which will come out of negotiations. It is a position we maintain on all international issues. In order for a solution to be viable, it will have to be an outcome of negotiation and not an imposition or a unilateral act. This is the position we will support today in tandem with the position that any solution would have to be adopted by the UN Security Council. For us any action outside the UN and outside the Security Council undermines the foundations of the international organization and it will constitute a very dangerous development and a very dangerous precedent”.²²⁷

Mrs. Kozakou-Marcoullis also pointed out that, on the issue of Kosovo, Cyprus maintained “a position of principles.” In particular, she stressed the following:

“It is not a position in favor of any country. Our position is longstanding and it is a position of principles. We will have the same stance on any similar situation. For us what is important is to respect and uphold international law, and it is international law and UN decisions that we have supported throughout the years. We cannot, therefore, undermine these principles and international law, which has supported our statehood and our efforts for a solution of the Cyprus problem”.²²⁸

The interim situation in Kosovo, as it was spelled out by UNSCR 1244, was acceptable to Cyprus. In this framework, Cyprus supported the missions of the UN and EU in Kosovo, as well as the missions of other regional organizations there. It also supported the channeling of EU humanitarian aid to Kosovo. Cypriot diplomats held meetings with political and administrative figures of the interim administration of Kosovo and supported the negotiations that were aimed at determining the final status of this province. The unilateral declaration of independence, however, marked a turning point in the relationship between Cyprus and Kosovo. Since February 2007, neither formal nor informal relations exist between Pristina and Nicosia.²²⁹

A careful examination shows that Cyprus’ position on Kosovo is expressed in four different nuances. First, Cyprus appears to have a pro-Serbian stance on Kosovo. This peculiarity of Cyprus’ position emerged on a number of occasions. For example, during an official visit to Cyprus of Mirko Cvetkovic, Serbia’s Prime Minister, the President of Cyprus, Demetris Christofias, stated:

227 Republic of Cyprus, ‘Press and Information Office’, November 20, 2007.

228 Ibid.

229 In March 2010, former Foreign Minister of Cyprus Kasoulides met the Kosovar Minister of Foreign Affairs in Strasbourg, Mr. Hyseni. Mr. Kasoulides met Mr. Hyseni in his capacity of head of the European Parliament’s Working Group for Foreign Affairs, not in his capacity of Cypriot Member of the European Parliament.

“It is important to underline once again that the Republic of Cyprus does not recognize and will not recognize Kosovo, a position of principle, which is consistent with international law. The solution should be a product of mutual bilateral consultation, which will lead to an agreed settlement that will respect the territorial integrity of Serbia and will be approved by the United Nations Security Council. We welcome the dialogue between Belgrade and Pristina, on which I was extensively briefed by the Prime Minister”.²³⁰

Mr. Christofias expressed “the deep gratitude of the Cyprus people for Serbia’s firm positions of principle on the Cyprus problem [...] and the country’s [Serbia’s] positive contribution [...] to the peacekeeping force in Cyprus.”²³¹ Aside from the issue of Kosovo and the Cyprus Problem, these two countries have common interests in other areas, such as economics, tourism, and the construction industry. These common interest were stressed during the visit of Mr. Cvetkovic to Cyprus in June 2011. Last but not least, Nicosia supports Serbia’s bid to open accession negotiations with the EU. During a visit to Serbia in December 2010, Minister Kyprianou said:

“The European Union does not have a common stance on the Kosovo issue and the recognition of the independence of Kosovo is not a condition that should be introduced to Serbia at any stage. Cyprus has not changed its stance about the unilateral proclamation of independence which represents an illegal act. We fully support the sovereignty and the territorial integrity of Serbia and we invite all to respect the international law”.²³²

Second, Cyprus supports a certain interpretation of International Law that considers Kosovo’s unilateral declaration of independence null and void. This stance was vividly expressed before the International Court of Justice (ICJ)²³³ and was reiterated by Cypriot officials on a number of occasions. In 2010, during a visit to Serbia, Mr. Kyprianou “stressed that Cyprus maintains a principled position in favor of respecting the sovereignty and territorial integrity of Serbia which includes Kosovo and Metohija provinces.”²³⁴ Furthermore, Mr. Kyprianou “highlighted that the Cyprus Government considers the unilateral declaration of independence by Kosovo as illegal.”²³⁵ In a more recent statement, Mr. Kyprianou said that Cyprus “supports positions of principle such

230 Republic of Cyprus, ‘Press and Information Office’, June 7, 2011

231 Ibid.

232 Republic of Cyprus, Ministry of Foreign Affairs, December 3, 2010. In June 2011, Mr. Christofias said that “the Republic of Cyprus firmly supports Serbia’s efforts to accede to the European Union” and he expressed his hope that, after the arrest of Ratko Mladic, “there will not be any new excuses to delay the commencement of Serbia’s EU membership talks.” (Republic of Cyprus, Press and Information Office, June 7, 2011).

233 Cyprus was one of the 35 states that submitted a written statement to the ICJ and one of the 14 states that submitted written comments on other countries’ statements.

234 Republic of Cyprus, Ministry of Foreign Affairs, December 3, 2010.

235 Ibid.

as the respect of international law and the principles of sovereignty and territorial integrity.”²³⁶

Even after the Advisory Opinion of the ICJ was issued, Cyprus reiterated “its position of principle on the issue of Kosovo and reaffirm[ed] its unwavering position of respect to the sovereignty and territorial integrity of Serbia.”²³⁷ The Republic of Cyprus “called upon both parties, the Republic of Serbia and “Kosovo under UNSC Resolution 1244/99” to relaunch dialogue to find a mutually acceptable solution to the issue of Kosovo, thus enabling stability and peace to prevail in the region.”²³⁸

Third, by holding this position on Kosovo, Nicosia strives to pre-empt any ramifications that this case may have for the Cyprus Problem. The government of Cyprus has overtly stated that “the issue of Kosovo [...] is important for Cyprus”.²³⁹ Nicosia was pleased to note that the ICJ Advisory Opinion differentiates between the issue of Cyprus and that of Kosovo.²⁴⁰ According to a Cypriot diplomat who spoke on the condition of anonymity, the ICJ Opinion alone does not suffice to assuage Cyprus’ concerns about the potential implications of the case of Kosovo for the Cyprus Problem. Leading EU member countries, such as Germany and the UK, may stress that Kosovo is a unique case, but this does not allay Nicosia’s concerns.²⁴¹ The government of Cyprus deals with incidents that involve efforts by Turkey and the “Turkish Republic of Northern Cyprus” (“TRNC”) to normalize the status quo in Cyprus on a daily basis.²⁴²

Fourth, regardless of its position on Kosovo, Cyprus makes every effort to be a reasonable and constructive member state of the EU. It actually strives to strike a fine balance between its national position on the international status of Kosovo and the Union’s position on helping Kosovo to make its way through the ongoing historical

236 Republic of Cyprus, Press and Information Office, June 25, 2011. Please note that Mr. Kyprianou left office in July 2011 and was replaced by Mrs. Erato Kozakou-Marcoullis (who was actually his predecessor in office).

237 Statement of the Ministry of Foreign Affairs concerning the Advisory Opinion of the International Court of Justice on the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo, July 22, 2010.

238 Ibid.

239 Republic of Cyprus, ‘Ministry of Foreign Affairs’, December 3, 2010.

240 Statement of the Ministry of Foreign Affairs concerning the Advisory Opinion of the International Court of Justice on the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo, July 22, 2010.

241 In July 2010, for example, the German Foreign Minister, Mr. Westerwelle, stressed that “Kosovo was an individual case, under specific historical conditions, and that no precedent had been set.” (German Federal Foreign Office, July 23, 2010).

242 These efforts are omnipresent since 1974. In recent years, however, they were accelerated. After 2004, when a UN Plan for the comprehensive settlement of the Cyprus issue was approved by Turkish Cypriots and rejected by Greek Cypriots, a wave of sympathy for the former emerged. A number of states and international organizations called for an end of the isolation of the Turkish Cypriot community. The government of Cyprus contends that, the so-called isolation of the Turkish Cypriot community is the result of Turkey’s military occupation of some 36% of Cyprus’ territory, as well as the former’s secessionist efforts in Cyprus.

contingency. The EU does not have a common position on Kosovo, and this gives EU member states some leeway to express different views on the relevant issues that concern its future. As an EU member state, Cyprus took a clear position against the recognition of Kosovo. At the same time, however, it supports all efforts undertaken by the EU to help Kosovo to build-up its institutions. In practical terms, Cyprus abstained from the vote on the EU's Rule of Law mission in Kosovo (EULEX-Kosovo) and does not contribute to the EU force there.²⁴³ Nevertheless, it takes part in all EU meetings and decisions that concern this mission and approves its budget.²⁴⁴

Cyprus' firm political position against the international recognition of Kosovo is somehow reconciled by a conciliatory approach towards the population of Kosovo.²⁴⁵ For example, during a meeting with the Deputy Prime Minister and Foreign Minister of Albania, Ilir Meta, who paid a visit to Cyprus in August 2010, Foreign Minister Kyprianou stressed that "Cyprus [...] supports the EU's policies of assisting the economic and institutional development of Kosovo."²⁴⁶ Cyprus, nonetheless, seems to be careful not to give a wrong impression about its political stance on Kosovo. It is aware that some countries, such as Albania, which are committed supporters of Kosovo's independence, may see some parallels between the situation in Kosovo and the situation in Cyprus. This consideration is quite influential especially when Nicosia deals with the issue of Kosovo at the EU and international level.

These four nuances, however, are intertwined and it is rather difficult to differentiate between one another. In other words, Cyprus' position on Kosovo is a multifaceted one. Aside from a sense of consistency and continuity over the issue of Kosovo, it is rather difficult to identify a hierarchical order in Nicosia's concerns. On reflection, however, concerns about the implications of the case of Kosovo for the Cyprus Problem seem to come first.

