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## South East Europe & Black Sea region

**Issue 2**

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## South East Europe & Black Sea region

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### Foreword

South East Europe and the Black Sea region is home to a diverse range of people, with different attitudes, interests and needs. The shared and interwoven history hangs in the air of the cities from Sarajevo, to Kyiv and Tbilisi. The region still suffers challenges standing in the way of long-lasting peace and humanity.

This Peace and Security Monitor takes deep dives into the region, distilling actionable policy recommendations, providing clear analysis to decision makers and supporting the Platform's push for peace and humanity.



# WPS Agenda: A Perspective from Women Activists in the Former Yugoslavia

*Emilie Fort*

The discrepancy between quantifiable and visible improvements and reality is particularly striking in the case of gender-based violence. The lack of government investment in these services contributes to the perpetuation of patriarchal norms and values, in addition to forcing women's associations to work in precarious conditions. Thus, the reliance on national governments for the implementation of the UNWPS agenda should be accompanied by accountability mechanisms for better distribution management of resources. It would also be important to develop international programs accessible to grassroots associations, often closer to the communities, and which could develop key initiatives to transform the balance of power within these communities in the long term. This would lay the necessary foundations for the establishment of a lasting peace in the region and to promote reconciliation.

## Introduction

Between January and September 2021, I talked with eighteen women from the former Yugoslavia as part of a broader research on women mobilisation for social change in the area. The women I discussed with are members of women's associations in the region, and come from diverse ethnic, religious, geographical, generational, and class backgrounds. Most of those associations were created during the 90s, following the conflicts that tore the Yugoslav Federation apart. They are in urban centers and rural areas as well, and cover issues ranging from gender-based violence to women's labor rights.

Despite this variety of backgrounds and purposes, they, however, share common concerns and challenges. First, they faced a drastic and continued reduction of international funds available to implement projects which have been redirected to other areas of conflict[1]. While their budget increased between 2016 and 2018, the average annual income of women's civil society (WSCOs) organizations in 2018 was 6,000 euros, according to a study conducted by Kvinna till Kvinna Foundation (published in 2020) among 241 WSCOs (and 71 funders)[2].

Caught between the legacies of war and violence and the prospect to join the European Union, women's associations in the former Yugoslavia alert on the lack of political will, by their national governments to fulfill their commitment to effectively implement the WPS agenda that promotes the inclusion of women in all aspects of peace and post-conflict reconstruction processes.

## Background on Women, Peace, and Cooperation in the Region

Before going any further, we must quickly recall the historical trajectory of the mobilization of women in the countries of the former Yugoslavia and their exclusion from formal peace processes despite the recognition of their role in maintaining interethnic relations during the wars. Women were, indeed, part of the conflicts in the 90s, whether as victims, fighters, care givers and activists[3]. As nationalism rose throughout the region, they were the first who opposed the military and nationalist discourses promoted by the governments[4].

But the mobilisation of women – and feminism as whole – has a long tradition in the region. Already in the Second World War, women created the Antifascist Women Front ‘whose principal tasks were the liberation of the country, the improvement of the women social and educational standing and the struggle for the equality of women and men.’[5]. Thus, the mobilisation of women at the time of the Yugoslav conflicts in the 90s is not an isolated phenomenon but should be comprehended as part of a specific historical trajectory.

The eruption of conflicts divided women and from that period, Yugoslav feminism and activism evolved variously depending on the specific entity context. In all the entities, gender regime was established around family and traditional gender roles[6].

After the wars and as the transitional period began, the states appeared as the main target of activists’ demands (women’s rights, etc.). Nationalists’ elites, however, took over the whole stage in peacebuilding processes and women were mostly excluded from the Dayton negotiations[7] or the Kosovo ones[8]. Despite their exclusion from formal peace processes, their continued mobilization enabled them to make some important achievements in the following years.

## Some Important Achievements

Particularly, they played a central role in the creation of a Women’s Court[ix]. While critics argue that the Women’s Court has failed to capture the diversity of women’s wartime trajectory – focusing primarily on women as victims of war – they have also acknowledged



Women Antifascist Front of Yugoslavia

that the participation in the Court was more empowering for women victims than other tribunals[10]. The Court activities started in 2010 with consultations, seminars, and public presentations. The active role of women in the region also favored the emergence of Gender Equality Agencies and Parliaments Caucuses[11] throughout the former Yugoslavia, already in 2003, which helped in the adoption of Gender Equality National Plans, and National Gender Equality Laws. Those agencies also contribute to the implementation of UNWPS resolutions and the elaboration of NAPs. In Bosnia and Herzegovina, for example, the Gender Equality Agency was one of the lead agencies for the elaboration of NAPs[12]. A recent study (January 2022) by Ministries of Defence and Armed Forces from the Western Balkans – within which representatives from Bosnia and Herzegovina, Montenegro, the Republic of North Macedonia, and the Republic of Serbia took part – shows that there has been a considerable increase in the representation of women in the armed forces for the period 2012 – 2019[13].

Through continuous mobilization, women in the former Yugoslavia have achieved tangible, albeit variable, successes (legislative, representative, or in terms of participation). There is, however, a difference between the existing rules and their implementation, the gendered committees and their effective power, and the visibility of women in public spheres and the real transformation of societal norms and power relations within the everyday life.

Twenty years after the adoption by the UN Security Council of resolution 1325, one must ask to what extent the figures and visibility of women in decision-making and security spheres show a significant improvement their position in the region? Does the WPS agenda contribute to the (re)emergence of women as agents of change who work for peace and reconciliation?

## What is the (UN) Women, Peace and Security Agenda?

In October 2000, the United Nations Security Council adopted the 1325 Resolution[14]. The Resolution alerts to the vulnerability of women in times of conflict, but more importantly it promotes their participation in processes of peace-building and post-conflict reconstruction. Between 2008 and 2010, four other resolutions followed (UNSCR1820 [2008][15]; UNSCR1888 [2009][16] ; UNSCR1889 [2009][17] ; UNSCR1960 [2010][18]), all of which primarily addressed issues of sexual violence against women during conflict. Since 2013, four more texts referring to broader topics (technical capacities, environment, and health, notably) completed the UN framework on Women, Peace and Security (UNSCR2106 [2013][19]; UNSCR2122 [2013][20] ; UNSCR2242 [2015][21] ; UNSCR 2467 [2019][22]; UNSCR 2493 [2019][23]). Mainly, the WPS agenda articulates around four pillars: prevention; protection; participation; and relief and recovery.



The UN Security Council

Scholars, and practitioners as well, have stressed the limits and pitfalls of the UN framework. Particularly, they have pointed to the stereotypical construction of women[24], the problematic adequacy between political participation and political agency[25], and the flawed conceptualization of empowerment throughout the UNSC Resolutions[26].

## A Level for Women Activists in the Field?

Apart from the criticisms that may be levelled at these resolutions, the UN framework has become a central instrument for women activists at the national level. It offers them an internationally based platform that support and legitimize their claim, internally. In the region, the newly emerging entities (Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia, and I also included Albania) adopted National Action Plans[27] for the implantation of UNSCR 1325—and the consecutive resolutions. The women I discussed with often referred to those NAPs as well as to the UNSC Resolution 1325 as central steps for improving women's participation in national and municipal institutions. They are tools based on which women in the region can ask for seats in elections, funding for projects, etc.

A women's association in Bosnia and Herzegovina notes:

*“We have really good legislation, and it's everything on the paper. In practice, it's different.”*

The reliance on national government to implement the WPS agenda, to define priorities of actions, and allocated resources raised, however, questions in practice. In the following section, I will address the very problematic consequences of the lack of financial support for the provision of services that address gender-based violence and psychological help, and in particular the availability of shelters.

## Status of Services for Women Victims of Domestic Violence and GBV in the Former Yugoslavia

Gender-based violence and related concerns fall under the R1325 and R2493 of the WPS agenda.

A report by the OSCE[28](2019) establishes clear relationship between gender-based violence and conflict and post-conflict context. It specifies that women who have a partner that fought during the wars experience psychological, physical, or sexual violence more often. Based on interviews within women throughout the region, the report states that for the period between 2015 and 2019, more than 54% of all women in Kosovo[29], 41% in North Macedonia[30] (7% from the Albanian community, and 16% from the Macedonian community), and 34% of women aged between 18–29, and 24% between 60 or over in Serbia[31] “have experienced psychological, physical, or sexual violence at the hands of an intimate partner since the age of 15.”



Mobilisation for Marija Lukić (Serbia 2019–2020)

For the same period, the report also stressed however that services for women were insufficient in terms of availability, consistency, and quality. The (variable) increase in shelters noted by the Kvinna till Kvinna Foundation in its 2020 report shows that this increase is not necessarily accompanied by an increase in available beds[32]. For example, the increase from 8 to 9 shelters in Kosovo between 2016 and 2020 was accompanied by a decrease in beds from 140 to 105. In Montenegro, the increase from 3 to 4 shelters for the same period saw bed stagnation (62). It should be noted that North Macedonia increased its number of shelters from 5 in 2016 to 11 in 2020.

However, 9 of these 11 shelters are government-run, and the report notes activists' concern about the quality of services provided. Besides, it is important to note that the situation is worse for refugee women, minority women, especially Roma, and women with disabilities as well.

What we see here is the discrepancy between the figures and the lived reality of women activists. The lack of effective and consistent funding by national governments prevents women for providing and receiving adequate services.

They explain that the international community does not give them (mainly financial) resources – or at least not enough – for them being able to properly operate support services, and in particular shelters. The minimal commitment of the international community for helping at the provision of those services is explained by women activists because of the transfer of responsibilities in the implementation of WPS agenda to national governments, as a woman activist underlies:



Women protest in Skopje

## Caught Between a Rock and a Hard Place

They explain the lack of financial commitment of governments of the former Yugoslav entities by the predominance of national security issues in the public arena. The perpetuation of tensions and mistrust between former enemies of war reduce the priority given to women's issues, and silences women's voices. Activists describe the situation they find themselves in as caught between a rock and a hard place.

“when it comes to the financial support, we are really strictly related to foreign donors that will, give us some funding for the issues that we are dealing with. (...) But donors are not interested to support social services, because they expect that government fill out ... outsource the social services and pay for the outsourcing as well.”

A 2020 report from Kvinna till Kvinna Foundation goes along the same lines. The report indicates the financial support of international organizations, while alerting to the critical lack of funding for gender-based violence programs[33].

The main consequences of this are the gradual disappearance or scarcity of these services, particularly in cities, where women often work for free, providing help in precarious conditions. For example, in Serbia in 2019, around 69% of service-oriented work by women associations was provided on a voluntary basis[34]. In rural areas, those services are rarer. One of the reasons that could be invoked would be the risks of social and physical prejudice that may result from the use of these services, which may be greater in small communities, even if these prejudices also exist in urban areas.

In rural areas, however, women organized through local cooperatives, created, and led by women right after the wars. Those cooperatives – that have received funds from the international community – provide women safe spaces and places to gather and share. Like the Kooperativa Krusha, from Krusha e Madhe in Kosovo, led by Fahrije Hoti, which was the subject of the recent Hive movie which won three awards at the last Sundance festival. Another example, in Bosnia and Herzegovina is the Maja Kravica cooperative[35] in Bratunac, called "Žena", led by Nada Marković who explains that her association aims to "empower women survivors of conflict-related sexual violence economically." Those two examples demonstrate that in rural areas women have found ways to try to overcome the traumatic experience caused by the conflicts. They have found ways to create safe spaces to share stories and experiences.

## Conclusion

In the last years, the active role of women associations contributed to supporting changes in the region with the creation of agencies for improving and promoting gender equality within the government and the security sector. These legislative and institutional changes are part of the governments' response to the incentive of joining the European Union. And the adoption of the WPS agenda is part of the process.

This is an important problem because the non-resolution of gendered violence, understood as vestiges of the conflicts that have torn apart the region, testifies to the prevalence, still, of patriarchal and traditional norms and values. Despite consistent changes at higher levels, patriarchal views of gender roles that predominate within societies in the former Yugoslavia deeply hinder women ability to mobilize, to claim rights, and access positions outside of those granted to them.

## Recommendations:

- Develop accountability mechanisms at national and municipal levels to ensure better monitoring of the WPS agenda through the NAPs, and the provision of effective and qualitative responses to women's everyday challenges.
- Greater inclusion of smaller grass roots associations which could shed light on new issues in relation to the implementation of the WPS agenda and bring out innovative strategies.
- "Without changes on local level, they will be no big changes on higher levels." (Interview, Bosnia and Herzegovina). Rely on, and support, grassroots women associations to develop projects and initiatives that make sense for them and for the communities they lived in, especially in rural areas. Local associations know better than international actors – how to transform their societies.
- Promoting – even outside the WPS agenda – the access of small associations to international funds by developing funding application procedures that operate on less institutionalized models. "Storytelling" as a method used by the "Ecumenical Women's Initiative" in Croatia could be an interesting lead.