These concerns are sometimes amplified by actions undertaken, and statements made, by Turkey and the Turkish Cypriot leadership, as well as by the views of commentators and analysts who suggest that Cyprus is headed to a Kosovo-like settlement. To start with, Ankara recognized Kosovo on February 18, 2008, and upgraded its Coordination Office in Pristina into an embassy. For its part, Kosovo established an embassy in Turkey, as such it is in fact one of the first countries where Kosovo has established

243 Cyprus is the only EU member state that does not contribute to the Union's force in Kosovo.

244 A Cypriot diplomat who spoke on the condition of anonymity said that Cyprus is eager to contribute to any EU mission in Kosovo for as long as decisions are made in accordance with UNSCR 1244. For the time being, Cyprus prefers not to participate in the EU force there. In September 2011, however, Cyprus gave its consent for the approval of the budget of EULEX-Kosovo.

245 Cyprus does not want other countries to perceive its political position as an anti-Kosovo position, but as a 'principled position', i.e. as a position that abides by international law.

246 Republic of Cyprus, Ministry of Foreign Affairs, August 6, 2010.

an embassy. Since 1999, Turkey has a Task Force in Kosovo of approximately 550 military personnel within the framework of KFOR. It also contributes to the EULEX-Kosovo mission with 36 police officers. Ankara has a special interest in Kosovo. It estimates that 1% of the Kosovar population consists of Turks. The Kosovo Democratic Turkish Party (KDTP) is a Turkish party in Kosovo that promotes Turkish culture and interests. Some other Turkish organizations operate in Kosovo. Ankara's interest and involvement in Kosovo is also perceived as a component of an agenda on Cyprus.

Turkey is the only member state of the UN that recognizes the "TRNC". Although the UN Security Council found the "TRNC's" declaration of independence to be null and void (UNSCR 541/1983), Turkey and the Turkish Cypriot leadership make every effort to establish formal and informal relationships with countries, international organizations, and regimes. Even after the ICJ Opinion found that "the Security Council set out the specific conditions relating to the permanent status of Cyprus"²⁴⁷ that clearly differentiate the case of Kosovo from the case of Cyprus, some still see a certain degree of similarity between both cases. According to Ker-Lindsay, "in Turkey and northern Cyprus, there was considerable speculation that the [ICJ] opinion could open the way for recognition of the TRNC."²⁴⁸ This kind of speculation appears in Turkish and Turkish Cypriot newspapers quite often. In an interview with the International Crisis Group, Osman Ertuğ, a member of the National Unity Party (UBM), and former member of the Turkish Cypriot negotiating team, wondered whether Kosovo is "more or less independent than us ["TRNC"]".²⁴⁹

A day after Kosovo declared its independence, the Turkish Cypriot Leader, Mehmet Ali Talat, "salut[ed] [the] independence of Kosovo on behalf of Turkish Cypriot people", adding that "the will of the people of Kosovo should be respected and the new state should be assisted."²⁵⁰ Even though the Turkish Cypriot leadership endorsed Kosovo's declaration of independence, "TRNC" did not establish a formal relationship with Pristina and it did not make an explicit statement of recognition. This was criticized by Turkish Cypriot politicians and columnists, who saw a historical opportunity for their community wasted.

Bearing in mind the dichotomy between Greek Cypriot and Turkish Cypriot views on Kosovo, if Cyprus were to be reunited today, it would be difficult to form a common position on Kosovo. This will likely be an issue of contention amongst both communities in Cyprus, probably until Belgrade and Pristina find a mutually acceptable solution to their dispute.

247 International Court of Justice, 'According with International Law of the Unilateral Declaration of Independence in Respect of Kosovo', July 22, 2010 (General List No. 141), par. 114.

248 J. Ker-Lindsay, 'No such a *'sui generis'* case after all: assessing the ICJ opinion on Kosovo', *Nationalities Papers*, 2011, 39(1), p. 6.

249 International Crisis Group, 'Cyprus: Reunification or Partition?' *Europe Report No. 201*, September 30, 2009.

250 Anatolia Press Agency, February 18, 2008.

4. Attitude shift in the relationship between Cyprus and Kosovo

A shift in attitude concerning the relationship between Cyprus and Kosovo is rather unlikely to happen in the foreseeable future. A policy change will be based on the outcome of the dialogue between Pristina and Belgrade. At the moment, the situation in Kosovo is rather volatile and observers expect it to remain relatively acute in the coming months.²⁵¹ International attention on Kosovo is once again shifted to conflict management, instead of conflict resolution.²⁵² In this context, Cyprus will likely stick to its original position on Kosovo, i.e. there is no prospect of recognition.

At the EU level, Cyprus will continue to support EULEX-Kosovo in the context of UNSCR 1244, without however contributing to the EU force. Its contribution will be restricted to a technical and financial level.

The prospect of EU-Serbia accession negotiations may generate a new momentum. Kosovo's bid for EU accession may also provide a new perspective. But as the case of Cyprus demonstrates, the EU is not in a position to contribute to the resolution of complex conflicts that involve both state-centric, and ethnic-centric affairs. Previous estimations on the EU's capacity to transform the parties' incentive structure, proved quite optimistic, but not realistic.²⁵³ In a nutshell, the EU factor does not seem to be a catalyst for an attitude shift in the relationship between Cyprus and Kosovo.

At the informal level, the shift of perceptions on the status of Kosovo is also unlikely to happen in the foreseeable future. The two communities in Cyprus will probably stand by their original views. Turkish Cypriots will continue to support the cause of Kosovo and Greek Cypriots the cause of Serbia, along the lines which were described in the previous sections of this paper. Concerning Greek Cypriots, an additional consideration must be taken into account. Their stance on Kosovo is indirectly, though substantially, related to the political situation in Cyprus. "TRNC's" declaration of independence in 1983 made Greek Cypriots more sensitive to issues of national sovereignty, territorial integrity, and national independence. These issues seem to be deeply embedded in the political culture of the majority of Greek Cypriots.²⁵⁴ When these considerations are

251 International Crisis Group, 'North Kosovo: Dual Sovereign in Practice', *Europe Report No. 211*, March 14, 2011.

252 Avineri argued that, after Kosovo's declaration of independence, this issue was considered, more or less, settled. Micro-politics and ethnic conflict in Kosovo, however, makes it difficult to suggest that Kosovo is a settled affair. It seems that in Kosovo nothing is over until it's over. See S. Avineri, 'What Cyprus, Bosnia and Kosovo can teach us', *Haaretz*, July 4, 2008.

253 T. Diez, M. Albert, S. Stetter, 'The European Union and Border Conflicts: The Transformative Power of Integration' *International Organization*, 2006, 60(2), pp. 563-593; T. Diez, M. Albert, S. Stetter, *The European Union and Border Conflicts: The Transformative Power of Integration and Association* (Cambridge: Cambridge University Press, 2008).

254 Not all Greek Cypriots, however, see eye to eye on this issue. See, for instance, C. Constantinou and Y. Papadakis, 'The Cypriot State(s) *in situ*: Cross-Ethnic Contact and the Discourse of Recognition', *Global Society*, 2001, 15(2), pp. 125-148.

coupled with a pro-Serbian stance, it makes it rather difficult to expect an attitude shift. In fact the opposite is true. Greek Cypriots' sensitivities concerning International Law and their pro-Serbian stance constitute a stumbling block to second track relations between Cyprus and Kosovo in non-political fields, such as academia and University exchanges, civil society cooperation, and the like.

Finally, the economic sector does not seem to be a potential driving force for an attitude shift in Cyprus-Kosovo relations. Some Cypriot entrepreneurs have a vested interest in the economic cooperation between Cyprus and Serbia, and very few of them, if any, will run the risk of collaborating with Kosovo. Beyond the strong bias towards Serbia, Cypriot entrepreneurs need to consider the institutional constraints that derive from the political relationship between Cyprus and Kosovo. For the time being, economic relations between Cyprus and Kosovo are considerably poor.²⁵⁵

In sum, there are a number of political, institutional, and cultural hurdles that provide little hope for an attitude shift in the relationship between Cyprus and Kosovo in the foreseeable future.

255 According to the Statistical Service of Cyprus, between 2009 and 2011 Cyprus has exported only one commodity to Kosovo, i.e. "artificial parts of the body O/T HDS." It imports no commodities from Kosovo.

Serbia



The End of the Kosovo Myth

The Background

November 2011

During the 19th century, Belgrade failed in its endeavours to turn Kosovo into a region under Serb dominance, first by nationalization and colonization, and then by expelling its Albanian population and driving it into Turkey. The Kosovo myth was revived in the early 1980s²⁵⁶ and skilfully manipulated with the goal of achieving the political homogenization of the Serb people. The Kosovo myth was also used to fuel Serb nationalism and raise the issue of the Serb nation in Yugoslavia to expand the Serbian state towards the north-west. In this context, Serbia's efforts to direct the refugees from Croatia and Bosnia and Herzegovina to Kosovo failed, as did all others in the past. Concerned about the advancement and biological expansion of the Albanian people and fearful of a demographic explosion, Serb nationalists began to look for other solutions for Kosovo, notably its amputation.

NATO's 1999 intervention frustrated Belgrade's plans to solve the Kosovo issue by expelling its Albanian population. Nevertheless, in spite of its de facto defeat in Kosovo, the Belgrade regime continued to pursue its old strategy under the new circumstances. This strategy was two-pronged, consisting of a) denying and undermining the international mission, and, b) working towards a partition of Kosovo into different entities. Like their predecessors, the democratic authorities have shown no willingness to come to an understanding with the Albanians in order to find a *modus vivendi* for the two peoples.

The Serb nationalists, who regard a partition of Kosovo as the definitive solution to the issue, put forward a proposal to this effect only in the spring of this year. Dobrica Ćosić was the first to suggest the idea publicly, stating that "a permanent solution to the Kosmet [Kosovo and Metohija] issue [lies] in a partition of Kosovo and Metohija and a territorial demarcation between Serbia and Albania". The phrasing 'border demarcation between Albania and Serbia' (rather than between the Serbs and the Albanians in Kosovo) is in keeping with Ćosić's definition of the Yugoslav wars as 'a rearrangement of the Balkans'. Ćosić argues that Serbia should agree to have 'a third of Kosovo', that is, to share it with the Albanians, given that it is not in a position to set it free again. According to Ćosić, Serbia should take the Serb-populated parts and

²⁵⁶ The Kosovo myth remains embedded in the consciousness of the Serb people as the central event of its entire history. The myth played a major part in the creation of the modern Serbian state. Since the end of the Balkan wars in 1913, the cult of St. Vitus (dating from the 19th century) has been observed as a day of 'chivalrous combat and victory over evil', coming to symbolize bloody merciless revenge upon all that is Turkish in particular and Muslim in general. St. Vitus Day was officially introduced as a national, church holiday in 1913, i.e. after the 'definite victory over the Turk'.

monasteries and let the Albanians have the parts that came to be theirs. Otherwise, he warns, “we shall enter into a permanent war with the Albanians which we cannot win”.