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# Assessing the Impact of China's Economic Presence in Serbia: Environmental, Social and Governance Implications

*Ioannis Alexandris*

- China has been increasing its presence in Southeast Europe and the Western Balkans, investing billions in mining, energy, metallurgy, transport, and information and communications technology (ICT).
- Serbia, is seen as a gateway to the broader European market and has been at the epicentre of Beijing's One Belt One Road Strategy in the Western Balkans, having invested more than 2 billion euros in 16 projects in Serbia.
- The lack of conditionality of Chinese loans and projects presents Beijing with an advantage, while economic engagement through state-led decisions and the politicisation of investments is also preferred by the Serbian elites.
- Violation of labour law rights and environmental breaches across the value chains in Chinese investments in Serbia are a point of huge concern for the local population, institutions and the rule of law.
- Yet, public opinion polls have been indicating a favorable public opinion towards China, partially reinforced by the pro-Chinese governmental and state media discourse, while a significant percentage of the population is not aware that the EU is the Serbia's greatest donor.

## Introduction

On December 16, the EU parliament passed a resolution denouncing "modern slavery" in Serbia, expressing concerns over China's growing influence in the country, with regards to reports about forced labour in Chinese factories, in particular the Linglong tyre factory in the city of Zrenjanin[1].

The resolution was supported by all major European political parties and is indicative of the current political climate in Brussels and several European capitals regarding China's increasing economic presence.[2] Yet on February 5, during their bilateral meeting Serbian President Vucic and his Chinese counterpart Xi Jinping, reiterated their high-level of mutual political trust, stressed their commitment to the ongoing bilateral projects in energy, infrastructure and production and pledged to expand their cooperation to other areas.[3]

In fact, both of the above developments illustrate an ongoing trend of Chinese geo-economic expansion that has already been taking place in Serbia and the broader region.



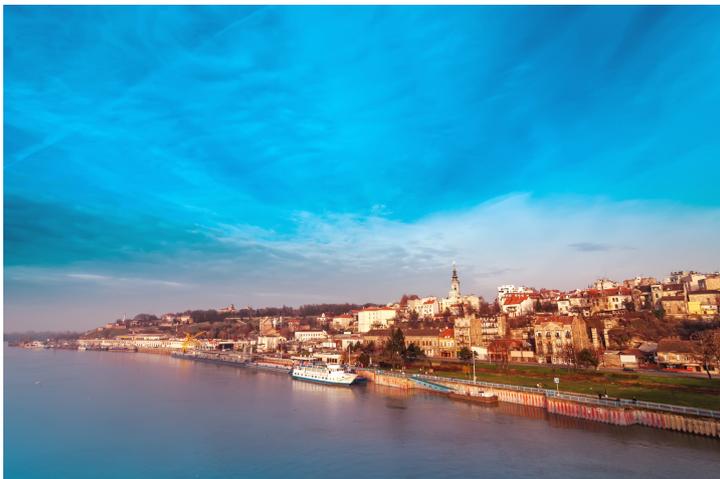
Serbian President Aleksandar Vucic and Chinese President Xi Jinping attend a meeting in Beijing on April 25, 2019. KENZABURO FUKUHARA/POOL/KYODONEWS via GETTY IMAGES

## Chinese Investments in Serbia - An Overview

During the last two decades, China has been increasing its presence in Southeast Europe and the Western Balkans, investing billions in mining, energy, metallurgy, transport, and information and communications technology (ICT) [4].

The Chinese commercial expansion in the Western Balkans is part of Beijing's broader strategy in the region and a Belt and Road Initiative's (BRI) component in connecting the Mediterranean sea with Central Europe, also known as 16+1 format, comprising Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia and five Western Balkan states, Albania, Bosnia and Herzegovina, North Macedonia, Montenegro and Serbia, notably all candidates for EU membership.[5] Serbia has been at the epicentre of Beijing's One Belt One Road Strategy in the Western Balkans. According to Balkan Insights, since 2012, China has invested more than 2 billion euros in 16 projects in Serbia. Moreover, more than 5.7 billion euros have been granted in loans by the Chinese Export-Import Bank for projects and infrastructure. Between 2010-2019, imports from China doubled. Overall bilateral trade in the last 15 years has skyrocketed, however, it remains largely imbalanced in favour of China. According to the Observatory of Economic Complexity, during the last 13 years the exports of China to Serbia have increased at an annualized rate of 8.05%.[6]

The early flagship of China's ambitious projects in the Western Balkans, since the launch of the 16+1 initiative in 2013, was the Budapest-Belgrade high-speed Railway which has yet to be completed.[7] Since then, a plethora of different projects have been constructed, including a steel plant in Smederevo, the construction of a tyre factory in Zrenjanin, and the copper mine in Bor.



## China's Geoeconomic Presence in Serbia: Means and Objectives

From an economic point of view, China's geo-economic strategy in Europe is focusing on:

- Creating logistical corridors, mainly to connect the Port of Piraeus in Greece with the Central and Western European Markets.
- Building new infrastructure, with Serbia as the focal point of this strategy.
- Investing in factories and heavy industries, including coal-fired plants in Serbia and other Balkan states.[8]
- And finally, facilitating the adoption of its own standards in information and ICTs.[9]

This strategy serves both Chinese domestic and foreign policy goals: on the one hand, it helps China absorb its industrial capacity and overall industry surplus.[10] On the other hand, it boosts the position of Chinese contractors in the value chain, and could help China eventually get greater access in the EU market through the expansion of its regional operations.[11]

Serbia in particular has additional geostrategic value, as the largest country in the Western Balkans, and is seen by Beijing as a gateway to the broader European market.[12] Even though Serbia is commercially well-connected with the EU and is bound by extensive trade agreements, it is not an EU member yet. Consequently, the Serbian business environment is not subject to the same strict rules and tight regulations by Brussels, thus granting China a comparative advantage in terms of flexibility for its economic activities, as it will be further analysed below.[13]

On foreign policy level, China's economic presence also aims for Serbia's alignment with its key objectives, mainly in the sphere of human rights and territorial integrity.[14] Indeed, China has often used its geo-economic leverage to support diplomatic goals, mainly in the ongoing South China sea dispute.[15]

It is important to first pay more scrutiny on the environmental and human rights allegations in relation to a few of the most prominent Chinese investments, before attempting to shed more light on the broader impact of China's presence in Serbia and its potential implications for Belgrade's domestic and foreign policy. Both spheres of policy have major implications for Serbia's EU accession progress.



## Concerns about Human Rights Violations and Environmental Breaches

Among the prominent Chinese investments, the tire factory of Linglong in the Serbian town of Zrenjanin has drawn the most attention, being associated with both environmental degradation and questionable labour standards.

The Serbian NGO All-Initiative for Economic and Social Rights was the first to draw public attention on the matter, stressing that 500 Vietnamese workers arrived in Zrenjanin during the first half of 2021.[16] These people have been hired by a Chinese sub-contractor running the factory. According to reports, they have been living under inhuman conditions,[17] lacking electricity or heating, and being temporarily deprived from their passports, with activists even characterising it as “a case of human trafficking” and labour exploitation.[18]

According to an investigation conducted by the Guardian's Observer, Serbia is among the

countries used as a gateway to Europe for smuggling and trafficking criminal networks through guest worker visa programmes for Vietnamese workers.[19]

The case of Linglong factory in Zrenjanin is similar with RTB Bor, a copper mining and smelting complex, owned by another Chinese company and operating since 2018.[20] Workers in that complex, this time of Chinese nationality, have reported similar conditions amid disrespect for local employment rule.[21] Local activists and media were initially denied access to the factory, raising additional concerns regarding public accountability, transparency and the respect for the rule of law.

In addition to the allegations of maltreatment of Vietnamese and Chinese workers by Chinese contractors in Serbia, there are also significant environmental concerns that have been raised. Zrenjanin was already known as one of the most polluted towns in Serbia, lacking clean drinking water since 2004. Several NGOs reported in 2020 that the construction of the project ignored environmental studies and parts of the work was done without having first secured permits.[22] Similarly, in 2014 Serbia received a loan of USD 608 million by a China state-owned bank, in order to expand a coal fired thermal power plant in the city of Kostolac, a project that clearly violated environmental criteria[23], as the estimated air pollution from the plant exceeds EU standards[24], and could potentially put in jeopardy the country's compliance with EU's environmental acquis.[25]

Meanwhile, activists and the local population of the village of Radinac, which is the Chinese-owned Smederevo steel plant, have been complaining about increasing levels of red dust in the atmosphere, at a place where, according to Reuters, cancer levels have quadrupled in under a decade.[26]

Part of the requirements of Serbia's EU accession is its alignment and implementation of the EU energy acquis.



Dragojlo, S., Access Blocked to Vietnamese Workers Allegedly Exploited in Serbia: NGOs, Balkans Insights

Hence, the majority of these China-financed projects in Serbia were not qualifiable for financing from Western investors or financial institutions, due to their environmental footprint and non-compliance with sustainability criteria.

## Is There a Correlation Between Chinese Economic Presence in Serbia and its Domestic Legislative Policy?

Endemic corruption has been an enduring problem for Serbia and a thorny issue in the country's path towards EU accession. The current ruling party of President Vucic, bolstered by a strong parliamentary majority (188 of the 250 members), [28] has been increasingly seizing control of the state apparatus in an already highly-politicised public administration. [29] The lack of transparency in public procurement has been used in order to transfer benefits to party loyalists, securing the share of local elites in public economic resources, reinforcing party patronage networks. [30]

Meanwhile, China's loans and projects come with political influence. They come with less strings attached compared to the standards raised by the IMF or the EU. [31] Hence, this lack of conditionality presents China with an advantage, while economic engagement through state-led decisions and the politicisation of investments is also preferred by the Serbian elites as it is more in line with their own patronage interests. [32] [33]

Indeed, lack of a standard procurement facilitates ad-hoc politicised decision making. Thus, in addition to environmental breaches and lack of workers' safety standards, Chinese investments and acquisitions of heavy industry assets in Serbia have been criticised by the EU parliament and local opposition actors for the lack of public transparency in tendering contracts. A legal study conducted by RERI, Renewables and Environmental Regulatory Institute, concluded that the overall impact of Chinese investments on the Serbian legal system has been negative, highlighting an increasing number of legal loopholes for certain business activities with significant environmental effects. [34] Indeed, there are increasing reports about the implementation of double standards with regards to the interpretation of Serbia law when it comes Chinese investments. A notable example is the Law on Public Procurement, introduced in 2019, which does not only weaken existing rules on competition, but also the access to public information and environmental protection [35].

Similarly alarming yet favorable to the Chinese economic presence is the "Law on special Procedures for the Realization of Projects for the Construction and Reconstruction of Line Infrastructure Facilities of Special Importance for the Republic of Serbia [36], which was adopted in February 2020. [37] According to this law, the Government has the right to determine at will which national infrastructure projects are of urgent importance, in order to bypass the standard public procurement procedures for the sake of strategic goals. [38] In other words, this law provides the Serbian government with the flexibility to designate certain projects as strategic, while neglecting their potential environmental damaging effects.

The most recent legislative initiatives of the Serbia government on foreign investments were the expropriation law introduced in November 2021. It intended to permit the state to expropriate private property, and the referendum law, aiming

to entangle public protests against polluting projects.[39]

In December 2021, the government eventually withdrew the law on expropriation for further amendments, following over two weeks of demonstrations by thousands of environmentalists and anti-government protesters[40] who stressed that its sole purpose was to further advance environmentally harmful mining projects, including Chinese ones.[41] This governmental backtracking took place only a few months before the double elections scheduled for April 2022.[42]

Public discontent can also be attributed to the lack of direct tangible and visible benefits for the local population, given that the local employment rules have been sidelined and the Chinese companies mainly hire Chinese workers for the construction of these projects.[43] [44]



Port of Trieste Rail Intermodal Platform

## Foreign Policy Implications

On foreign policy, Serbia has been following a “multivector” policy towards Russia, China, US and the EU, often replicating the leading model of certain Central Asian countries, such as Kazakhstan.[46] This approach helps Belgrade maintain a certain level of balance between key actors in order to maximise the key benefits of its bilateral relation. [47] [48] [49]

China, together with Russia, is one of the two permanent members of the UN Security Council that does not recognise Kosovo, while Serbia under Vucic is a vocal supporter of “One China Policy” with regards to Taiwan[50], demonstrating mutual support for their territorial integrity. Unlike Russia, which some believe openly opposes Serbia’s EU integration, China appears to be less intervening to Serbia’s foreign policy orientation. Instead, Serbia’s future EU membership could favour China, adding to its geo-economic leverage and political influence within the EU.[51]

Nevertheless, China has still managed to secure Serbia’s support on its key foreign policy priorities. In addition to Serbia’s support for the “One China Policy” in Taiwan, Belgrade has abstained from Western-led multilateral declarations criticising Beijing’s treatment of Uighurs in Xinjiang.[52] In June 2021, Serbia went one step further, by joining in 68 other countries in statement at the Interactive Dialogue on High Commissioner’s annual report at the 47th session of the Human Rights Council calling for “respect for sovereignty, independence and territorial integrity of states and non-interference in internal affairs of sovereign states” with particular reference to the issues of Xinjiang, Hong Kong, and Tibet that were portrayed as China’s “internal affairs”. [53]

Since 2019, Freedom House, a US NGO focusing on civil liberties & democracy and openly supportive of the activists in Hong Kong has downgraded the status of Serbia from “free” in 2018 with a total score of 73/100, to “partly free” with a total score of 67/100.[54] By 2021, Serbia’s score in this US index has furthered decreased to 64/100.[55]

Nevertheless, Serbia’s alignment with certain Chinese foreign policy objectives is neither ideologically driven nor does it demonstrate a strategic turn. Indeed, despite Serbia’s changing stance towards matters of Chinese foreign and human rights policy, Belgrade’s alignment levels with EU positions on foreign policy rose from 56% in 2020 to 61% in August 2021.[56]

This ambiguity is in line with Belgrade's aforementioned multivectoral approach to foreign policy through the compartmentalisation. This multivector approach is not only limited to the exercise of foreign policy per se, but has also been translated into a development model, as a vehicle to maximise foreign investments, as it has been already mentioned in the previous sections.

## Pro-Chinese Governmental Discourse And Shifting Public Opinion

During the Covid-19 outbreak in March 2020, China started providing masks and essential medical equipment the countries in need, including candidate states such as Serbia. China's "mask diplomacy" campaign was hailed publicly by President Vucic who called President Xi Jinping "a brother of the Serbian people"[57], earning Beijing extra points of popularity in Serbia. On a diplomatic level, this was largely seen as an attempt to fill the vacuum left by the EU's slow response to the crisis and initial export ban on medical protective equipment.[58][59]

Even though the EU eventually restored its crisis management credibility by pledging over 3.3 billion euros for the Western Balkans in response to the COVID-19 crisis[60], China managed to maintain a status as Serbia's crucial partner in the COVID-19 crisis, by assisting Belgrade in the rapid implementation of its vaccination campaign through the shipment of Sinopharm's vaccine during the early months of 2021.[61] Almost a year since its delivery, Sinopharm remains the most commonly used jab in Serbia[62] and joint plans with China have been launched in order to build a factory producing the vaccine in Serbia.

Over the last two years, prominent members of the Serbian government have portrayed Serbia as "China's main partner in Europe".[63]

According to a recent report on the Serbian public opinion on China in the age of COVID-19,

China poses as the second most trusted power, only second to Russia. The public perceptions were favorable in the areas of bilateral trade, the Chinese investments and the BRI. China's impact on global environment and its influence on democracy in other countries were the only two indicators indicating slightly negative perception. [64]

On the contrary, China's economic role in the region has often been overstated, in comparison to the presence of the EU. Thus, EU funds for development and infrastructure remain significantly larger and more affordable than Chinese loans.[65] Overall trade volume between Western Balkan states and the EU remains multiple times higher than the one with China. [66] Similarly, EU member states remain the largest direct foreign investors in the Western Balkans states and Serbia.

Yet, in public opinion polls, China's popularity is disproportionately more favorable compared to its economic presence in Serbia. In contrast, the EU, Serbia's largest donor, and its contributions to the Serbian healthcare system in response of the crisis has been underrepresented in Serbia's government-controlled media[67]. Another public opinion poll, conducted by the Belgrade Center for Security Policy (BCBP) in November 2020, confirmed the acceptance of Russia (40%) and China (16%) as Serbia's "best friends". With regards to the EU, only a percentage of 3% was aware of the fact that the EU is the country's greatest aid provider.[68] Thus, favorable public opinion towards China and Beijing's investments has been reinforced by pro-Chinese discourse of the Serbian political elite[69], coupled with the role of the state-owned and pro-government private medias.[70]

A March 2020 poll conducted by RFL and cited by CSIS' relevant report on China's presence in Serbia, is indicative of this trend. According to this poll, almost 40% (39.9%) of Serbian citizens/people mistakenly answered that China is Serbia's largest aid donor, followed by EU (17.6%) and Russia (14.6%).

In fact, the EU outnumbers both, China and Russia.[71][72] However, bureaucratic constraints, time consuming-processes and the elusiveness of the different EU financial instruments, coupled with the lack of effective/microtargetting strategic communication, often undermine the visibility of its financial contributions.



Claudia Patricolo, Time for the EU to offer CEE an alternative to China infographic

## Conclusion: The Bigger Picture

The ties of the Serbian elites with both Russia and China, the setbacks in rule of law, and the increasing governmental control on media, coupled with the breaches of certain environmental standards are particularly alarming for the future of the entire Western Balkan region, given the country's regional importance and influence.

Despite being the largest country in the Western Balkans, Serbia remains relatively isolated since the Balkan wars. EU membership, Serbia's declared foreign policy priority, has stalled, pending significant progress in the Rule of Law and the thorny/longstanding issue of normalisation of relations with Kosovo. Moreover, this lack of progress has been exploited by other influential actors such as Turkey and Russia. China's increasing popularity in Serbia can also be attributed to increased frustration over Western policies. The prospects for EU accession in the short-term remain low, fuelling further Euroscepticism.

## Recommendations

It is important to note that the demonstrations of November 2021, were also fuelled by another foreign investment of questionable environmental standards, this time a lithium mining project granted to an Anglo-Australian company. [73] This illustrates that there is a general tendency with the eagerness of the Serbian government to neglect environmental, social and governance criteria for the sake political and economic gains, thus exceeding the scope of Serbian-Chinese relations. Thus, Serbia's multivectoral foreign policy is driven by its need for foreign direct investment inflows and is not necessarily limited to a particular foreign investor. Hence, concerns over environmental and human rights violations due to commercial activities should not be used as a pretext for geopolitical rivalry with China but should have a universal appeal.

- Absent of a clearly-defined roadmap towards EU membership, the EU will have to additional find ways to revitalise Belgrade's EU perspective. The adoption of qualified majority on enlargement, as well as other key EU foreign policy issues could be a step in the right direction.
- The EU will also have to put further emphasis on strategic communications, in order to increase visibility of its projects. Furthermore, the independent media will have to supported in a transparent way, because their particularly important role at a political climate where opposition parties are significantly weakened.
- Labour unions will have to be strengthened as well, as a counterweight to the current growing culture of business impunity.
- The EU in particular could assist Serbia's alignment with its climate transition policy, by sharing best practices and outlining a clear "green agenda" for the broader region, with a scope to unlock its significant potential in renewable energy, especially in hydro-energy. [74] [75]

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## Open Balkan Initiative: Will Economic Integration in the Western Balkans be achieved?

Luke Roux

- The Open Balkan initiative could increase economic growth and reduce political tensions in the Western Balkans.
- The EU has no formal role in the Initiative unlike other integration efforts in the region. This has the advantages of being a bottom-up locally led regional initiative.
- Only three of the six Western Balkan countries – Albania, North Macedonia, and Serbia – are in the initiative.
- Political disagreements, a dearth of trust in Serbia, and the lack of EU participation are key reasons why Bosnia-Herzegovina, Kosovo, and Montenegro have not joined.
- The lack of unity threatens to undermine the economic impact regional economic integration and EU economic integration could have to the region.

The Open Balkan initiative is an effort to create an EU/Schengen-like economic zone in the Western Balkans. If successfully implemented, it has the possibility of reducing tensions and stimulating economic growth in one of Europe's most fractious and economically undeveloped regions.



Open Balkan Initiative participating countries in green. Non-participating countries in red, Euronews

## Peace through Economic Integration

The Balkans has long been a politically fractious region. It has been without major conflict since 2001 but political and ethnic tensions remain present. The destructive first half of the 20th century led countries in western Europe to begin to bring their countries into economic alignment. The theory being that it would be inconceivable that countries with heavily integrated economies could ever go to war again; to "make war not only unthinkable but materially impossible" as declared by French foreign minister Robert Schuman. [1] As part of the effort to secure a lasting peace, in 1951 the European Coal and Steel Community was created establishing a common market for coal and steel within the member countries. [2] This effort would eventually lead to a near continent spanning and otherwise unprecedented economic and political union, the EU, based on the principle of four freedoms – freedom of movement for people, goods, services, and capital within the internal market. [3] The effort to bring about a stable peace in the Western Balkans has led to numerous economic and political integration efforts to be proposed; with the Open Balkan Initiative being one of the latest. [4][5]



European Union awarded Nobel Peace Prize in 2012 for "over six decades [of having] contributed to the advancement of peace and reconciliation, democracy and human rights in Europe"

## What is the Open Balkan Initiative?

The Open Balkan initiative seeks to re-create the EU's four freedoms – the freedom of movement for people, goods, services, and capital – in the six western Balkan (WB6) countries – Albania, Bosnia-Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia. [6][7] As of writing, the initiative is only supported by three of the countries: Serbia, Albania, and North Macedonia. Kosovo, Montenegro, and Bosnia-Herzegovina are not members of the initiative and have not signed on to the Open Balkan initiative or any of the associated agreements. [8] It currently consists of a series of multilateral and bilateral declarations and agreements – starting in October 2019 and most recently on 21 December 2021 – beginning the process of moving the signatory countries toward implementing a Schengen-like common economic zone. [9]



Leaders of Albania, North Macedonia, and Serbia agree to form a "mini-Schengen" in October 2019 at a summit in Novi Sad, Serbia. Left to Right: Albania's Edi Rama, Serbia's Aleksandar Vucic, and North Macedonia's Zoran Zaev

The next summit is scheduled for February 2022 in Skopje. [10] The agreements have focused on establishing the Open Balkan initiative as a concept, increasing freedom of movement for people, and increasing freedom of movement for goods and services through mutual recognition agreements and the limitation of non-tariff barriers. [11] An important aspect of this initiative is that it is not an EU-led process unlike other western Balkan economic integration projects. [12]

Agreements that have been signed during Open Balkan Initiative summits include:

- Declaration of intent to establish the free movement of people, goods, services, and capital between the three countries – 11 October 2019 [13]
- Memorandum of understanding between Serbia, Albania, and North Macedonia on cooperation in the fight against Covid-19 – 9 November 2020 [14]
- Agreement to allow free movement of Albanian citizen to Serbia and North Macedonia with only an ID card. – 9 November 2020 [14]
- Memorandum of Understanding and Cooperation on Facilitating Import, Export and Movement of Goods in the Western Balkans – 23 July 2021 [15]
- Memorandum on Free Access to the Labor Market – 23 July 2021 [15]
- Agreement on Cooperation in Disaster Protection – 23 July 2021 [15]
- Agreement on the Formation of Implementation Council for Open Balkans – 4 November 2021 [16]
- Agreement outlining the conditions for free access to the job market in the Western Balkans – 21 December 2021 [17]
- Agreement on the interconnectivity of schemes of electronic identification for citizens in the Western Balkans. – 21 December 2021 [17]
- Agreement between the Council of Ministers of the Republic of Albania, Serbia, and North Macedonia for collaboration in the fields of veterinary and food safety. – 21 December 2021 [17]
- Agreement for mutual recognition of the authorisations issued by authorised economic operators, between Serbia and Albania, and Albania and North Macedonia. – 21 December 2021 [17]

## Recent Events

On 21 December 2021, the most recent Open Balkan initiative agreements aimed at easing burdens firms face when operating across the initiative countries and allowing workers to work across the initiative countries, were signed by the three initiative member countries. This is a continuation of the process begun in October 2019 by the leaders of Serbia, North Macedonia, and Albania. This process of Open Balkan summits where the leaders sign agreements is set to continue in 2022, with the next summit scheduled for February in Skopje. [18]



Leaders of Albania, North Macedonia, and Serbia continue to pursue the Open Balkan Initiative in December 2021 at a summit in Tirana, Albania. Left to Right: Serbia's Aleksandar Vucic, Albania's Edi Rama, and North Macedonia's Zoran Zaev

The leaders of the three initiative countries have emphasized the economic benefits that regional economic integration will provide and have encouraged the other WB6 countries to join on that basis. [19][20][21] They have continued to pursue the project despite a lack of agreement by all WB6 countries. [22] Unlike with the Central European Free Trade Agreement (CEFTA) or Berlin Process, the Open Balkan Initiative countries are operating outside of any EU process. The stated reason for this is a belief that the project of Western Balkan integration with the EU has stalled, necessitating independent action by the countries of the region. [23][24] While acting outside the EU, the initiative countries have

stressed the compatibility and shared values of the initiative and the EU – both based on the four freedoms – and have mostly downplayed suggestions that it acts as an alternative to EU integration. [25][26][27]

The opposition to the initiative in Montenegro and Bosnia-Herzegovina has largely centered on the lack of involvement of the EU. Both are concerned that the initiative could jeopardize EU integration and ascension. [28][29][30][31] The value and purpose of the initiative has also been questioned given the existence of the parallel EU initiatives which promise similar levels of WB6 economic integration with the addition of greater EU alignment, integration, and EU development funding. [32][33][34]

Additionally, they have stated the necessity of a neutral party, the EU, in de-emphasizing intra-country disputes when forging regional agreements. While not publicly stated by the governments of either country, some analysts believe that there is reluctance in Montenegro and Bosnia-Herzegovina to get involved in Serbian-led projects and a distrust of the Serbian governments by Montenegrin and Bosnian governments. [35][36] Kosovo has been the most dismissive of the initiative and view it a threat to their sovereignty. As recently as 3 December 2021, Kosovan foreign minister Donika Gervalla has claimed that the country has not received any formal invitation to join the initiative. [37][38] This mirrors the Kosovan belief that Serbia has no intention of interacting with Kosovo as an independent state. [39] Kosovan officials have stated their refusal to engage in any regional project that does not recognize them as a full, equal, and independent member [40]. In addition to these concerns, they have also expressed similar sentiments of Montenegro and Bosnia-Herzegovina. [41] The EU and US have been supportive of the initiative and have encouraged all WB6 countries to join, while stressing that the initiative is unlikely to be successful without the involvement of all WB6 countries. [42][43] While the initiative is outside EU processes, the EU officials have stated that they believe the aims of the initiative are in line with EU values. [44]

## History

In the 1990s then Albanian Prime Minister Fatos Nano proposed increased economic and political integration with a formation of a mini-Schengen area. [45] The idea would lie dormant during the Balkan wars of the 1990s and subsequent promise of integration into the EU in the 2000s. Between 2006 and 2007, all WB6 nations would join CEFTA and are currently the only members along with Moldova.