Rejection of the Ahtisaari Plan

Belgrade showed no readiness for serious participation in negotiations with Pristina prior to the declaration of independence of Kosovo. Even the opinion of the International Court of Justice regarding the legality of the Kosovo independence declaration failed to persuade Belgrade to change its attitude. Belgrade showed no intention of acknowledging the new reality and Kosovo’s new international status. On the contrary, it acted as if no change at all had taken place.

Given that the date for being granted candidate status for EU membership is approaching, the Serbian elites believe it is about time for Serbia to complete its ‘unfinished’ business with Kosovo. Since last spring certain politicians have been openly advocating a partition and for the first time officially proposing this as an option.²⁵⁷

Last summer’s attempts to force a partition of Kosovo by staging a ‘log revolution’ (blocking roads with logs) backed by Belgrade, failed. These attempts discredited the Serbian ruling coalition in the eyes of the international community at a time when Serbia was expected to make additional efforts to show its best side to the EU ahead of the latter’s membership candidate status decision. On the one hand, this created the impression that the Serbian elite did not really want EU membership, and on the other, it became clear that Belgrade still considered the status of Kosovo as an unresolved issue.

Kosovo’s government’s decision to take over the border crossings at Jarinje and Brnjak and thus consolidate Kosovo’s statehood, was tacitly supported by the international community. The EU’s and KFOR’s resolute position regarding the ‘log revolution’ in northern Kosovo has revealed the inability of the Serbian elites to weigh their options and to set realistic goals for Serbia’s future. This continuing generation of nationalism through the Kosovo myth is obstructing the democratic mobilization of Serbia required for a necessary turn towards a European future. There is no doubt that Serbia can make progress only if it becomes more aware of the new reality and the common interests.

²⁵⁷ Having always shown territorial claims against northern Kosovo, Serbia has been hoping to achieve this through several strategies including occupying Kosovo after 1999 and maintaining the status quo. It has banked on the international community accepting the de facto situation on the ground.

Serbia's misconception of the international community

The August 23, 2011, visit of German Chancellor Angela Merkel put a stop to Belgrade's strategy of calculation which had fuelled illusions in the north of Kosovo for a full three years following Kosovo's declaration of independence, that the international community would, at some favourable moment, accept the status quo there as a permanent solution. The German Chancellor asked Belgrade openly to dismantle the parallel structures in northern Kosovo in order to incorporate that area legally and institutionally into the socio-political system of Kosovo. In doing so, she merely stated publicly what other international actors had been asking Serbian officials to do all along. However, even Merkel's unequivocal gesture was not enough to substantially influence either Serbia's policy on Kosovo, or the Serbian media coverage of Kosovo and originating from Kosovo.

On the contrary, the endeavours to do something in or about Kosovo continued in spite of everything. Proposals for a 'substantial autonomy' for the north of Kosovo, for an 'Ahtisaari Plan plus', for political dialogue with Kosovo, and others, began to be made publicly with increasing frequency and transparency. This indicated the existence of a contingency plan: if there were to be no partition of Kosovo, its north should be 'ensured the status' of a specific entity (based on the model of Republika Srpska in Bosnia and Herzegovina). Nevertheless, the option of a possible partition remained in circulation through a series of newspaper articles and the recruitment of foreign analysts favourably disposed towards 'Serb arguments'.

Partition of Kosovo – Belgrade's old option

A 'delimitation with the Albanians', a 'historic agreement between Serbs and Albanians', a 'correction of the frontiers' – all these are mere euphemisms for the secession of the north of Kosovo and its incorporation into Serbia. This has been Belgrade's strategy for almost half a century. Until recently, the plan had never been presented as Belgrade's official line. It had solely been publicly discussed by its author, academician Dobrica Ćosić, by members of a circle close to him (Aleksandar Despić, in 1997), and by a number of domestic and foreign analysts and commentators.

However, the idea was made official in the first half of this year by the Deputy Prime Minister and President of the Socialist Party of Serbia (SPS), Ivica Dačić.²⁵⁸ This announcement was preceded by Ćosić's interview with the daily *Politika*, which published it for three consecutive days. Ćosić alleged that Serbia's state policy on

258 Helsinki Committee bulletin No. 80.

Kosovo had been wrong “from (Nikola) Pašić to (Boris) Tadić” and noted that the matter had been talked and written about (to no avail) for the past four decades. He proposed a “democratic, just, compromise and permanent delimitation” as the only way to “transcend the centuries-old antagonisms between Albanians and Serbs”.²⁵⁹

Ćosić did not miss this opportunity to also mention that he had discussed a partition with Slobodan Milošević on several occasions. He added that although in 1991 he had conveyed to Milošević a “US proposal to divide Kosovo, according to which Serbia would have a third of Kosovo and Metohija”,²⁶⁰ even back then Milošević did not give up the ‘Serb illusions’. The reference to the United States in connection with the Kosovo partition idea was likely intended to add some weight to the issue.

In fact, the opinions of certain US experts and analysts, mostly rallied from the US conservative Cato Institute,²⁶¹ are frequently published in Serbian media. For instance, one of the Institute’s analysts, Ted Carpenter, published an article in *The National Interest* titled *The Dangers of Rejecting Balkan Partitions*, in which he refers to a ‘marvellous selectivity’ regarding the acceptance of secessions and partitions. He claims that only a small number of the European and US elites reacted when “NATO powers helped break up Yugoslavia in the early 1990s. Even fewer expressed qualms about forcibly detaching Kosovo from Serbia”.²⁶² Carpenter wonders about the apprehension of some in regards to “considering a new Balkan strategy that involves a modest territorial adjustment in Kosovo and a decision to abandon the clearly failed nation-building project in Bosnia”.²⁶³ Appearing in the Happy TV show *Ćirilica*, Steven Meyer, who is often invited by Belgrade’s media to present his views, recently spoke in much the same vein in relation to the regional crisis.²⁶⁴

A feuilleton on the foreign policy strategy of former Russian Prime Minister and Foreign Minister Yevgeny Primakov, published in instalments by *Politika* last September, touches on Kosovo (without mentioning the role of Viktor Chernomyrdin in creating the Kumanovo Agreement of 1999). Primakov insisted that the independence of Kosovo was “a foreign-policy problem having negative implications for the relations between Russia and the US”.²⁶⁵ According to Primakov, the problem might be mitigated once the quest for a solution reaches a dead end and is the parties involved realize that a “territorial demarcation is the only way out”.²⁶⁶

The daily *Blic* is one of several influential Belgrade media outlets that still believes that a partition of Kosovo is an option. With this in mind, it tries to find interviewees

259 *Politika*, 29 May 2011.

260 *Ibid.*

261 Their views are most frequently aired in *The Washington Times* and other media outlets.

262 *Politika*, 5 October 2011.

263 *Ibid.*

264 The programme *Ćirilica*, hosted by Milomir Marić, 3 October 2011.

265 *Politika*, 24 September 2011.

266 *Ibid.*

who will support this thesis. The daily (as well as some others) interviewed London School of Economics professor James-Ker Lindsay during his visit to Belgrade and later published the interview under the title *There Is Still Chance of Partitioning Kosovo Provided there Is a Good Plan*. If Serbia is forced to acknowledge the independence of Kosovo, Lindsay argues, then Pristina must accept that the north of Kosovo is a part of Serbia.²⁶⁷

The attitude of the Government

The Government in Belgrade tries to portray itself as a player who wields no influence over the leaders of the Serb rebellion and the 'log revolution' in northern Kosovo and which therefore has no power over the situation as a whole. This is only partially correct and might arguably apply to the most radical structures in the north. These structures are closer to the Democratic Party of Serbia (DSS) and the Serbian Radical Party (SRS), both of which have been exerting strong pressure on the existing, fragile pro-European camp. One should not forget that it was Belgrade that created and maintained the existing parallel structures (irrespective of how many governments have changed in the interim) and that it therefore bears responsibility for them.

The government's influence, and that of President Boris Tadić, on these structures is reflected on several levels. The first concerns the way in which they are financed. This is obvious if one considers the clear connections between Serbian institutions — from civilian to security establishments — with the north of Kosovo. Further, several of Belgrade's moves in the past year indicate that the events of last summer did not happen by chance.

Also, at Kosovo's December 2010 elections (and the 2009 local elections preceding those), the Serbian Government, Democratic Party (DS) leaders, and analysts close to them sent an ambiguous message to the Serbs in southern and central parts of Kosovo, stating that they should cast their vote and participate in the work of Kosovo's institutions. At the same time, the Serbs in the north of Kosovo received a completely different message, namely that they should boycott the election because the situation there was completely different.

As a result, Serbs living south of the Ibar river are slowly becoming integrated into Kosovar institutions, resulting in a rapid improvement of their economic and safety situation. On the other hand, the north of Kosovo is not secure for the Serbs. There is no freedom of speech and association. Every dissenter risks being threatened in some way or another. For instance, during the December elections in northern Kosovo, a number of incidents targeting people urging others to vote, were registered. More

²⁶⁷ *Blic*, 3 October 2011.

specifically, nearly two years ago, a high-ranking official of the Independent Liberal Party and MP of Kosovo's Assembly who lived in the northern town of Mitrovica, was the victim of a hand-grenade attack.

The contingency plan for Kosovo

In view of the new reality and the inflexibility of the international community (at least up until now), Belgrade has begun talking about creating a special territorial autonomy for the north of Kosovo. Ultimately, as in the case of Republika Srpska, Belgrade counts on a referendum and on incorporating the north of Kosovo into Serbia. In this respect, Republika Srpska and the north of Kosovo are closely related. Republika Srpska, which functions as a state within a state, serves as a model for Kosovo. Both Republika Srpska and Kosovo are subject to a 'strategy of waiting' for a favourable moment to come. It is hoped that the international situation will change and that this will happen in a peaceful way. This calculating attitude is conducive to permanent instability in the region.

Although to a lesser extent, there is an increasing number of proposals reported by Belgrade's media to accept the reality, which emphasise on finding a solution to the north of Kosovo. This is most often suggested in the form of an 'Ahtisaari Plan plus', which entails ensuring territorial autonomy of certain municipalities in parts of Kosovo bordering Serbia near Raška and Novi Pazar. The possibility of an international conference on Kosovo has also been mentioned in this context. The first (semi) official initiative in this regard was announced by the president of the DS Political Council, Dragoljub Mićunović.

Demands to "accept the reality" concerning Kosovo are heard increasingly in public, though they are still in the minority. Among political parties, the Liberal Democratic Party (LDP) has the clearest position on the matter: it advocates acceptance of the Ahtisaari Plan that Serbia rejected in its entirety at negotiations in Vienna in 2006. The Serbian Renewal Movement (SPO) and its leader Vuk Drašković think alike. Drašković argues for the acceptance of the non-status part of the Ahtisaari Plan, which would enable Kosovo's Serb municipalities to establish links with Serbia on the basis of their interests, with "additional regional autonomy envisaged for the Serb municipalities to the north of the Ibar". "The Ahtisaari Plan," says Drašković, "is largely a replica of the former Z-4 plan for the Serbs in Croatia and a combination of good solutions applied to similar inter-state and inter-communal conflicts in Europe." He explains that the Serb municipalities north of the Ibar would enjoy the kind of autonomy granted to the South Tyrol.²⁶⁸

Several former senior public servants (ambassadors) and current independent

²⁶⁸ *Politika*, 27 September 2011.

analysts (Ognjen Pribičević and Predrag Simić) also advocate a more rational approach as a permanent solution to the months-long crisis in northern Kosovo. The *Politika* journalist and influential media commentator Boško Jakšić also belongs to this circle.

Other than insisting on a “peaceful solution” through “dialogue”, the position of the ruling DS is not clear. Unofficially, there is internal disagreement within the Government in regards to what should be done, indicating that some members of the ruling coalition do not see eye to eye. The Deputy Prime Minister and SPS leader, Ivica Dačić, stands out in particular for his radical stance. It is telling that Slavica Đukić-Dejanović, Parliament’s speaker and Dačić’s party colleague, found it necessary to explain Dačić’s position on partition, saying “he is not for partition but for drawing a line of demarcation”. She stressed that a “line of demarcation implies the presence of Serbian institutions where the Serb population predominates”.²⁶⁹

Vladimir Todorčić, Director of the New Policy Centre, a non-governmental organization close to the DS, has suggested that the possibility of a change of rhetoric and behaviour by the Serbian government should not be ruled out. He stated that Belgrade was overly optimistic for too long about the US changing its mind concerning partition, which explains why “we did not raise the issue of a special status for the north at the most favourable time”. Todorčić added that the “little time that remains” should be used to “formulate a proposal within the realm of the possible to enable the broadest autonomy for the Serbs in the north while preserving the present degree of decentralization in the south”.²⁷⁰

The New Policy Centre has also announced a Platform for Serbia-Kosovo talks that incorporates elements of an agreement.²⁷¹ According to the proposal, Kosovo’s functioning autonomy would not be based on Kosovo’s Constitution, but on an agreement reached by Serbia, Kosovo, and the EU as guarantor (with UN approval based on a new resolution). “Serbia’s sovereignty will be recognized declaratively by the Agreement which will provide for the designation of Serbian sovereign authority to Kosovo. This would legally mean that the Serbian Constitution remains a source of sovereignty, which may be very important in the event of a breach of the Agreement by Kosovo towards the Serbian community,” the Platform reads.

Also, Serb municipalities would be given a joint institution that would coordinate their activities and would serve as a focal point for their communication with Belgrade. The assembly of the Serb municipalities, called the Inter-Municipal Assembly, would not legislate, but would be able to adopt decisions within the framework of the ‘jointly transferred competences’. The Serb municipalities would be demilitarized, “except for

269 *Danas*, 10 October 2011.

270 *Politika*, 30 September 2011.

271 <http://www.cnp.rs/articles/view/22>.

Kosovo police's, which should remain under EULEX competence". Implementation of the agreement would be monitored by a body comprising Serbian, Kosovar, and EU representatives. Kosovo's Serbs would have support from the international community (while protection by Serbia, to the extent that it is still possible, would not come into question at the same time, protection from Serbia would not be questioned?). Kosovar Serbs should be entitled to dual citizenship without any discrimination in regards to visas. Per the Proposal, it would be possible for some countries to have consulates at the administrative centre of the Serb communities.

Dragan Đilas, Deputy President of the DS, has gone the farthest in distancing himself from the policy pursued so far. Appearing in the TV B92 programme *Utisak nedelje*, he said that Serbia had in the past spent too much ambition, time, and effort on questions concerning the territories, and that it was time it took care of its people.²⁷²

However, instead of looking for a way out of the impasse after receiving clear signals from KFOR, the EU, and the US that there would be no turning back, the Serbian government concluded in a report on its activities towards stabilizing the situation in Kosovo, that the international missions in Kosovo had put themselves at the service of Pristina. The report will be submitted to Parliament at the end of October. The government said that the interests of the Kosovo Serbs would continue to be promoted and defended by all the means at its disposal, taking into account the political-security context defined by UN Security Council Resolution 1244 and the Kumanovo Military Technical Agreement.

What Belgrade might do

The radicalization of the situation in Kosovo depends largely on the outcome of the approaching elections. The campaign is already underway, and Kosovo is apparently the only topic that has been raised so far. The anti-Europe bloc is using Kosovo, where it wields more influence than the government, as a weapon with which it might beat its opponent at the elections. However, Kosovo is not a priority for Serbian citizens. According to public opinion polls, it ranks only eighth amongst their concerns, following economic, security, health, and other problems.

The pro-European current in the government, and those concerned with the technical aspects of European integration, continue their efforts in that direction as if the current developments in the north of Kosovo do not concern Serbia and its candidate status. The people in government are currently more moderate in their statements

²⁷² Utisak nedelje show, TV B92, 2 October 2011.

and behaviour than they were at the beginning of the crisis. President Tadić is currying favour with the nationalist segment of the population although there is no need to do that.

Government representatives are trying to raise concern amongst foreign diplomats by predicting a new Operation Storm, a humanitarian catastrophe, and a wave of refugees from Kosovo. This has been done before. But it is questionable whether such an outcome would be possible without some strategic prodding from Belgrade. No one is making an issue of the fact that there are major criminal structures operating in northern Kosovo. When the time comes for them to withdraw, they could also cause a Serb exodus. The weekly *N/V* has reported, citing anonymous sources, that the hooligans were infiltrated into the north from Serbia.

WikiLeaks recently published a 2008 dispatch from the US embassy in Budapest quoting Serbian Foreign Minister Vuk Jeremić as telling a US official: "Independence in Kosovo means war in the Balkans...and war in the Balkans means refugees in Hungary and in ethnic Hungarian areas in Serbia."

Milorad Dodik, a champion of the anti-European bloc together with Jeremić, is taking an active part in the efforts to deal with the Kosovo issue. His tactics are summed up in the allegation that the Serbs want to clearly "establish their rights" in order to be able to behave like the Albanians at a future date. "We must be patient and pay the price of the time in which we are now living. Accordingly, at present we must live for (Republika) Srpska and go on building it up. So, RS is the bottom line. We're not going to give any part of it to anybody any more." (The Helsinki Committee report, p. 556, *Večernje novosti*, 28 July 2010). When the last Kosovo crisis broke out, Dodik put forward a proposal suggesting that Serbia and Republika Srpska should establish a union based on the model of the State Union of Serbia and Montenegro. However, in connection with the crisis, Dodik said that people in Kosovo should be told clearly that the state would earmark substantial sums of money for the Serb community that remained there, and would offer lands in Serbia or Republika Srpska to those who wanted to emigrate. He believes that this is the only solution and that the Albanians should not be given any more opportunities to talk about a multiethnic society.

The EU and US stand firm on Kosovo

The crisis in the north of Kosovo has strengthened the position of the EU and the US that there will be no new borders in the Balkans.

This was made clear to President Tadić not only by Angela Merkel but, also by US Secretary of State Hillary Clinton at the UN General Assembly meeting. Clinton said that her meeting with Tadić was “empty” and that that she was told nothing new that would change her belief that Belgrade continues to play the Kosovo partition card.²⁷³

Other European politicians who have visited Belgrade recently have also made it increasingly clear that there will be no partition. For instance, Austrian State Secretary Wolfgang Walden, who attended the Economic Summit in Belgrade, said clearly that Kosovo’s independence was a reality. In his opinion, partition is not an option. He believes that a formula to solve the issue of northern Kosovo must be found as soon as possible.²⁷⁴

The European Commission’s 2011 Serbia Progress Report has been the most explicit, stressing that in order to be granted candidacy for EU membership, Serbia must disband the parallel institutions in the north of Kosovo and renew dialogue with Pristina by December 9. This definitely put an end to Belgrade’s illusions that a partition of Kosovo is an option.

Russia’s position

During the early stages of the crisis at the Brnjak and Jarinje border crossings last summer, Moscow exercised marked restraint. Later-on, however, Russia’s ambassador in Belgrade, Alexander Konuzin, began to interfere openly, letting it be known that Russia was not going to give up its ambition to play a major role in the region. At the first Belgrade Security Forum, Konuzin angrily reproached those present for not defending their country’s interests in Kosovo. At one point, he shouted in anger, “Are there no Serbs in this room?” He also said that there were people in Serbia prepared to sell economic facilities to anyone but Russia, although they were aware that the facilities would collapse as a result of this.

Following the scandal, posters bearing the words “Alexander Konuzin, ambassador of Serbs in Serbia” appeared all over Belgrade. The posters were the work of the

273 *Danas*, 30 September 2011.