CEFTA failed to increase the share that intra-regional trade accounts for the WB6 countries – it has remained stable at approximately 20% of trade for WB6 countries over the last two decades. [46] The CEFTA framework provides flexibility to member states to introduce trade barriers where “imports cause serious impediments to any particular sector of the economy of the importing country that may harm the economic situation”. [47] The impact has been a series of trade barriers erected by individual WB6 countries, while legally innkeeping with CEFTA impede free trade. [48][49]

The difficulties between Serbia, Bosnia-Herzegovina and Kosovo have been the most significant; with Serbia and Bosnia-Herzegovina lack of recognition of the Kosovan state authorities a significant stumbling block. This has resulted in numerous trade embargos and tariff introductions by all three nations since joining CEFTA in 2008. [50] The insufficiencies of CEFTA have resulted in further economic integration efforts such as the Open Balkan Initiative. The mini-Schengen idea would be revived in 2014 by Albanian Prime Minister Edi Rama in the Berlin Process. [51] The Berlin Process is a diplomatic initiative between the WB6 countries and the EU, to facilitate greater economic and political ties between the countries of the region and between the region and the EU. The process was launched following comments by European Commission President Jean-Claude Juncker that no further EU enlargement would occur under his presidency. [52]

The Berlin Process would lead the WB6 to endorse the Regional Economic Area (REA) in 2017. They agreed to move towards implementing the four freedoms of the EU – under EU compliant rules and under EU guidance – within the WB6, with the explicit aim of facilitating convergence with and future entry into the EU. [53] This declaration would be further strengthened with the endorsement of the Common Regional Market in 2020, with the aim of full four freedom implementation in the WB6 and further harmonization with EU rules and standards, facilitating WB6-EU trade and cooperation. [54]

Both plans were accompanied by EU funding, under the EU Economic and Investment Plan, for various infrastructure and digitization projects. [55][56][57] The EU Economic and Investment Plan includes €9 billion of direct grant funding and additional guarantee facilities which could allow up to €20 billion of investment over the next decade. [58]



Western Balkan and EU leaders meet to discuss WB6-EU integration as part of the Berlin Process in Paris 2016, Euractiv

In 2019 the leaders of Serbia, North Macedonia and Albania formally announced the Mini-Schengen initiative – renamed the Open Balkan Initiative in July 2021. [59] Over the course of 2021, further agreements would be signed that would look to implement freedom of movement for goods, services, capital, and labor.

## Can the Open Balkan initiative succeed?

The question of success has two major components. The first is a political and legal question, determining whether the countries involved in the Open Balkan initiative will be able to implement an EU-like system of economic and political integration. The second is an economic question, will the initiative encourage increased economic growth and facilitate economic convergence with the rest of Europe – a pathway most former soviet and socialist EU countries (the EU-11) have begun. [60]

The economic and political and legal questions are not separate but interdependent. Without the requisite political and legal structure, the economic benefits will not occur, while the economic benefits help solidify the political will for integration. Despite this interdependence, they do represent the two primary mechanisms by which the Open Balkan initiative could be considered a success.

## The Politics of the Open Balkan Initiative and Regional Integration

The EU is the most sophisticated and comprehensive economic integration project amongst sovereign states in the world. It requires significantly higher levels of trust between member states and bureaucratic and technical expertise than less comprehensive regional economic integration such as free trade agreements. Some experts find it unlikely that the Western Balkan states have the governance capacity, the bureaucratic and technical expertise, to implement an economic integration project as comprehensive as the one being proposed without the support of the EU. [61][62]

The difficulties in implementing do validate these concerns. The EU is highly unlikely to get involved in helping to facilitate the project while it does not include all six WB nations – especially if it excludes Kosovo, which is recognized as independent by a majority of member nations.

The lack of trust between the WB6 nations is a significant stumbling block, with the lack of recognition of Kosovo’s independence by Serbia being most significant. As an example, during the formation or enlargement of the EU no equivalently large disputes existed between the signatory countries. [63]

It is fundamentally difficult to construct complex agreements – including mutual recognition of various government processes – where one of the entities does not accept the legitimacy of one of the other entities. Other border disputes which could prove potential stumbling blocks are present in the region. There are currently at least six ongoing border disputes, in addition to the Serbia-Kosovo dispute, within the WB6 countries or between a WB6 country and an EU member state. [64] Beyond the issue of border disputes, the reluctance of Montenegro and Bosnia-Herzegovina suggests a lack of trust in a mostly Serbian-led process, especially as it lacks the involvement of the EU to act as a counterweight to Serbian hegemony. [65]



Map showing all the border disputes that involve a WB6 country. Maritime border dispute between Albania and Greece is not shown. Gisreports

## The Economics of the Open Balkan Initiative and Regional Integration

Increased regional economic integration and the lowering of economic barriers should increase economic growth and development, through more efficient use of the factors of production, economies of scale, and agglomeration effects. [66][67][68][69] Economic theory would also stress that these positive effects are even greater for small economies, such as the WB6 countries, which inherently rely more on global markets for goods and services than larger economies. [70] [71][72] The economic literature focused on the western Balkans has shown that trade barriers between the WB6 nations do depress trade between nations, so their elimination should allow for greater regional trade and development. [73] [74]



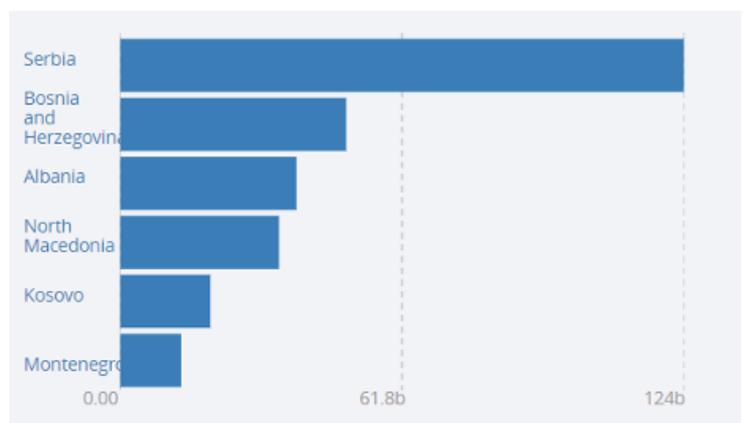
Delays in transporting goods between North Macedonia and Serbia

The second barrier identified by the literature, the quality of infrastructure, will also likely benefit from regional economic integration. [75] The returns on large-scale infrastructure (transport, energy, technological) are significantly greater when barriers between the political entities such projects are connecting are lower. As an example, the value of an upgraded or new railway or highway between North Macedonia and Albania is greater if the goods that travel on it are not subject to tariffs and do not get stuck

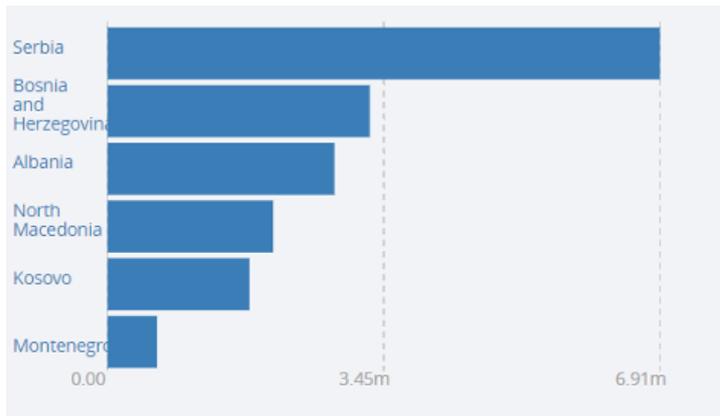
at the boarder for hours or days due to customs and other checks. [76] This makes it more likely that such projects receive funding by international development programs – such as the Three Seas initiative – as they are more competitive on a global scale.

Both barriers indicate the benefits would be enhanced by including all WB6 nations [77]. It would maximize the disparity in the factors in production in the included area, increasing the impact of efficient use of the factors. [78][79]. The increased size of the initiative – increasing the GDP and population included in the initiative by 43% and 48% respectively vs the current proposed configuration (Data: World Bank. Population figures as of 2020. GDP figures is GDP, PPP (current US\$) as of 2018.) – will increase the impact of economies of scale and provide a greater source environment for agglomeration effects. Given the relatively small size of the region – on a global scale and compared to the EU market that surrounds it – trying to maximize the effects of economies of scale and agglomeration effects is an important goal to encourage economic growth and development. [80][81]

On the infrastructure front, the EU is the most likely source of development funds and complying with EU demands that all WB6 countries are included is critical. Russia and China do offer alternative sources of infrastructure development funds without the conditions of the EU. [82][83]



GDP for WB6 countries in 2018, World Bank



Population of the WB6 countries in 2020, World Bank

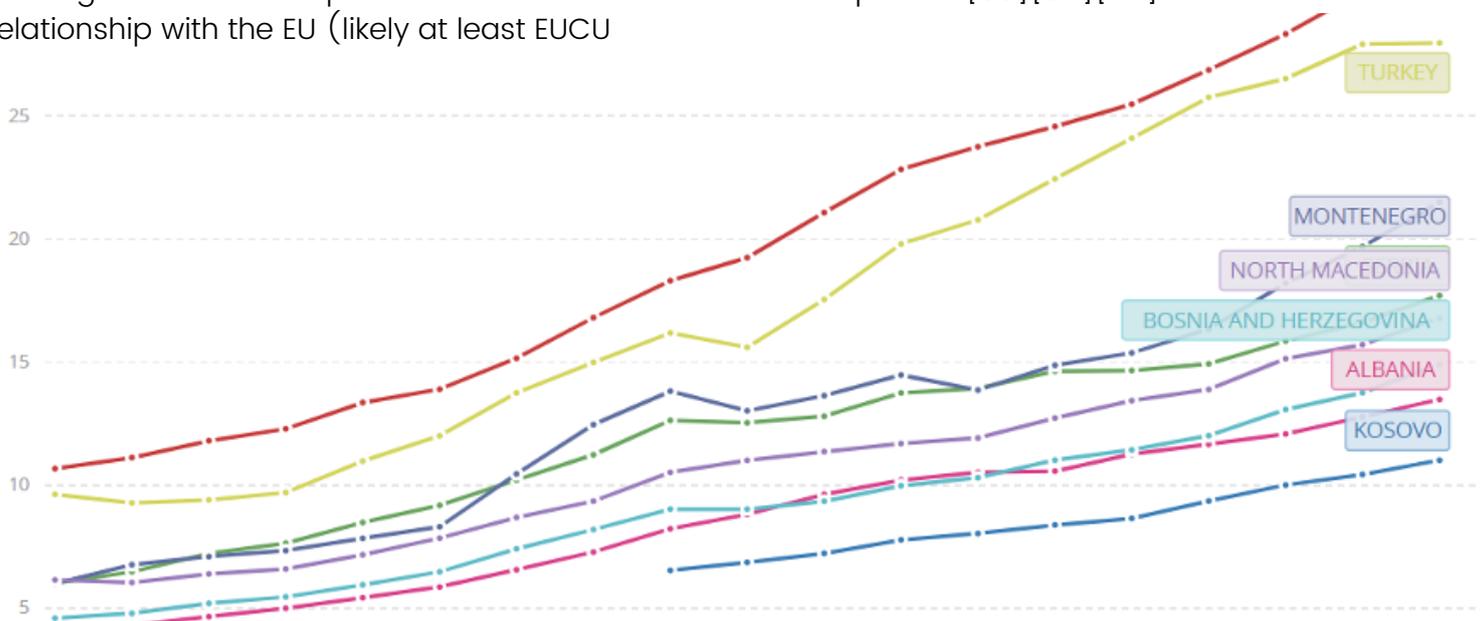
The examples of Poland and Turkey are particularly relevant in assessing what greater economic integration with the EU could offer. Poland – as an EU member state – and Turkey – as a member of the European Union Customs Union (EUCU) – have pursued an export goods to the EU-led development strategy. This has resulted in rapid economic growth in the 21st century and both have reached near developed-country status. [84]

This will likely cause wages to continue to rise in both countries – and other similar countries: Hungary and Romania. It is likely some of the firms that located there due having both easy access to EU markets and lower wages than the EU core, will look to relocate to other markets. Known as the ‘Flying Geese theory’, the WB6 countries could provide a good location for this foreign investment, due to the lower wages, although it would require a closer economic relationship with the EU (likely at least EUCU

membership) in addition greater regional economic integration. [85] Without greater economic integration it is unlikely that any of the WB6 economies will enjoy sufficient economies of scale to be sufficiently globally competitive to become a significant location for such foreign investment. [86]

The economies of scale and agglomeration effects that this model relies on does represent a possible political threat and may be the reason for reluctance of the non-Open Balkan signatory countries, are hesitant to join. In the WB6 countries, Serbia is the largest economy, has the largest population, is disproportionately involved in intra-region trade, and has Belgrade – the former capital of Yugoslavia – the only metropolitan area with a population of significantly greater than 1 million. [87]

This makes Serbia and Belgrade likely to be the location for the agglomeration effects in the region. In this scenario, it will become the dominant economic power in the region, receive a dominate share of foreign investment, and become the primary location for ambitious labor. Given the recent memories most of the other WB6 countries have of being politically dominated by Belgrade and Serbia; it might become politically untenable for Belgrade to become the location where all young talent leaves for and the site for most of the economic development. [88][89][90]



GDP per capita of the WB6 countries, Poland, and Turkey from 2000 to 2018, World Bank

## Conclusion

The ultimate goal of any economic integration effect in the western Balkans should be to include all WB6 countries and have as close an economic and political alignment with the EU as possible. The economic impact this would have in the region could be transformative and could allow for the economic convergence of one of Europe's poorest regions with the rest of Europe – as has been happening in the EU-11. While not guaranteed, this could result in reducing the salience of tensions in the region and facilitate in forging a lasting peace.

The political leadership of Serbia, North Macedonia and Albania appear committed to the initiative and will likely continue to pursue economic integration between the three countries. If they are able to successfully implement these measures it will provide opportunities for citizens and firms, increase trade, facilitate improve infrastructure and increase growth and development.

In this scenario with the concept proven, the Open Balkan initiative could lead to regional and EU integration with the remaining WB6 nations joining and increased EU involvement. Alternatively, it could lead to further tensions and divisions between those that are and are not members of the initiative. To avoid this from happening the EU needs to commit to the project of western Balkan integration and offer a tangible and credible promises of closer EU-ties to the countries in the region. It will also require the WB6 countries to commit to integration despite the existing disputes; most notable would be some increased acknowledgment of Kosovan independence and Kosovan institutions and authorities by Serbia. Whether the promise of regional and EU integration is enough to achieve this is an open question that could define the economic and political position of the region well into the future.

## Recommendations

- The Open Balkan initiative should be incorporated into the Berlin Process, with all WB6 countries joining and the EU given a formal role.
- The EU and EU member states should show increased commitment to the Western Balkan integration project. Increased engagement in the region, increased development funding, and increased economic integration. Engage in diplomatic efforts as an external actor to resolve the regions political and border disputes. Ascension talks must open and progress with all WB6 countries.
- The WB6 countries, most notably Serbia, need to decide if the benefits of regional and EU integration are more important than the nationalistic interests that are preventing it from happening.
- Additionally, all should look to increase governance capacity, strengthen democracy, and reduce corruption.
- The Open Balkan Initiative should increase engagement with the non-participating countries and look to assuage the concerns they have. Ensuring all WB6 countries are involved should be a primary objective.
- The non-participating countries should consider if non-participation is the best strategy. Joining and looking to influence proceedings and agreements towards the EU could facilitate both regional and EU integration.

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# China's Belt and Road Initiative in the West Balkans: Necessary Funding or Avenue for Corruption?

*Daria Grigorieva*

## Key Takeaways

- Owing to more recent state formation and comparatively smaller economic growth, West Balkans nations must decide whether to continue developing their infrastructure at a slow, incremental pace or to accept loans from foreign investors to fund this development.
- These loans have increasingly begun to display at least one of three defining characteristics: they are picked from a government wish list or they facilitate corruption, either through the enormous sum borrowed or through the lack of public tenders for projects.
- China lacks a decisive regional investment policy and instead acts as an alternative lender to these states, aided by its ambivalent attitude towards its borrowers and their commitment to democratic principles, who freely abuse these loans for personal gain.
- The EU needs to re-engage with the region. It cannot deny the West Balkan nations necessary infrastructure funding when it refuses to assist them itself. The EU should rather provide these states with low-interest and transparent loans to allow for domestic development, while also affirming commitments on the EU ascension process to keep the region within its sphere of influence.

## Introduction

Throughout the last decade, the European Union (EU) has adopted a policy of “passive engagement”<sup>[1]</sup> towards the West Balkans, distancing itself from assisting in the development of necessary infrastructure. Such hesitancy is understandable, as the projected returns for the projects can be poor. However, the region suffers from a chronic infrastructure gap, which hampers economic development and thus European integration. To plug this gap, the West Balkan nations have begun searching for investors further afield and have found China to be a most generous lender.<sup>[2]</sup> The states are welcoming these much-needed flows of aid, investment and trade, which are steadily increasing and even beginning to rival the EU’s economic influence in some areas.<sup>[3]</sup>

Such investments form part of China’s Belt and Road Initiative (BRI): an international development strategy spanning more than 150 countries.<sup>[4]</sup> The project seeks to invest hundreds of billions into constructing a new economic and maritime Silk Road to better connect China to the rest of the world. The enterprise allows partner nations borrow from the four state-owned banks to invest in domestic infrastructure projects, with loans for the initiative being underwritten by the Chinese state itself.<sup>[5]</sup> However, China’s desire to strengthen economic ties with the West Balkan region precedes the announcement of the BRI. In 2012, China established a summit known as the ‘16+1 group’ to develop cooperation between itself and Central and South-Eastern Europe.<sup>[6]</sup> It is through this collaboration that the West Balkan region has been permitted to borrow over \$30 billion for infrastructure projects since 2013.<sup>[7]</sup>



Justyna Szczudlik, 5th Meeting of Heads of Government, Central and Eastern European Countries and China in Riga, Latvia 2016, (State Chancellery of the Republic of Latvia, 9 April 2019)

The loans are not without their issues, of which two have taken precedence: the choice of projects and the high sums being borrowed. Firstly, China has not developed a cohesive investment strategy in the West Balkan region, instead permitting projects to be chosen from “local government wish lists”.<sup>[8]</sup> These may be projects that states consistently struggled to attract funding for, such as the Bar-Boljare highway in Montenegro,<sup>[9]</sup> or projects that are barred from traditional investment routes because international financial institutions impose stringent criteria for financing coal, such as the Tuzla plant in Bosnia and Herzegovina.<sup>[10]</sup>

Secondly, the sheer amount being borrowed is reason for alarm. The loans have been described as “inflated”<sup>[11]</sup> and have given rise to accusations of “debt-trap diplomacy”,<sup>[12]</sup> as China’s offers loans to fund economically unviable projects which the West Balkans states cannot repay.

The lack of transparency surrounding the loans could also be used as a smokescreen used by politicians to hide their corrupt practices. So much so that the way governments are doing business with China has begun to erode already weak institutions and slow down progress towards EU integration.<sup>[13]</sup> West Balkan engagement with the BRI thus facilitates the abuse of necessary public infrastructure investment for personal gain, as will be demonstrated through the analysis of three West Balkan states.

## Bosnia and Herzegovina

The final characteristic of China’s BRI is that the choice of projects creates the impression that they were selected from government wishlists rather than as part of a cohesive development strategy. This is most evident in the construction of the Tuzla plant in Bosnia and Herzegovina. The project was approved in March 2017 and is funded by a loan taken out by the Bosnian power company Elektroprivreda BiH with the Export Import Bank of China for around €700 million for a total cost of construction of €870 million.<sup>[14]</sup>

It's a curious decision to build a new coal power plant when the world is turning its attention towards renewable energy. Yet supporters of this project within the Bosnian government argue that this new coal power plant is necessary to protect Bosnia's energy independence and it replaces three older and inefficient plants.[15]



Vladimir Spasić, TTP Tuzla, (EPBiH, 13 September 2021)

The decision to greenlight this project may ultimately have a fatal impact on Bosnia's EU membership aspirations. As part of the EU integration process, every West Balkan nation joined the Energy Community, which is governed by legally binding directives under the Energy Community Treaty.[16] Their aim is to bring pollution standards in the West Balkan in line with EU targets and their achievement is a precondition for EU membership. However, any coal power plant that has recently been constructed will be unable to be phased out by 2030, which is the target that the EU has set for the West Balkan nations to become compliant with the Treaty.[17] In fact, governments may be forced to invest hundreds of millions of euros to upgrade these plants to meet EU standards.[18]

The lack of forethought into the long-term feasibility of this project shows its frivolous selection. The blame doesn't necessarily lie with the BRI, as it was Bosnia's decision to pursue investments that are incompatible with both EU energy requirements and its membership aspirations. It is likely that if the government had wanted to build a renewable energy plant – for example, solar, wind or hydro – that China would have funded it all the same.

This questionable project choice illustrates China's lack of a cohesive strategy for its BRI, instead functioning as an alternative lender whose ostensible neutrality presents them as willing and able to work with anyone.

## Montenegro

China's landmark project in Montenegro is the Bar-Boljare highway: a 164km route which connects the Montenegrin coast with Serbia and has an estimated cost of around €2 billion.[19] The project has provoked mixed reactions from citizens and scholars. While the authorities and Montenegrin nationals uphold that this is a necessary project for the country's economic growth and future development, some critics use this motorway as an illustration of China's debt trap diplomacy in the West Balkans.[20]

Construction of the first phase is being 85% funded by a Chinese loan amounting to \$944 million,[21] which is roughly 25% of Montenegro's GDP.[22] As a result of the loan, gross public debt exceeded GDP by the end of 2020 and is far higher than recommended levels for any emerging economy.[23] It is therefore likely that only the first part of the highway will be completed as the fiscal capacity does not exist to finance the remaining two phases of the highway with debt. [24]



Titan Cement, Bar-Boljare Highway, Montenegro

If Montenegro is unable to repay this loan, it faces arbitration in Beijing and could be forced to release control of the highway to China.[25] Assistance with loan repayment from the EU has failed to materialise but it was able to make its first repayment without external help.[26] The country is now left with a difficult decision: continue to borrow from China to complete the highway or continue at a future time when debt levels have decreased. This dilemma naturally begs the question of why Montenegro borrowed this exorbitant sum when estimations for the project were about a third less.[27]

At nearly \$40 million a mile, some critics have argued that the contract was padded with extra cash for corrupt officials, with Montenegrin Finance Minister Milojko Spajic conceding that “it’s very rare to have such an expensive highway”. [28] These accusations are underscored by the persistence of the previous government to hide information about the financing of the highway, which declared most of the data on the construction of the Bar-Boljare highway a secret in advance.[29] The concealed information includes finances, data on control of implementation of the project and disputes, as well as technical and administrative documents. [30] In determining this blanket secrecy, the Ministry for Transport argued that disclosure could influence the procedure for highway construction and that there is therefore a general need to prevent any adverse consequences.[31] However, this is an arbitrary interference with its citizens’ right to access information about a public project and falls short of the standards necessary in a democratic society. With the completion of the first phase being postponed by the pandemic, the new deadline is unknown to the public.[32] It is the Montenegrin citizens who will bear the consequences of this delay, particularly the increase in the cost of the loan and the diminished economic value of the project.