274 *Blic*, 4 October 2011.

organization Srpski narodni pokret 1389 in support of the Russian ambassador because, it explained, Konuzin had been “under constant criticism and attacks” following the Belgrade Security Forum.²⁷⁵

Konuzin caused the incident, which was widely condemned as a diplomatic scandal, with Moscow’s backing. The episode was also reported by Russian newspapers, which said that it could affect Belgrade’s alliance with Moscow. The *Voice of Russia* did not think that Konuzin had earned the title of troublemaker from the media, and pointed out that it was scandalous that a forum of that kind was held in the presence of the Serbian President. Speaking at the election rally of the Serbian Progressive Party (SNS) in Niš, Konuzin stated, “The Serbian Progressive Party²⁷⁶ has become a chief indicator of the mood of the citizens of Serbia. This makes it possible for you to make plans of a nationwide character, as well as to assume responsibility for the trust and hopes invested by people in this party.”²⁷⁷ Konuzin’s interference in Serbia’s internal policy affairs provoked a sharp reaction from the Serbian government.

All in all, within the context of the complicated and precarious US-EU relationship (especially since Putin announced that he would stand for president again), Moscow has demonstrated, through Konuzin’s improper and high-handed gesture, that it wants to remain a player in the Balkans through Serbia, Republika Srpska, and northern Kosovo. It also wants to indirectly strengthen its position in international forums, especially in the UN and the Security Council, based on the strength of its Balkans hand. Consequently, Russia may be expected to continue to ‘champion’ Serbia’s interests in international bodies as long as that suits its strategic interests in its relations with the EU and the US.

Conclusions and recommendations

Belgrade’s Kosovo policy has definitely been defeated and any possibility of partitioning Kosovo has been ruled out. Belgrade obviously calculated that the international community and KFOR would accept the *fait accompli*. With this goal in mind, Belgrade has feigned a dialogue with Pristina and thus has put off the resolution of certain issues concerning Kosovo’s independence. Furthermore, by radicalizing the Kosovo issue, Serbia has undermined its position vis-a-vis the EU. This has caused uneasiness on the internal level, which is already largely influenced by the election campaign.

²⁷⁵ *A/o*, 22 September 2011.

²⁷⁶ The Serbian Progressive Party is strongly pro-Russia and supports ‘both Russia and the EU’.

²⁷⁷ http://www.b92.net/info/vesti/index.php?yyyy=2011&mm=10&dd=30&nav_category=11&nav_id=553594

Since the partition option has been ruled out, Belgrade could easily solve the Kosovo issue, above all by complying with the requirements contained in the 2011 Serbia Progress Report. There is also increasing mention of solving the status of northern Kosovo according to an 'Ahtisaari Plan plus', which envisages a broad autonomy for local communities, including transparent financing by Serbia.

Belgrade's authorities must also send other signals to the Serbs in the north of Kosovo, notably to urge them to turn towards Pristina and the Kosovo institutions and to deal with their problems jointly. While Belgrade could provide some level of support, it must not be a prominent player making decisive moves and drawing the local population into a wider conflict with both the Kosovo Albanians and the international community. An autonomy model for Kosovo's Serbs must incorporate mechanisms designed to prevent Serbia from interfering in Kosovo's sovereignty by using the Kosovo Serbs, as is the case with Republika Srpska. Any similarity between the north of Kosovo and the Republika Srpska model would render Kosovo dysfunctional as a state.

If Serbia leaves out the territory of northern Kosovo when it calls the next election (in the spring of 2012), this will send a clear signal that it has accepted the reality and agreed to the gradual abolition of the parallel institutions and structures in that part of Kosovo.

The northern Kosovo Serbs should become a key player and hold talks with Kosovo's authorities and the international community. In other words, these Serbs should decide their future, their position and their life within that system. At present, the Serbs in northern Kosovo are hostage to Belgrade's policy. For this reason, that part of Kosovo is also unsafe for the Serbs themselves. There is no freedom of speech. Anybody who does not agree becomes the target of threats from the Serb side.

The elimination of Kosovo's parallel institutions deserves strong support. One should not expect Serbia to accomplish this at once. A gradual approach would be much more effective. The dissolution of these structures will not be simple given their close connection with the criminals who practically rule over the area. These criminals will not willingly forgo the benefits they are reaping from the current situation of lawlessness, smuggling, and corruption.

The decentralization models shaped on ethnicity, which are not always a necessary evil, should also be considered in the specific context of the former Yugoslavia. To begin with, these autonomies are not a result of agreement, but the outcome of conflict, and represent part of the war booty. Secondly, irrespective of all the regional initiatives carried out, Belgrade still exercises a great degree of influence on its neighbouring countries (i.e. on their internal stability) by using the local Serb population.

There is a sense that territorial autonomy would satisfy the Serbs' aspirations only for a short time. This is causing suspicion and concerns amongst neighbours in regards to ethnic decentralization. Third, Serbia refuses to grant territorial autonomy to minority communities within its own territory. For instance, no Serbian government has granted the Vojvodina Hungarians' demand for territorial autonomy since it was made 15 years ago. Demands for territorial autonomy in Serbia are growing: Albanians want this in southern Serbia and Bosniaks in Sandžak.

In order to secure EU candidate status (provided it is genuinely interested in it), the Serbian government will have to make efforts to repair the damage caused by the imprudent radicalization of the situation in northern Kosovo, and to show readiness for a constructive continuation of dialogue with Pristina. It will have to do this by December, before the EU member countries vote on the Commission's proposal for Serbia's candidacy.

The Serbian government and president have yet to dissociate themselves from the 'log revolutionaries'. A firm position from the government²⁷⁸ to this effect would help ease tensions and calm passions among Serbia's citizens, who have long realized that Kosovo cannot be returned within Serbia's borders. Serbs in Kosovo, including those living in the north, have no confidence in Belgrade's policy and are much more realistic about the situation. As it turns out, ordinary people both in Kosovo and in Serbia have proven to be far more realistic and rational than the government itself.

278 *A takeover of the border by the Kosovo authorities could be used by Serbia to turn it to its own advantage. Belgrade could tell the nation that northern Kosovo could no longer be defended because one cannot fight 'the whole world'.*

Bosnia and Herzegovina

The Current State of Relations Between Bosnia and Herzegovina and Kosovo and Prospects for Evolution

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Introduction

The complexity of the relationship between Bosnia and Herzegovina (BiH) and Kosovo stems from a number of factors: their common heritage, the strong role of Serbia and its continued attempts to exert influence on both countries, the rhetorical association of the future of Republika Srpska with Kosovo's independence, and the European aspirations of both countries, which so far have not been successful in improving mutual relations. Reciprocity issues and parallels drawn with Republika Srpska are made at any mention of relations with Kosovo, and the spirit of secession of Republika Srpska continues to loom over BiH, and consequently its relationship with Kosovo. Kosovo's independence is portrayed by Serbs from Republika Srpska as an injustice to all Serbs in the region, and it is often implied that compensation should be sought through greater autonomy for Republika Srpska. However unjustified, this argument tends to link the destinies of both countries and leaves very little room for pragmatism. For these reasons, Bosnia and Herzegovina, unlike other countries that have not recognised Kosovo, bears the burden of very high risks if it were to take even the smallest steps to improve relations with Kosovo on any pragmatic grounds. For BiH, Kosovo is not a 'foreign policy' issue, it is very much treated as an issue to be debated internally, which makes any rationalising on Kosovo almost impossible. Coupled with the lack of pragmatism, the lack of internal consensus on the issue of Kosovo's recognition, is likely to make BiH the last country in Europe to recognise Kosovo, and only if Serbia were ever to reach such a decision.

However, given the lack of progress so far, it can be said that BiH is doing even less than Serbia in facilitating relations with Kosovo on some practical issues. Over the past year, Belgrade has taken several steps in that respect to recognise Kosovar documents, customs stamps, registration plates, diplomas, etc. However, BiH has taken only modest steps in that regard, and only after long delays and strong pressure from the EU. One of the reasons for this is the fact that Serbia and Kosovo are both engaged through a structured process that facilitates dialogue within a framework of EU-mediated talks. BiH and Kosovo do not have any such means of communication to discuss open issues, which is why any discussions on improving relations with Kosovo

happen in an *ad hoc* manner, are reactive, and don't have a clear agenda. The fact that BiH has not had a state-level government for nearly fifteen months since the October 2010 elections, has only exacerbated this situation, and the EU has not had a clear counterpart with whom to address the question of relations with Kosovo. For this reason it can be expected that more pressure will come from the EU once the new government is in place in BiH. Therefore, if any dialogue is to take place, it can only happen under the EU umbrella.

Lack of Internal Consensus

In most of the other countries that do not recognise Kosovo, there seems to be an internal political consensus on the issue. Kosovo, however, represents one of the most contentious points over which different parties in BiH disagree. That fact makes it impossible to have a rational dialogue on Kosovo, as it will always be a reflection of internal disputes and on-going debates about the future of BiH itself. The rift between the two opposing sides is so deep that it not only is unimaginable to speak about recognition in the near future, but even to take some pragmatic steps that would re-establish practical connections and enable a minimum degree of cooperation. In that sense, it could be asserted that BiH is even behind Serbia in terms of normalising relations with Kosovo.

The relationship between Kosovo and BiH has been and will continue to be overshadowed by implicit parallels that are being drawn between both countries. On one hand, there are those who argue that Kosovo's independence is justified on the grounds of self-determination following human rights abuses and lack of any other options to address its relationship with Serbia — implying the existence of a parallel in that independence was sought on the same grounds as when BiH pursued its own independence. On the other hand, Bosnian Serbs oppose Kosovo's independence but draw a parallel line by supporting the secession of Republika Srpska (RS) based only on the 'will of its people' which would be decided by referendum.

A decision of such great significance as the recognition of Kosovo, requires consensus of all three members of BiH's Presidency (Bosniac, Croat, and Serb). So far, all members of the Presidency agree that this question is not going to be on their agenda in the near future given the apparent lack of consensus on that matter. However, this has not prevented the current and previous members of BiH's Presidency to publicly state their personal opinions. In both cases, those who support and those who oppose Kosovo's independence base their opinions on emotional grounds, rather than on international law or on decisions made by international organisations.

On September 26, 2008, while attending the United Nations General Assembly meetings in New York, Haris Silajdžić, the Chairman of the BiH Presidency at the time, told the Voice of America that he supported Kosovo's independence and was opposed to Serbia's request that the International Court of Justice issue an opinion on the legitimacy of Kosovo's independence. Željko Komšić, the Croat member of BiH's Presidency, is also rather outspoken regarding the issue of Kosovo's independence. He denies the existence of any parallels with BiH on the grounds that "...unlike Kosovo, Republika Srpska was not a product of history or a long historical process. It came into being as a result of war and never enjoyed the status of a state, while Kosovo was an autonomous province of the former Yugoslavia and had its government, parliament, judiciary and police, as did all federal republics."²⁷⁹ Komšić furthermore elicited strong reactions from politicians in Serbia and Croatia when, following statements on the future of BiH by Croatian and Serbians presidents during their joint meeting, he stated that he „supports the integrity and sovereignty of Croatia, and Serbia without Kosovo“. Serbian authorities responded by sending a protest note to the BiH Ministry of Foreign Affairs. Komšić has subsequently publicly admitted that it is evident that recognition of Kosovo will not be on the agenda of BiH's Presidency in the near future, but that its position would need to be reviewed sooner or later in light of the harmonisation of BiH's foreign policy with that of the European Union.

The current Bosniac member of the Presidency, Bakir Izetbegović, does not conceal his support for Kosovo's independence, but he does not openly advocate for it. He has occasionally met with Kosovar officials on the sidelines of international events,²⁸⁰ but due to the lack of official recognition of Kosovo as a state, those meetings have remained low profile.

On the other side, the most vocal opponent of recognition of Kosovo is the President of Republika Srpska, Milorad Dodik. He has stated on numerous occasions that BiH would never recognise Kosovo because the Serb member of BiH's Presidency would invoke a veto. He justifies this position by declaring that the destiny of all Serbs is interconnected, regardless of where in the Balkans they live. He furthermore sees them as victims of foreign conspiracies. Following the International Court of Justice's (ICJ) ruling on the legality of Kosovo's February 2008 unilateral declaration of independence from Serbia, Dodik stated that it provokes actions on the part of Republika Srpska aiming more autonomy. Dodik argues that Kosovo's declaration of independence is a "...guideline for our struggle for (legal) status and the future of Republika Srpska. [...] at present we want to clearly establish our rights so as to be able to act the way the Albanians act now in any future situation."²⁸¹

279 Bojana Barlovac, Sabina Arslanagic, Balkan Insight, 'World Reacts to ICJ Advisory Ruling on Kosovo', <http://www.balkaninsight.com/en/article/world-reacts-to-icj-advisory-ruling-on-kosovo>

280 E.g. Leaders of Change Summit in Istanbul, March 14, 2011

281 Bojana Barlovac, Sabina Arslanagic, Balkan Insight, 'World Reacts to ICJ Advisory Ruling on Kosovo', <http://www.balkaninsight.com/en/article/world-reacts-to-icj-advisory-ruling-on-kosovo>

On February 22, 2008, only days after Kosovo's declared independence, the National Assembly of Republika Srpska adopted a declaration of non-recognition of Kosovo. The declaration stated that Kosovo's declaration of independence is "an unacceptable act of breaking up the territorial integrity of a sovereign and internationally recognised state" and called upon all political representatives of RS in BiH's institutions to do everything possible to prevent the recognition of Kosovo. It also condemned the intention of numerous countries to recognise Kosovo, posing that those recognitions represent the introduction of a new principle of self-determination, which RS might follow. The National Assembly's declaration thus implies the right of RS to hold a referendum on secession from BiH. The international community in BiH reacted strongly to this declaration and called on the authorities of RS to respect the principles of the Dayton Peace Agreement, which protects and guarantees the integrity of Bosnia and Herzegovina.

Since then Dodik, has continued to support the division of Kosovo, with its northern part remaining under the jurisdiction of Serbia. He sees this as a solution that might guarantee stability in future as "divisions always brought stability in the past". Based on this, Dodik recommends that Serbia turn inwards, rather than towards Europe. Dodik has on several occasions met with Kosovar Serb representatives, supporting them in their open confrontation with representatives from the international community in Kosovo, and inciting their fear of foreign conspiracies. Through such public events, Dodik creates an illusion that the RS stands more firmly behind Kosovar Serbs than Serbia does, even though the RS plays no role in deciding the future of Kosovo or its minority population. Following one such meeting in Banja Luka, Slaviša Ristić, the head of Zubin Potok (a majority Serb municipality in Kosovo), stated that they receive greater political support from RS officials than from Serbian authorities. He declared that Banja Luka is "closer to us due to their open support for our requests and our position regarding the role of the international community". However, in spite of the strong rhetoric in the past, Dodik's recent statements point to the fact that he accepts the independence of Kosovo as an irreversible fact, and that aspirations to re-integrate it with Serbia are futile.²⁸² Nonetheless, all political parties in the RS unanimously agree that BiH should not recognise Kosovo.

There have also been continued attempts to impose the secession of Republika Srpska as a territorial trade-off in negotiations on the status of Kosovo. Some policy analysts even engaged in discussions about the potential effects of re-drawing the borders in order to design a new solution for Kosovo at the expense of BiH's territorial integrity.²⁸³

www.balkaninsight.com/en/article/world-reacts-to-icj-advisory-ruling-on-kosovo

282 Article published in *Nezavisne novine* on September 16, 2011, entitled 'Kosovo otimaju veliki i mocni, i Beograd to ne moze sprijeciti' in which Dodik offers a theory according to which the status of Kosovo is a result of the influence of 'great powers' which Serbia cannot fight against.

283 E.g. Zarko Puhovski: "Priznanje nezavisnosti Kosova bi u BiH izazvalo katastrofu" Izvor vijesti: <http://www.24sata.info/vijesti/bosna-i-hercegovina/75409-Puhovski-Priznanje-nezavisnosti-Kosova-BiH->

Those proposals were presented in light of a perceived threat that the crisis might spread beyond Kosovo's borders, and the possibility of a wider regional conflict was implied, raising fear. Such concerns were further fuelled by statements made by Serbian officials, such as then-Prime Minister Vojislav Koštunica, who declared Republika Srpska and Kosovo to be Serbia's main priorities, implying territorial compensations for BiH upon Kosovo's secession.

However, the international community remained firm and united on this issue, and did not give in to intimidation. It openly advocated the protection of BiH's integrity under the Dayton Agreement, and dismissed any parallels between Kosovo and BiH. The US Embassies in Zagreb, Belgrade, and Sarajevo have consistently dismissed any parallels being drawn between Kosovo and BiH. They strongly opposed the holding of a referendum in the RS following the declaration of Kosovo's independence, and repeatedly stressed that the Dayton Peace Agreement is the only solution for the future of BiH. They further emphasized that this question should not be opened up. A similar position was taken by the High Representatives of the International Community to BiH (HRep), Miroslav Lajčak (who was HRep at the time of Kosovo's declaration of independence), and Valentin Inzko, the current HRep.

Position on Kosovo In The International Arena

Kosovo is yet another point of contention between opposing parties in BiH, one which should not be underestimated in terms of future efforts to improve the relationship between both countries. BiH has been on the brink of a severe political crisis since the 2006 general elections, and even the least sensitive issues have been used to augment already high tensions between major political parties. In spite of the fact that the overall share of votes amongst the major political parties changed after the 2010 general elections, their positions have more or less remained the same. It took the major six political parties fourteen months to reach a coalition agreement to form a government, during which all the unresolved issues that arose in the preceding period became even more prominent, including the subject of Kosovo's recognition, which remained a topic of high contention. In fact, BiH officials confronted each other on the issue of Kosovo's recognition even at public international fora, thus highlighting the lack of internal consensus on the matter even further.

When the Speakers of the House of Representatives and House of Peoples of BiH's Parliament were invited to participate in the 5th Conference of Speakers of Parliaments from the Western Balkans (held in Budapest on November 12, 2011), they took this

izazvalo-katastrofu.html#ixzz1li1k4y2

Also: Ljiljana Smajlović Editor in Chief of 'Politika' and historian Čedomir Antić – Statements available at http://www.novireporter.com/look/reporter/nr_article.tpl?IdLanguage=11&IdPublication=2&NrIssue=239&NrSection=5&NrArticle=2903

debate outside of their own country's borders. Ognjen Tadić, the Speaker of the House of Peoples, sent a letter to the organiser of the conference, the Speaker of the Hungarian Parliament, László Kövér, in which he expressed his refusal to participate in the conference due to the announced presence of representatives from Kosovo. Tadić demanded that representatives of BiH's two entities also be invited as counterparts to Kosovo, which — from his point of view — is an entity of Serbia and not an independent state. As a result of this, the Speaker of the Hungarian Parliament received a series of letters, in which the speakers of both Houses of BiH's Parliament each expressed their own views on the treatment of Kosovo at international events, at times using language that was highly undiplomatic. Above all, this incident demonstrated to what degree representatives of Republika Srpska resist any efforts to come closer to discuss the relationship with Kosovo. Not only do they resist a formal improvement of relations, but they also use the subject of Kosovo for symbolic reasons to demonstrate their public support for Serbia in the international arena. Whichever reason may prevail at specific occasions, the fact remains that representatives of Republika Srpska will not shift their position before Serbia does so first. Finally, conceding on the issue of Kosovo would be seen as a sign of weakness for RS Serbs in the context of political/ethnic relations inside BiH, which is why they are even more likely to stand firm for a long time.