## North Macedonia

Another hallmark characteristic of the BRI in the West Balkans is the lack of a transparent bidding process for public projects. Chinese firms are awarded contracts for construction of infrastructure projects without going through the process of a public tender.[33] The limited publicly available evidence on public procurement is instead justified by the necessity of domestic infrastructure investment. In North Macedonia, the public bidding process for two motorway stretches was closed off to any other firm apart from Sinohydro, despite another company offering a lower price, as the former Prime Minister Nikola Gruevski believed that the Chinese firm would be willing to pay a bribe worth €25 million.[34] These revelations were brought to light in a wiretapping scandal by his successor Zoran Zaev in February 2015, with recorded conversations illustrating significant differences between the costs announced by the Gruevski and Sinohydro representatives.[35] The Chinese company had in fact recently been blacklisted by the African Development Bank for the facilitating the corrupt practices of political elites seeking elections gains. [36]



Robert Atanosovski, Nikola Gruevski, (Getty Images, 29 December 2018)

The lack of transparency had a further impact when construction began, where serious omissions and flaws were discovered in the projections. The failure to conduct due diligence after the funds had been acquired has resulted in significant delays and additional costs of an estimated €140 million which, according to the terms of the contract, the Macedonian government must pay the Chinese contractors. [37] Such costly mistakes will likely continue if there is no transparency surrounding the loan conditions and its beneficiaries. BRI loans allow China to present themselves as a neutral actor that is willing and able to work with everyone,[38] when in fact it opens a country up to far greater exploitation than imagined. The allure of “easy” Chinese money may influence politicians to make decisions that benefit them in the short-term, as Gruevski did by choosing the company he thought would pay him the largest bribe. Slow economic growth and increasing public debt, which often fail to be taken into consideration, in fact hinder a country’s development in the long term. It is in such instances that it should be questioned whether these infrastructure projects ultimately cause more harm than good.

## How Does the BRI initiative in the Region Benefit China?

China may be attracted to the West Balkans for several reasons. It provides Beijing with a port of entry into Europe, while close political and economic ties with these governments may become valuable if they become EU members. [39] China could likely use its influence to pressure countries into adopting favourable positions on a number of other issues.[40] These issues may include: the human rights situation with its Uyghur population in Xinjiang, Taiwanese sovereignty, freedom of speech in Hong Kong, and territorial disputes in the South China Sea. This threat first appeared when Hungary, a large recipient of Chinese funds, blocked an EU statement condemning China’s actions over Hong Kong.[41] The sums borrowed by West Balkan nations may begin to increase pressure on Europe’s united support for human rights.

## What Can Be Done?

The only solution to root out corruption, malpractice and debt risk is for the EU to take on a supportive role. The EU cannot tell the West Balkan nations who are in great need of infrastructure investment to ignore China’s easy and convenient funding offer, particularly without presenting any credible alternatives.[42]

The EU needs to mitigate these risks where it can and allow the nations access to low-interest, transparent loans from the European Investment Bank. Given that most projects being implemented will not provide lucrative returns for investors – for example, motorways – the West Balkan nations should be granted to access EU public development funds to construct them as cheaply as possible, without having to resort to private, more predatory funds to do so.

To allay concerns of corruption and misappropriation of funds, the EU should create a specific fund for domestic infrastructure. For access to this fund, countries may submit their project proposals to its governing body for independent checks on feasibility, costs and compliance with EU regulations and objectives. To ensure that proposals are processed within a reasonable timescale, a maximum of two years should be allowed before a decision must be reached whether to approve or reject the loan application. For many West Balkan states this would be the preferred alternative, as several had sought Chinese funding after being initially rejected by the EU.[43]

Furthermore, the EU should seek to balance China’s influence by making and keeping concrete commitments on the EU accession process. With France rejecting EU membership talks with hopefuls Albania and North Macedonia, it is unlikely that the other West Balkan nations will become members in the foreseeable future. This disengagement with the region understandably removes any desire for reform if the states have nothing to gain. By turning its backs on the region, the EU leaves the door wide open for China.

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## The Continuing Decline of Media Freedom in Serbia

*Alex Merrick*

The media in Serbia has been fighting against restrictions and propaganda since the Yugoslav Wars. The COVID-19 pandemic enabled President Aleksander Vučić's government to impose more restrictions on any news sources deemed critical of his government. With the Serbian elections taking place in Spring, a balanced media is crucial to ensure the elections are both fair and free.

### A Free Media is The Fourth Estate

Freedom of media is a fundamental right and is protected by Article 10 of the European Convention of Human Rights.[1] It necessitates the ability to operate freely and fairly within a society without government control, pressure or censorship. A truly free media is the platform for the populace to gain the information to understand the foibles of their government.

There is a reason Edmund Burke called the Media the Fourth Estate and that it was more important than parliament.[2] A free press allows the public to form their own opinions as to whether the government is working effectively or not. In various countries around the world, pressure is placed on media organisations and journalists by governments who would prefer an ignorant population.

The Western Balkans is an area that seems to be backsliding with regards to their media freedoms. Reporters Without Borders notes that multiple countries in this region have moved down the rankings: Montenegro and Albania have both fallen two places since 2020 to 105th and 84th respectively and Serbia has fallen three places to 93rd.[3]

Compared to the rest of the West Balkan 6, it is clear Serbia's freedom of media is backsliding. Croatia are ranked 56th, Bosnia-Herzegovina are ranked 58th, Kosovo ranked 78th and North Macedonia moved up two places to 90th. Governments tighten media freedoms when there is a perceived threat to stability to their interests and COVID-19 provided an opportunity.

### Serbian Government's Pressure Against the Media During COVID-19

Serbia was one such country where COVID-19 provided some cover for increased negative pressure on the independent media. For example, with the government "pass[ing] a resolution aimed at centralising information related to COVID-19 in the Office of the Prime Minister." [4] This effectively meant that all COVID-19 information, was vetted by the government. This tightening of information control has been a long-established move by a government attempting to control their populace. They hope the lack of conflicting information will keep the public placid and therefore, in the government's mind at least, placated.

However, state censorship weakens government legitimacy and induces alternative information-seeking. [5] A government that realises it is losing its grip on the state narrative will attempt drastic measures, such as silencing critics and misinformation, to keep from losing its hold on the dissemination of information. This has already been seen in Serbia with the arrest of Ana Lalić and the vast amounts of misinformation published in the Serbian tabloids.[6]

The Serbian elections are approaching with Serbian people voting for both the president and the National Assembly on 3rd April 2022. President Vučić, therefore, needs to project and enforce the narrative of a strong and competent government.

## President Vučić

Aleksander Vučić is the Serbian President and leader of the Serbian Progressive Party (SNS). He became President in 2017 and had been the leader of the SNS since 2012. Vučić had been a prominent figure in Serbian politics since the Yugoslav Wars, becoming Minister of Information in 1998. Under Slobodan Milošević, Vučić maintained a strong hold over the media. He fined newspapers for breaking censorship regulations and his term has been described as a regime of state broadcast propaganda.[7] Vučić led the implementation of the Information Law, under which the editors of all opposition media had to run their content past Vučić before publication to ensure only positive coverage of the regime.[8]



Vučić takes the oath in the Serbian parliament; Photo: Tanjug/Rade Prelic

The President of Serbia largely oversees the National Assembly as well as scrutinising the proposed laws.[9] The Prime Minister is more active as they enforce change and propose the laws for the state. However, Vučić nominated the current Prime Minister Ana Brnabić and confirmed her to the position of Prime Minister. It has been claimed by opposition party leaders that Brnabić is merely a puppet of Vučić.[10] This has allowed Vučić to influence changes that affect him positively and have helped him mould aspects of the media landscape to allow for favourable treatment of him. An analysis by the Serbian Bureau for Social Research found that Aleksander Vučić had 38% more media time than the Prime Minister and the entire Serbian government combined. This report released in April of 2021 was largely ignored by the Serbian media. [11] Researchers into the media and how it affects public opinion have identified:

“four different avenues media leaves its imprint on public opinion: enabling people to keep up with what is happening in the world (learning), defining the major political issues or problems of the day (agenda setting), influencing who gets blamed or rewarded for issues and events in the news (framing responsibility) and finally, shaping people’s political preferences and choices (persuasion).”[12]

The oversaturation of Vučić in the media will shape the populace’s view on politics. This methodology attempts to associate only Vučić with leadership and Serbia’s successes. If the populace does not have access to credible information concerning other Serbian politicians, it makes it exceedingly difficult for the public to form their own opinion on the credibility of the people governing them.

## Serbian State Ownership of Popular Media

Aleksandar Vučić’s administration in Serbia has had great success in marginalising critical journalism. The majority of media ownership has been consolidated in the hands of government loyalists.

The top three are the Government and public broadcasting service with 36.88% ownership, the Kopernikus Corporation with 19.91% and Pink Media Group with 16.89%. Pink Media and Kopernikus are both seen as being pro-government[13], with Pink Media's owner Zeljko Mitrovic having close ties with the ruling elites.[14] This close connections ensures that the outlets with the widest reach support the government and discredit its perceived opponents.

Nevertheless, critics of Vučić and his government continue to disseminate critical news through media such as NI. NI, otherwise known as Serbian Broadband (SBB), is an independent news channel and thus relies on ratings and advertising to survive. However, it is becoming harder to continue in the Serbian broadcasting landscape. NI was adversely affected when the state-controlled telecommunications company Telekom Srbija recently acquired the rights to broadcast English football by offering to pay 700% more than SBB.[15] Football broadcasts attract large viewing numbers to the channel, and this will turn viewers away from one of the only broadcasters critical of the government.

It is not solely on-screen media that is being targeted. There are now only two newspapers that openly criticise the current government. One of them is the United Group's new newspaper, Nova. The United Group is the "leading alternative cable operator in Serbia." [16] SBB is also part of the United Group conglomerate. Nova is printed in Croatia as Serbian printing companies have withdrawn support of the free media.[17]

News outlets should act as a set of checks and balances that the public can use to inform themselves to help them gain opinions that are the basis of a functioning democracy. If a government effectively controls the source of information, then the population do not know what they are voting for. If reality does not align with the information provided by the media, dissatisfaction and unrest may spread.

## The Dissemination of Misinformation

It is not just the lack of balanced news that is harmful to a country's democracy and peace. The internet age has brought forth a torrent of misinformation thus eroding the population's trust in facts and data. It becomes increasingly difficult to differentiate fact from fiction. The European Parliament views misinformation as "having far-reaching consequences for democratic societies, reducing civic participation in the political process and decreasing the legitimacy of institutions in the eyes of citizens." [18]

The two most prominent figures who appear in misinformation articles are Dragan Đilas, the head of the main opposition party, and President Aleksandar Vučić. Đilas is generally portrayed in a negative light in these articles while Vučić is almost always covered positively.[19] In 2021, the Serbian fact checking portal Raskrikavanje, found that five of the Serbian daily newspapers, Kurir, Alo, Srpski Telegraf and Vecernje Novosti, published 1 172 fake, unfounded and manipulative news articles on the front pages. [20]

When a population is continuously subjected to specific images and content, there is the potential that a significant number will be influenced by the content. Propaganda is an incredibly effective tool to influence the views of a population. If you tell a lie big enough and often enough, people will eventually come to believe it. Media literacy is therefore important to be able to analyse and know the difference between propaganda and fact.

In the most recent Media Literacy Index collated in 2021, Serbia was ranked 30th out of 35 European countries. It was found that countries with a higher distrust in both scientists and journalists had a lower media literacy score.[21] The rise of misinformation directly affects how much a population trusts its experts and its journalists. The spread of misinformation creates

## Serbia (Cluster 4, Ranking: 29, Score: 32)

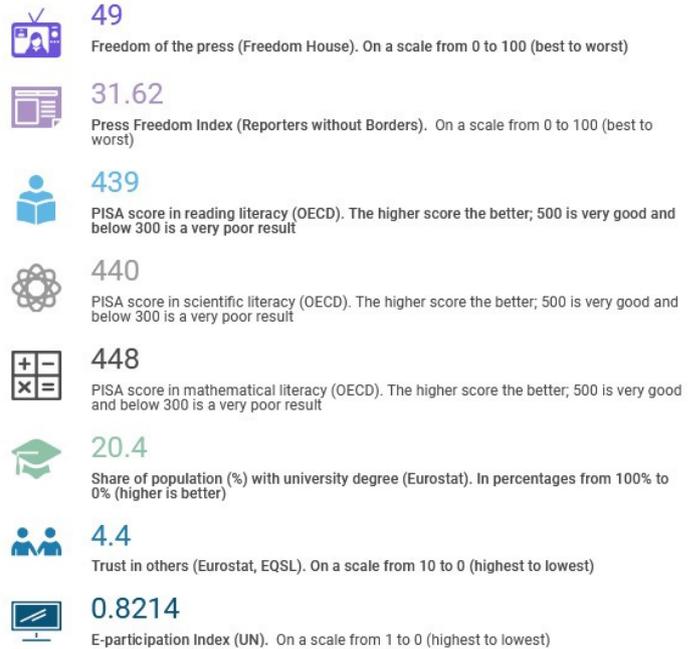
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Marin Lessenski, 'Media Literacy Index – Serbia', (OSIS, 14 March 2021)

a lower media literacy which creates a lower threshold for recognising misinformation, creating a downward cycle.

Polarisation is an increasing worry in society and has been used by political parties to sow division amongst the populace. President Aleksandar Vučić and the SNS have overseen the mainstreaming of negative campaigns and pro-government propaganda. [22] Freedom House reported that this contributed to the SNS's sweeping election result and the formation of a non-representative parliament in 2020.[23] Not only have these negative campaigns eroded the democratic process by significantly contributing in the SNS's election win, but it also erodes the peace and stability of a country. Misinformation in the media creates polarisation which in turn creates division amongst different sectors of society. These groups can become entrenched in their beliefs and these beliefs are then reinforced by more misinformation. Severe polarisation damages and destabilises institutions essential to democracy. Partisan conflict takes a heavy toll on civil society as well, often leading to the demonization of activists, human rights defenders, and journalists.[24]



## Violence against Journalists

Another threat to the peace of a country is violence against journalists, not only because of said violence but because of its ramifications. Journalists do not feel safe reporting on anything which leads to a drought of information. This drought is then filled by propaganda and misinformation. When journalists attempt to prosecute any threats or attacks, it has been reported that only one in ten criminal complaints result in a court verdict and any sentences are normally suspended.[25] The lack of justice towards journalists embolden the attackers. Without the protection of the law, the attackers can threaten or attack journalists with impunity.

In 2020 alone, the Media Freedom Rapid Response (MFRR) consortium registered a total of 37 cases of threats, harassment, or physical violence against journalists in Serbia.[26] It is not just violence perpetuated by the general public though, state intimidation and violence are also of concern.

During COVID-19, a state of emergency was introduced in Serbia. Legislation brought in during this state of emergency made it law that journalists had to source all their information through the prime minister and a crisis unit. Cases have also been reported of independent journalists being denied access to official press conferences.[27] Ana Lalić published a news story concerning shortages of personal protective equipment in a hospital in Novi Sad and was published in Nova. This contradicted the party line, and she was arrested for inciting panic and disturbing public opinion.[28] In an interview with Index on Censorship, she believes that they arrested her because she

“contradicted everything that the Serbian government wanted to present as a truth, that the country was absolutely prepared for the pandemic, that we had the best health system in Europe and that, with regards to medical equipment, we had more than we need.”[29]

All charges were dropped after three weeks as was the governments measure on media censorship due to the pressure coming from public opinion across the whole region.[30] The fact that the government only rescinded the measure because of the negative international reaction illustrates the Serbian government is potentially more concerned about optics than the actual truth.

Nor do they care particularly about journalists' safety and security. Lalić notes that “[we] are called traitors and foreign spies on a daily basis” and “[we]’ve been receiving negative reactions and threats on the streets from citizens.”[31]

Another noteworthy case is that of the intimidation of journalist Bojana Pavlović, who was harassed by unknown individuals and left unprotected by police after taking a photo of Danilo Vučić, son of Aleksandar Vučić, in the company of an alleged criminal.[32] It is not a coincidence that two of the highest profile cases of violence and intimidation against journalists are women.

Women are threatened online and, unlike male journalists, when women are threatened online the attacks on their competency are also sent alongside misogynistic and sexist slurs.[33]

In 2019, the Independent Journalists' Association of Serbia (IJAS) recorded 11 cases of attacks on women journalists and 24 gender mixed incidents. [34] Only in a minority of cases was the state's response swift and effective. In the case of Verica Marinčić, who was stalked and attacked by a biker gang member, the authorities apparently doubted the journalist's claims.[35] They were slow to react because of their own prejudice against her based on rumours about her private life.[36] This is a clear case a case of additional gender-based victimisation.

If a female journalist attempts to prosecute these online verbal attacks, they are expected to collect and flag the threats themselves and then submit them to the authorities.[37] The journalists are thus made to return to the threats made against them. This is secondary victimisation and could discourage journalists from reporting this form of violence, thus emboldening the offenders, and potentially encouraging them to escalate the online violence to real life.

It is not just the general public who threaten journalists. There are cases of politicians or public officials openly threatening journalists, targeting and defining them as “enemies of the state” or “traitors”.[38] These attacks appear to condone and encourage threats, online abuse, and even physical violence. Politicians are complicit in the violence against journalists, both due to their active involvement in making threats, and their inactivity in preventing this from happening in the first place. Top officials and high-level political figures, including President Vučić, are slow to condemn public attacks against the media, which only emboldens greater hostility against the press.[39]

An attack on journalists in any form is an attack against democracy. They are there to hold the government to account. They are not the government's mouthpiece that can be threatened into proclaiming the state has everything under control. If the reality described in the news is not the reality that the public is living, this creates a cognitive dissonance and can cause the façade of peace and prosperity to crack and hostility against the media and against the state to rise.

Serbia has made steps to combat threats against journalists. In May 2020, the Ombudsman signed a memorandum for the establishment of a platform to record cases of harassment, violence, and other attacks or pressures against the safety of journalists and other media workers. [40] This is a positive first step. However, if nothing is then done with the information and prosecutions are not undertaken in a swift manner, it is just a way to gather statistics.



Jorge Láscar, 'Serbian National Assembly Building', (Flickr, 21 August 2012)

## How to Tackle Threats to Media Freedom

Threats against media freedom erode the democratic process and create an environment that is open to abuse. Therefore, a state must implement and uphold laws, regulations and platforms to ensure a committed media is allowed to be impartial and free from violence.

The Serbian government has also established two new working groups on the implementation of their Media Strategy Action Plan. The first group is the working group for monitoring the implementation of the Media Strategy Action Plan. This group aims to increase the collaboration between public institutions and media associations and make the Media Strategy Action Plan an operational document by reviewing national legislation.

The second group is the Working Group for the Security and Protection of Journalists, which has the objective of reviewing and amending laws related to the safety of journalists.[41]

Both groups have the EU as an observer which highlights the government's wish for transparency. However, this could be simple lip service to the EU in Serbia's lead up to their EU integration process. This follows the latest EU progress report on Serbia, in which the EU registered "limited progress" under the category of freedom of expression.[42]

Already five civil society organisations out of nine members of the new Working Group for the Security and Protection of Journalists have withdrawn their participation just three months after its establishment.[43] This follows the absence of a response from the government to the recent claims by pro-government media accusing the independent investigative outlet KRIK of collaborating with a criminal organisation.[44] Whilst Serbia appears to be moving in a positive direction with regards to media freedom, this could be due to optics rather than any real concern for the safety of journalists and journalistic integrity. Serbia is seeking EU accession and wants to create the image of a free and independent media, or at least one credible light.



Djordje Kostic, 'PROTESTS', (Flickr, 8 July 2020)

## Conclusion

The integrity of the media is crucial for a healthy democracy. The outset of COVID-19 has provided governments with excuses for tightening media freedom. It is because of platforms, such as Reporters Without Borders, Freedom House, and independent Serbian journalists, that these transgressions have been highlighted on the world stage.

However, individual countries need to make greater steps to ensure their media is free and impartial. In Serbia as in every other country, media freedom does not just affect how favourably a populace views certain politicians nor just who they will vote for in the forthcoming elections, the media influences their worldview. A repressed media leads to a repressed society, but a free and fair media can lead to a more just and equal society.

## Recommendations

- The government must implement a much more targeted effort at teaching media literacy at schools. Teaching media literacy from a young age will inform the population how to better differentiate fact from fiction.
- There needs to be a more active engagement by the authorities against gender-based intimidation of female journalists. The law enforcement must take sexual threats against journalists seriously and not require the journalists to gather the evidence themselves. There should be a specific task force set up who can handle online and physical abuse against female journalists.
- The government must take a hard-line stance against politicians who threaten, spread false stories and who condone violence against journalists. This could take the form of a suspension from speaking in the National Assembly of Serbia or, for persistent cases, a suspension from their office.

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# Victims' Anonymity and Other Challenges at the Kosovo Specialist Chambers

*Sophia Zademack*

## Key Takeaways

- While the Kosovo Specialist Chambers offer possibilities to establish criminal liability, victims need to seek compensation at the Civil Court.
- When appearing in Court, victims still face various issues and obstacles, which originate from different narratives and perceptions of the war and the Specialist Chambers. Those obstacles include social stigma, a lack of anonymity during and after trial, as well as threats against them.
- Due to the existing challenges, a reluctance to partake in proceedings exists. This makes it questionable if the access to justice for victims is realistic.
- To secure the access to justice and initiate change, it is essential to include advocacy work and capacity building, since social stigma cannot be challenged by merely adjusting legal provisions.

## Introduction

After the war and Kosovo's independence, Kosovo established the Kosovo Specialist Chambers (KSC) in 2014 – in large part under pressure from the international community. Those chambers are a temporary judicial institution, established under national jurisdiction of Kosovo with the task to investigate on grave human rights violations during the war.

For instance, in 2020 the KSC confirmed an indictment against Hashim Thaci. Thaci was a former commander of the Kosovo Liberation Army (KLA) who allegedly committing crimes against humanity and war crimes during the war. [1] In 1999, the Kosovo Liberation Army (KLA) was officially dissolved, however, in reality, they split in various organizations and remain an important element of Kosovo politics and society. [2] Thaci is also a good example for this, as he used to be a former KLA commander who later became party leader of the political party PDK and president of Kosovo. Other indictments were also filed against individuals who used to be part of Kosovan politics. [3]

This January, Kosovo received criticism for the avenues it provides for victims of the war to claim compensation. [4] Following a dispute in court, the KSC had asked several experts to elaborate on victims' access to compensation funds and the possibility of anonymous claims for compensation.



Judges of the Specialist Chamber, source: Kosovo Specialist Chambers and the Specialist Prosecutor's Office

## The Right to Know the Truth and the Access to Justice

The rights to know the truth and the access to justice are – amongst the right to reparation and guarantees of non-repetition – essential pillars of transitional justice and provide a basis to combat impunity. The UN has thus released different reports and principles<sup>[5]</sup> and appointed a special representative, promoting “truth, justice, reparation and guaranteed of non-recurrence”.<sup>[6]</sup>

The right to know divides into two different dimensions: first, the victims’ individual right and second, societies’ right to know the truth on past events concerning the perpetration of heinous crimes and the circumstances that enabled their perpetration.<sup>[7]</sup> Both these dimensions exist regardless of any legal proceedings. Often, courts are not able to handle the task of establishing the truth over passed heinous crimes. Therefore, extrajudicial commissions of inquiry are suggested as more suitable institutions for such a task.<sup>[8]</sup> Such commissions have the advantage that they do not have to fulfil regular duties of a court next to the investigation of the passed crimes. Additionally, the structure of such Commissions can be tailored to the needs of the proceedings, society and victims.

If necessary, a commission of inquiry can subsequently provide courts with the necessary evidence to try the responsible perpetrators.<sup>[9]</sup> In court and during the work of an inquiry commission, the participation of victims is key to a victim-centred approach and a full picture of the violations. However, victims often might find themselves in the dilemma that they would like to contribute, but fear the revelation of their identity. Measures for their safeguard are thus essential for all: victims themselves, the commission, the courts and society as a whole. When arguing for safeguards for victims, the possibility to stay anonymous during trial is often debated.

Several UN Documents<sup>[10]</sup> and Scholars<sup>[11]</sup> strike out the importance of guarantees of anonymity to victims and witnesses for well functioning commission of inquiries and other truth finding mechanisms.

In the media and against the state to rise. The access to justice entails the right to independent and impartial investigation of human rights violations. Also, appropriate measures must be taken to try, prosecute and punish the perpetrators.<sup>[12]</sup> Consequently, the access to justice is usually realized through criminal proceedings.<sup>[13]</sup> It creates an obligation for states to ensure the access to justice for victims and others who have a legal interest in participating in the procedures. With regards to victims’ access, measures should be taken to “minimize the inconvenience to victims and their representatives (...) ensure their safety from intimidation and retaliation (...) during and after (...) proceedings”<sup>[14]</sup>

With this quote, the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law stress the importance of adequate protection of victims during and after trial. Even though the possibility to appear anonymous in court is not mentioned explicitly, it clearly points towards such measures.

In the recent years, proceedings of human rights violations have increased the inclusion of victims in trials and investigations, giving them a voice to share their story. As mentioned above, their anonymity is often essential for their participation and their testimony. Victims have various reasons to ask for a protection of their identity, which we will turn to later.

However, their participation is also important from other perspectives: Victim participation contributes to an impartial, independent and balanced work of inquiry commissions and is thus a factor to fight impunity and guarantee non-repetition.

It also strengthens the credibility of the findings of the inquiry amongst society, leading to a broader acceptance of the Commission.

Regardless of victims' personal reasons to request protection of their identity, failure to grant protection might lead to victims staying away from the inquiry. To avoid this, society, courts and victims should all fight for meaningful victim protection, as this enables a holistic inquiry of the past.

## The Kosovo Specialist Chambers and its Challenges

In 2011 the situation in Kosovo was investigated by the Special Investigative Task Force.[15] It came to the conclusion that the collected evidence was sufficient to file indictments against the KLA and its commanders.[16] To prosecute the alleged war crimes, Kosovo authorities and the EU agreed to establish the Specialist Chambers (KSC) and the Specialist Prosecutors Office. The Chambers are an integral part of every level of the court system in Kosovo[17] and apply relevant Kosovo laws, next to customary international law and international human rights law.[18] Both, Chambers and Prosecutors Office, are staffed with international judges and are based in The Hague.[19] Regardless of international support, the KSC are however disputed amongst Kosovan and Albanian society.