BiH's authorities were put in a somewhat uncomfortable position concerning Kosovo when BiH became a non-permanent member of the UN Security Council. However, in this case, it appeared that showcasing the integrity of BiH's representation within the UN was given priority over its internal divisions on Kosovo. Also helpful was the fact that BiH's Presidency made all decisions related to Kosovo under the umbrella of the 1244 UN resolution, and as such did not signal even an implicit recognition of its status. During BiH's mandate on the Security Council, regular quarterly reports on Kosovo were discussed eight times, and on two occasions Kosovo was debated in special sessions. Eight out of ten times, the BiH presidency was able to reach consensus on positions concerning those debates. Although the Serb member of the Presidency opposed a particular position on a number of occasions, the BiH Presidency was still able to pass a decision as he did not invoke a vital national interest, and therefore BiH's Ambassador to the UN was able to receive clear voting instructions. However, even though the BiH Presidency found ways to reach a compromise, so as to protect the credibility of the role of BiH on the UN Security Council, Serbian officials still tried to challenge such an approach. On one occasion, Serbian Foreign Minister Vuk Jeremić travelled to Banja Luka to ask Milorad Dodik for BiH's support for a proposed resolution filed by Serbia condemning the violence in Kosovo.²⁸⁴ As mentioned earlier, BiH's Presidency carries the responsibility regarding foreign policy decision-making, and as president of one of BiH's entities, Dodik does not play a formal role in foreign policy-making. Hence, not only had Jeremić tried to sideline the official institutions

284 Reported on BiH Public Broadcaster BHT1 on 25th August 2011. Also: <http://www.in-vijesti.com/2011/08/jeremic-je-prijetio-srbija-preko-rs.html>

of BiH that are responsible for foreign policy decisions, but he also asked RS officials to put the interests of Serbia before the interests of BiH. This prompted strong public reactions from BiH's officials and caused yet another internal mini-crisis. This incident thus put Serbia's continued attempts to spill the crisis over across the region, beyond its own borders, in evidence. By doing that, Serbian officials also maintained an imaginary connection between the futures of Kosovo and Republika Srpska, and consequently the future of BiH.

Recognition of Kosovar Documents

In August 2008, BiH's Foreign Minister Sven Alkalaj stated that Kosovar passports could not be considered legal under BiH's law, due to the fact that BiH does not recognise Kosovo as a state. This initiated a long political and legal debate about ways to allow holders of Kosovar passports to travel to and across BiH. It was only two years later that the Ministry of Foreign Affairs of BiH (MFA), primarily because of pressure from the EU, sent a letter to BiH's Presidency, proposing a solution used in other countries that also have not recognised Kosovo's independence, but which have overcome the travel problem of Kosovar citizens. In the letter, the MFA proposed to BiH's Presidency to apply a solution designed based on decision EC 333/2002 of the European Commission. According to this solution, BiH visas can be granted through a special travel pass issued on a separate paper attached to the Kosovar passport, in order to enable the free movement of people. However, this proposal was rejected by a Serb member of BiH's Presidency, Nebojša Radmanović, on the grounds of non-recognition of Kosovo. The only compromise that was offered was to enable special procedures to assist Kosovar representatives who participated in certain regional initiatives, for instance meetings of the Regional Cooperation Council, which is based in Sarajevo.

Based on this, the Council of Ministers passed a decision on May 8, 2010, which granted approval to the MFA to issue visas on a special travel document to citizens of Kosovo who it considered 'to be of special interest for BiH'. In accordance with that decision, the MFA sent instructions to all diplomatic-consular missions of BiH (DCM) on granting visas to Kosovar citizens on a special form sent to them. However, in the instructions sent to the diplomatic-consular missions, the MFA stated that the Council of Ministers was in charge of defining the criteria to determine persons of 'special interest for BiH'. Although the competence in this case is questionable, the decision for each individual visa application for a Kosovar citizen still must first be approved by the Council of Ministers. As a result, citizens holding Kosovar passports can be given the opportunity to travel through the territory of BiH only when considered to be of 'special importance' to the BiH state. Those cases are considered on an individual basis, usually for reasons of medical treatment or participation in regional events organised

in BiH. The majority of the cases that require the CoM decision are approved, but nonetheless, the procedure is lengthy, cumbersome, and many people simply do not even try to apply.

In response to the introduction of this procedure, Bosniac representatives in Kosovo's institutions sent a letter to BiH's Presidency, requesting that the issue of recognition of Kosovar passports be resolved. The letter explained that students from Kosovo were not allowed to study in Sarajevo because they could not enrol in university due to the fact that their documents were not recognised. This also included Kosovar students of Bosniac origin. It also pointed to the fact that the current arrangement impedes free travel, affecting, amongst others, many Albanian and Bosniac families that live in both countries. Finally, the letter notes that countries such as Greece and Slovakia, which do not recognise Kosovo, have taken steps to allow free travel for holders of Kosovar passports. After BiH's Presidency did not respond to the letter, it was also sent to the High Representative of the International Community, Valentin Inzko, who brought it to the attention of Nikola Špirić, Chairman of the CoM at the time, and Foreign Minister Sven Alkalaj. The High Representative tried to use his political weight to bring the issue of recognition of Kosovar passports to the attention of BiH's authorities, and to inform them about the practices used in this regard in European Union countries, including those that do not recognise Kosovo.

What is striking is the fact that even Serbian authorities have given more concessions regarding travel with Kosovar documents, following an agreement in July 2011 between Serbian and Kosovo negotiators in Brussels. On December 22, 2011, the Serbian government adopted a declaration on freedom of movement, defining control over crossings of the Kosovo administrative line. The declaration envisages that persons with IDs from Kosovar institutions can cross the line after being issued entry and exit documents. The statement also includes a clause asserting that Kosovar licence plates are to be removed at border crossings and replaced with temporary plates.

Furthermore, if BiH were to follow the line of the EU, as should be the case based on provisions included in its Stabilisation and Association Agreement with the EU, which requires harmonisation in this area, and also based on the need to enable regional cooperation as laid out in the Copenhagen criteria, the country should start seeking solutions to enable Kosovar citizens to travel freely. On December 14, 2010, the European Council supported a future visa liberalisation for Kosovo, and the European Commission opened the visa dialogue with Kosovo, which should start in 2012. The Council noted that the intention to launch a visa liberalization dialogue with Kosovo came "without prejudice to Member States' positions on Kosovo's status", referring to the five EU countries that do not recognise Kosovo's independence.

Bosniacs in Kosovo

Given the lack of internal consensus on the future of Kosovo, politicians in BiH took different positions in regards to the Kosovo conflict, but all were almost equally cautious not to make strong statements that would allow any parallels to be drawn between both countries. Other than the issue of refugees migrating to BiH, the conflict in Kosovo did not directly affect Bosnia and Herzegovina. BiH received a substantial number of refugees from Kosovo during the conflict, and by late 1998, an estimated 10,000 people had sought refuge in BiH.²⁸⁵ Although many of them embraced BiH as a transition country and in the meantime have sought asylum in third countries, a significant number of asylum seekers from Kosovo remain in the country. According to some estimates, there were up to 4,000 in 2011 (significant numbers arrived in recent years). The issue concerning the status of these people is that, according to BiH's legislation, they can seek temporary refuge for up to three years, after which their status needs to be reviewed. Some have attempted to renew their 'temporary refuge' status up to three consecutive times, while most were advised to seek asylum in order to make their stay permanent. However, the decision-making on granting asylum is based on the assessment of the security situation in Kosovo, which now has arguably improved, therefore the majority of asylum requests are in fact rejected. This leaves several hundreds of asylum seekers in an unresolved situation, which is why they appeal to BiH's Court, and thus find themselves involved in lengthy proceedings, and unable to legalise their status. Many of them are still transferred to 'collective centres', where they live in poor conditions.

A small Bosniac minority also lives in Kosovo, according to some estimates its number approximates 4,000, which is a significant reduction from the 17,000²⁸⁶ that lived there before the war. Associations of Bosniac minorities, which lobby for the recognition of Kosovo, warn of mass emigration of their population from Kosovo, and argue that this would be less likely if BiH were to recognise Kosovo. Bosniac representatives from Kosovo have accused political representatives of Bosniacs from BiH that they only show rhetorical support, while pragmatic issues such as travel with Kosovar documents remain unresolved. The Bosniac minority in Kosovo also complains of the lack of access to Bosnian language books and educational institutions in BiH, which makes it harder to teach the Bosnian language in those Kosovar schools where such classes are available.

In August 2009, Reis-ul-Ulema Mustafa Cerić, the leader of the Islamic Community in BiH, paid a three-day visit to Kosovo. The visit was designed so as to send a political message, as well as to exemplify a symbol of cooperation between two Muslim

285 <http://reliefweb.int/node/51135>

286 <http://www.ecmikosovo.org/fileadmin/ecmikosovo.tpl/communities.html> Also: KOSOVO COMMUNITIES PROFILES www.osce.org/kosovo/75450

communities. Cerić met with Fatmir Sejdiu, the President of Kosovo at that time, held a speech during Friday prayers, and visited local cultural and religious monuments, including a memorial to Adem Jašari, a leader of the Kosovo war, whose entire family was killed by Serbian forces in 1998. Cerić's visit provoked and angered Serbs in both Serbia and RS. Milorad Dodik called Cerić's visit to Kosovo "inappropriate", and argued that since BiH had not officially recognised Kosovo, no visit at that level, even if it did not represent a state, was considered appropriate. Dodik accused Cerić of being "an important ideologue of Islamic policy, who interferes not only in internal matters of Bosnia-Herzegovina, but the entire region".²⁸⁷

Economic (non)cooperation

According to the BiH Chamber of Commerce, trade between BiH and Kosovo totals around 80 million euros, most of which represent exports from BiH to Kosovo. As such, Kosovo is an important trade partner for BiH, and amongst the very few with which BiH has a trade surplus. This trend was even on the increase, and in the first half of 2011, the total value of exports to Kosovo reached over 35 million euros. The main exports to Kosovo are iron, chemicals, medicines, and meat. However, on July 20, 2011, the government of Kosovo made a unilateral decision to introduce a 10% customs tax on goods imported from BiH. This declaration caused a reaction from the Chambers of Commerce of BiH and Serbia, which sent a joint letter to the CEFTA Secretariat complaining about the breach of rules in a free trade area. The customs tax introduction caused an immediate decrease in trade between both countries, and many companies from BiH that export to Kosovo worried that they would no longer be competitive in the Kosovar market. Amongst the companies exporting to Kosovo are Hemija Patenting from Lukavac, which supplies Kosovo's thermal plants with chemicals and acids, Obrt Komerc from Gradačac, which exports carpentry products, Fininvest from Drvar, and others. The total losses incurred in the three months since this decision had come into force, are estimated to be at several millions of euros, meanwhile trade dropped by 7-8% in that period.²⁸⁸

The government of Kosovo withdrew its decision only after the Ministry of Foreign Trade and Economic Relations of BiH informed the Kosovar government about its acceptance of the stamp of the Kosovo Customs Office. The decision on the customs tax ceased to be effective on September 22, 2011, after Kosovo's and Belgrade's authorities agreed on the development of the customs stamp in Brussels on September 2. However, there was a further delay in the implementation of the decision's retraction, because the Ministry of Foreign Trade of BiH addressed its letter

287 <http://globalmbreport.org/?p=1592>

288 Statement by Duljko hasic from BiH Chamber of Commerce, available at <http://www.seebiz.eu/duljko-hasic-ulazak-hrvatske-u-eu-veliki-problem-za-izvoz-bih/ar-16873/>

to UNMIK, and the Government of Kosovo would not accept it until it was addressed to the competent ministry in Kosovo's government. Meanwhile, BiH's companies lost additional contracts, given that in the three months during which the customs tax decision was in place, companies from Croatia, Bulgaria, and Macedonia took over some of their market share.²⁸⁹

It is interesting to note the fact that amongst the companies from BiH that export to Kosovo, many are based in Republika Srpska. According to Ms. Dragica Ristic, Executive Director of the RS Chamber of Commerce, Kosovo's market is "of great importance to us. We are a small economy and exports are very important to us. If we lose our market position, new companies will appear and it will be harder to win those markets all over again". Swisslion Tools Industry, an RS-based company from Trebinje, tried to overcome the problems that arose due to the fact that BiH customs did not recognise Kosovo's customs stamp, by exporting through a company based in Podgorica, Monte Negro. The company's manager stated that exports were much easier before "politics got involved" and expressed his wish to continue working "normally" like before, as he also considers Kosovo to be an important market.

The issue of non-recognition of Kosovar trade documents was also debated in BiH's Parliament, and a number of members of parliament requested that the Council of Ministers resolve this problem swiftly so as to protect exporters from BiH. An analysis of the situation had raised concerns about the fact that former Croatian Prime Minister Jadranka Kosor had lead a large trade delegation to Kosovo at the peak of BiH's export crisis.

Conclusion

Regardless of their personal, official, emotional, or rational position on Kosovo, it can be asserted that politicians and decision-makers in BiH agree on two facts: Kosovo's independence is irreversible, however, they will not be able to reach a consensus in the near future to recognise Kosovo. What is called for then is a pragmatic approach that would represent a middle ground recognising those two facts — acceptance of realities on the ground, without full recognition on the horizon. This would be the first and primary recommendation to any outside stakeholders — aim to seek solutions to achieve the improvement of the relationship, which would facilitate the practicalities of everyday life for Kosovar people, the country's economy, businesses, academia, civil society, etc.

The third fact, which might be recognised, but is still not pointed out sufficiently, is that no parallels exist between the status of Kosovo and the future of BiH. The more this

²⁸⁹ For more see article on Deutsche Welle's website <http://www.dw.de/dw/article/0,,15371337,00.html>

fact is stressed, the more BiH's internal tensions will be able to subside. As long as the possible existence of parallels remains, even if only as an implicit possibility, but one which is nonetheless discussed, it will serve as grounds for claims for more autonomy and even secession of Republika Srpska. So far, the international community has been firm and united on this issue, but its voice needs to be louder, especially in the context of EU integration. It is the EU's integration framework which needs to leave no room for the re-drawing of any new borders. But this may prove difficult as long as there are opposing voices inside the EU itself concerning the status of Kosovo and its future in the EU.

Nonetheless, all international actors also need to remain united on the issue of Serbia's attempts to implicitly or explicitly interfere in BiH's internal relations, in this instance on issues that relate to the status of Kosovo. Some of the examples described earlier clearly demonstrate that Serbian officials tend to channel their discontent on particular policies in regards to Kosovo through RS politicians in order to compensate for the concessions they make in their dialogue with the EU. Given the fact that within BiH the EU is focused more on settling Bosnia's own EU roadmap, relations with Kosovo are somehow detached from that process. If the EU were to increase its pressure on BiH at a minimum to follow Serbia's pace in improving relations with Kosovo, that would leave less room for Serbia to vent its frustration through the RS. In the absence of such pressure, Serbia will be able to continue to seek alternative ways to push its views under the RS clout.

The impact of emotionally charged politics concerning Kosovo could also be diminished by increasing the visibility and the effects of ties between civil society organisations, media, arts, academia, businesses, etc. This could be achieved by showcasing a diversity of perspectives on Kosovo, so that public debate takes place happens in connection with these issues, as opposed to being a reaction to the context, legal parallels, or historical legacies. This policy would have its limitations, but it could lead the way to moderating prejudices, and could provide the relationship with Kosovo a flavour of future instead of legacies of the past. As described in different examples throughout this paper, regardless of how practical/technical/bureaucratic an issue might be, it is always looked at through the lens of separatism and divisions. Due to this fact, there has been an almost complete lack of substantive public dialogue on Kosovo, and such a dialogue is unlikely to be generated from inside BiH. But in order to be able to create fertile conditions for a rational dialogue to take place, the EU needs to provide a framework in which arguments could be heard and discussed. In order to be able to have a supportive and engaged media that provides consistent messages which remove unnecessary emotions from the public dialogue, key opinion-makers would need to be well-versed in the substance of key issues that burden the relationship between BiH and Kosovo at a practical level.

The practical aspects of relations with Kosovo thus need to be placed in the framework of EU integration and the immediate steps would be to find solutions for the recognition of travel documents, registration plates, and other arrangements that enable free travel, movement of goods, and improvement of trade relations. The current visa granting procedures for Kosovar citizens are burdensome not only for those who apply, but also for BiH's Council of Ministers itself, which goes through a tedious and time-consuming process to review, consider, and approve every individual case separately.

Finally, this debate needs to be put in a context in which facilitating relations with Kosovo does not take place at the expense of Serbs from RS or Serbia. If BiH's new government were to seek some kind of general *rapprochement* with Serbia within a renewed foreign policy line that were to focus more on the region, then Serbia would have to play its role to help BiH's officials ease tensions concerning Kosovo back at home. Serbian officials need to play their part in dismantling the portrayal of improved relations with Kosovo as a victimisation of Serbs. A closer relationship with Kosovo thus needs to be placed under the umbrella of a re-designed BiH foreign policy, in which regional cooperation will be a key component.

Biographies



Cyprus

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Oana Popescu is Director of the Centre for Conflict Prevention and Early Warning in Bucharest, one of the most prestigious think-tanks in Romania, specialised in conflict

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Oana is also a foreign policy and political analyst and a regular commentator/contributor to Foreign Policy magazine Romania and Adevarul daily (the quality newspaper with the highest circulation in the country). Her previous career includes positions in civil service, media, non-profit and business. She served as Foreign Affairs Adviser to the President of the Romanian Senate, but she was also Programmes Director with the Aspen Institute Romania, Foreign Editor of one of the country's top newspapers, Cotidianul and she owns a Government Relations and Communications consultancy, Mindset Media, LLC.

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Ms. Popescu was a Fulbright grantee at Yale University, studying Democratisation and Post-Conflict Reconstruction, and served as Teaching Assistant to fmr UN Secretary General advisor Charles Hill and to prominent historian Paul Kennedy. She has done research for the European Council on Foreign Relations and the Swedish Crisis Management Research and Training Institute (Crismart). She has authored a number of related books, on topics ranging from crisis management to healthcare reform and developments in Eastern Europe. Her main interests currently lie with post-conflict reconstruction and stabilisation in the Balkans and the Middle East.

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Eliska Slavikova has been working as senior research fellow of the EUROPEUM Institute for European Policy and a consultant in development and public policy. In the period of 2009 and 2011 she was based in Kosovo. In 2008 she was research fellow of the Slovak Foreign Policy Association and in years 2002-2007 she managed Democratization and Human Rights Programme in a Slovak development NGO, People in Peril Association. She earned her MA at Comenius University, Bratislava in Slovak and German linguistics, followed by MA in International Territorial Studies from the Faculty of Social Sciences at Charles University, Prague. She carried out a research in the Western Balkans politics at the London School of Economics and Political Science as British Chevening Scholar.

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Bosnia and Herzegovina

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Denisa Sarajlić Maglić has published numerous analysis and texts on the topic of European integrations, international relations and foreign policy and the role of international community in B and H. She conducted numerous researches and research projects and authored a whole range of studies published in B and H and abroad.

Serbia

Sonja Biserko, one of the best known civil and human rights activities in Serbia. She has chaired the Helsinki Committee for Human Rights in Serbia since 1994. She is a founding member of the European Movement in Yugoslavia, the Center for Anti-War Action in the Belgrade Forum for International Relations. Her human right activism has been awarded several times. She was awarded by the Lawyers Committee for Human Rights from New York, USA, nominated among “1,000 Women” project for the 2005 Nobel Peace Prize, awarded the 2009 Weimar Award, 2010 the Eitinger Award of the Oslo University, and in 2010 proclaimed Honorary Citizen of Sarajevo. Professionally, she has served with numerous human rights program, including, Helsinki Watch, Lawyers Committee for Human Rights, UN Center for Human Rights, Mazowiecki’s mission and the Tribunal in The Hague. During 2001 she was a USIP senior fellow and worked “Serbian Nationalism” project. Ms. Biserko was actively involved in civil society efforts to oust Milosevic from power during 2000. In addition, she has served for several years in Federal Ministry for Foreign Affairs, FRY, from where she resigned in 1991, when Yugoslavia’s dissolution began.

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“Kosovo Calling” brings together seven position papers on Kosovo's relationship with EU and regional countries which have not yet recognised; Spain, Slovakia, Romania, Greece, Cyprus, Serbia and Bosnia and Herzegovina. These papers were commissioned by the Kosovo Foundation for Open Society (KFOS), the “Kosovo Talks EU” project supported by the British Council Kosovo, the Kosovo Ministry of Foreign Affairs and British Embassy in Pristina and the Foreign Policy Club.

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