### Perception of the KLA

By some, the investigations of the KSC are seen as an essential step towards justice and truth. [20] To others however, it is a threat to Kosovo's independence. Perpetuating the narrative of Kosovo being a tragic hero on its way to independence, innocence of former KLA member in general is claimed.[21]

In this narrative, Serbs are seen as the only perpetrators and human rights violations by KLA members are neglected.[22]

Furthermore, all Kosovan Albanians, including former KLA members and commanders are seen as innocent victims to unnecessary prosecution of the KSC.[23] Therefore, many Kosovans still do not see the need for prosecution of former KLA members. To them, the KSCs' investigations and prosecutions appear unjust.[24]

### Perception of the Victims

Within society, different perceptions of victims appear. While some see them as strong individuals fighting for their rights, others deny their experiences during war. The origin of this gap lies within the disputed perception of the KLA and KSCs' work, that was described above.

To those who reject the KSCs' work, its procedures and trials are seen as a challenge to the narrative of Kosovan war heroes fighting for the country's independence. Victims appearing in court are seen as supporters of the unjust allegations of the KSC and are portrayed as a threat to Kosovan heroism.[25]

Also, Serbia still rejects Kosovo's independence. To some, participating victims are thus seen as collaborators of Serbia, leading to accusations of victims being traitors.[26][27]

### The Stigma of Compensation

Furthermore, claiming compensation for a lost relative is sometimes understood as the "sale of the life of the victim".[28] The stigma to claim compensation is further met with the victims' resentment towards available judicial measures. Victims have often participated in various round tables, discussions and open forums to collect best practices for victim participation, without seeing much changing in the current situation. [29] Within this process, the danger of secondary victimization is imminent and has materialized in several situations.[30] Also, that ongoing debates have not led to change, left those wanting to claim reparations, disappointed and hopeless. [31]

Thus, to prevent further secondary victimization and to re-establish trust in the KSC, the court system and especially procedural justice has to be delineated towards victims.[32] This will result in victims knowing their rights and understanding the procedures, ultimately ending in strengthened trust in the judiciary.[33]

## The Fear of Public Exposure

The mentioned challenges are intensified by the fear of victims of their public exposure.[34] Even though the KSC procedural laws provide for victims anonymity during trial, a previous leak in data from the KSC has shown that this fear is not without reason.[35] With the knowledge that in the worst case scenario victims who decide to appear at the KSC, will be seen as traitors and might even face physical consequences, it is understandable that victims want to avoid their exposure.[36] Due to the previous leak, victims reasonably have a hard time trusting the court and thus refuse to appear at the KSC.[37]

Contrary to the KSC, Kosovan civil procedural law does not provide for victim's anonymity, once they appear as claimants. The twofold system of the KSC and the Kosovan Civil Court leads victims, who insist on anonymity, into a loophole: they are advised to seek criminal justice at the KSC, but compensations claims are tried at the Civil Court of Kosovo.[38] Here, it is important to understand the following: A victim of the war has to address two different courts in order to claim compensation: First, at the KSC the criminal liability of the perpetrator is negotiated. If criminal liability was established, the Civil Court decides upon compensation for the victim. [39] However, between the two proceedings the individual experiences a change of their standing at trial. During the criminal proceedings at the KSC, they appear as a victim. Later, during the civil proceedings, they change to the position of the claimant. Since the Kosovan Civil Code does not provide for anonymity, the victim of the criminal proceeding faces the decision to either reveal their identity during the civil law claim or to not claim compensation at all.[40]

This, and other potential avenues to compensation was elaborated by three expert reports, directed to the KSC.

## The Report by Experts, December 2021

For the requested expert report, the KSC asked several anonymous experts to analyse possibilities to remain anonymous during compensation claims. Furthermore, they asked to clarify whether victims could benefit from the victim compensation fund or from other funds available under Kosovos' legal provisions. Also, it was unclear to the court whether the Registrar of the KSC could apply for compensation in place of the victims to secure their anonymity.[41] In other words, the KSCs aim was to understand which avenues for compensation are open to victims, once criminal liability of their perpetrator was established. In sum, all three reports conclude that current Kosovan civil law does not provide for anonymous compensation claims.[42]

Potentially, the case could be subsumed under "exceptional circumstances" which grants anonymity to claimants in civil proceedings and could thus also be invoked for claimants in compensation claims. Yet, for the victim/claimant this means that if a dismissal is rendered by the court and exceptional circumstances are denied, their identity will be revealed.[43] This constitutes a high risk for victims, many might not be willing to take.

Other avenues also do not seem to provide for anonymous compensation claims. The Registrar is an impartial mechanism of the KSC and has to treat all parties equally. Thus, claiming compensation in place of the victim is not possible.[44] Likewise, victims cannot sue the Republic of Kosovo as it did not exist at the time of the crimes.[45] Regardless of remains of the KLA within society, it does not have legal successor and thus raising a claim against them is also not possible.[46]

As another obstacle, the reports mention the current overload of the Kosovan judicial system.

Citing a recent report, claimants must expect to wait up to 7 years before a judgement by the first instance will be spoken.[47] Regardless of their anonymity, victims and their relatives thus face a long period of hearings, investigations and waiting, until potential compensation is awarded.

In sum, victims are left with few options to claim compensation anonymously. This is intensified by the long trial periods, existing scepticism towards the court and distrust towards the procedural laws. Combined with the critique and stigma victims face, serious doubts arise that the majority of them will raise compensation claims.



President of the KSC, Ekaterina Trendafilova. Source: International Criminal Court, International Criminal Court marks opening of the Judicial Year 2022

## Silver Lining? Drafting the New Civil Code

Kosovo's parliament is currently drafting a new civil code, potentially creating a basis for anonymous compensation claims. However, with granted anonymity new problems arise.

One is the availability of the technical infrastructure to provide anonymity.[48] Another, much disputed issue, is the potential abuse that comes with anonymity. Kosovo has already seen abuses of compensation funds[49] and thus institutions are alert that no further fraud happens.[50] Also, the claimant of the civil procedure could not be identified and consequently it would not be clear to the court whether the civil claimant also was the victim in the criminal case.[51]

Also, under the hypothetical possibility of anonymous compensation claims, new paths for potential abuse could appear.

## Access to Justice?

Clearly, victims face various challenges when seeking compensation. As both, the right to know the truth and the access to justice are rights, they create state obligations to realize those rights by providing suitable avenues.[52]

One can argue that the access to justice is provided for victims as there are avenues for them to reach a criminal court for the prosecution of their perpetrators. Also, they can address a civil court, however, only if they reveal their identity.

Yet, we previously saw that victims fear to address the court due to social stigma and narratives in society. Consequently, even though there are legal avenues for victims to access justice, it remains questionable if this access is a realistic one. The current right to access to justice is anchored in Kosovan laws, but paper doesn't blush: victims currently barely make use of their rights. To grant victims realistic access to justice, further action is thus needed. The "paper based" access to justice needs to be transferred into an access to justice in reality. But, how would such a change look like? Should a new law provide for anonymity in order to protect victims? Or should advocacy work and capacity building aim at removing the stigma to create a safe space for victims within society?

## Actions Taken

Currently, a new Kosovan civil code is being drafted. In addition to that, the new government set up a new institute for crimes committed during the war and a working group to devise a national strategy on transitional justice.[53] The government clarified that a "comprehensive and victim centred strategy" is necessary in order to combat the existing distrust towards the courts. [54]



Kosovos Parliament, Source: Arianit via Wikimedia Commons

Furthermore, the working group plans to include a program of reparation and effective tools for survivors.[55] Also, the previously address delineation of the procedural law was addressed by the working group, stating that an information strategy will be created, to clarify the principles of transitional justice in Kosovo.[56]

## Conclusion

The expert report in December has sparked outcry amongst victims, the public and lawyers. [57] As elaborated above, additional steps need to be (and have been) taken for victims to appear in court without risking their lives or social status. Reasons for victims not to appear in court are, amongst others, the lack of anonymity, the social stigma coming with claims and the possibility of being threatened and even risking their lives. Consequently, a parallel approach seems to be the solution: Legal amendments have to be made, considering the victims' struggle for compensation. Next to this, it is important to keep an eye on the perception of the KSC within society and how the war influenced current political and legal measures. Enforcing new laws with a too big discrepancy towards reality will not lead to a change in society but just to judicial mechanisms that cannot be used. Law only works if there is agreement amongst society that the existing rules reflect their standards and values. Thus, next to enacting new legal provisions, the fight of the social stigma and the perception of the KSC needs to be addressed, shaping values that reflect victim participation and inclusion.

Only if Kosovan society trusts its courts and acknowledges the harm victims suffered, the protection of victims will be more than just laws on paper.

Therefore, the next step towards further victim participation should include:

- Working towards the removal of social stigma, by ensuring the independent work of a commission of inquiry or a truth finding commission, that is supported by different layers and groups of Kosovo. Accordingly, the establishment of the historic truth will also help to fight prejudice towards trials of former KLA members and other defendants at court.
- Strengthening victim organizations and representatives, ensuring their meaningful involvement on national and international level. Hereby, lessons from the past should be taken seriously as trust in engagement at the judiciary is already harmed.
- Ensuring the protection of victims at the KSC and subsequently the claimants at the Civil Court and encouraging their involvement during trial. When doing so, the right to access to justice needs to be ensured and respected at all times and at all levels.
- Further investigation into victims' anonymity at court, possibly using other judicial systems as an example. Hereby, a holistic approach needs to be followed when including possible anonymity regulations into new laws, ensuring the human rights and procedural rights of all parties to the proceedings.

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## Romania's Response to the Invasion of Ukraine: A Nervous Bystander

*Cătălina Gemănari*

- President Klaus Iohannis makes his first declaration on the crisis in Ukraine on 26th of January 2022.
- Romania looks woefully unprepared to host the vast numbers of Ukrainian refugees that are likely to be forced towards Romania.
- Romania adopts a passive role in the region as Russia corrodes western unity and Black Sea Region ("BSR") peace.
- Romania's current foreign policy appears incoherent. Notwithstanding President Klaus Iohannis' claims, Romania does not present itself as a powerful vector for NATO and the European Union, despite Romania's strategic position in the BSR.
- Romania's foreign policy is encouraged by the presence of roughly 2000 newly sent American troops on its territory sent on 8th, 9th and 19th February respectively, as part of NATO's Tailored Forward Presence.
- Official statements adopt a position that seems to conceal the real state of affairs or simply seeks to protect the political class and fulfil any duty of releasing a communication.
- The message of Russian aggression directed towards Ukraine is felt by the entire BSR, affecting the peace and security of each country.

### What Has Happened Recently

The crisis at the Ukrainian border appears to be the third phase of the Russo-Ukrainian War, which began in February 2014. The unfolding crisis started in March 2021 when Russia sent tens of thousands of soldiers at the border with Ukraine.[1] Tensions from Russian troops have intensified after 25 March 2021, when the Military Security Strategy of Ukraine was released and included references to a potential NATO

integration.[2] In this context, after long delays, on 16 July 2021, President Klaus Iohannis signed the enactment of a decree on the Romanian-Ukrainian Agreement on Military Cooperation.[3] However, the Government of Ukraine did not sign it until 24th of November 2021.[4]

President Klaus Iohannis made his first declaration on the Ukrainian Crisis on 26th of January 2022. This declaration was made following his convocation of the Supreme Council of National Defence and contained the references to Romania's reliance on NATO and reassured the population that the country works together with its allies to find the most efficient security measures. [5]



President Klaus Iohannis during the 26th of January press declaration, Președintele României (Președintele României, 26 January 2022)

This was followed by welcoming the French Minister of the Armed Forces, Florence Parly, on 27th January 2022[6], and Secretary General of OECD, Mathias Cormann, on 28th January.[7] On 2 February 2022, the President made a visit to the Air Force 71st Air Base 'General Emanoil Ionescu' located in Câmpia Turzii.[8] President Iohannis also welcomed General Secretary Jens Stoltenberg to the 57th Air Base 'Mihail Kogalniceanu', Constanța on 11 February 2022.[9]

President Iohannis declared, in that context, that as a NATO member and benefiting from the strategic partnerships from the US, Romania has all the guarantees of security.[10]

On 16 February, social media speculated about a Black Hawk helicopter[11] that landed near the Customs Office in Siret. However, it was later discovered that the helicopter departed from the South of Romania. There is no evidence that suggests this was anything other than a reconnaissance mission conducted by four American soldiers[12], but the noise from the OSINT community is indicative of the tensions in the region.

Other notable events include the European Council informal reunion on the latest security updates at the Ukraine's border, which was held on 17 February 2022.[13]



Russian troops launched a full-scale invasion of Ukraine on Thursday, The i (inews.co.uk, 24 February 2022) accessed 25 February 2022.

Following this informal event, President Iohannis underlined that although none of the EU states wish for this, European Union has prepared a package of sanctions that could be implemented given that the situation escalates. More importantly, Klaus Iohannis also submitted that European Union wishes to solve these regional security issues by way of diplomacy and that it will stand united in every decision that must be taken.[14]

On 24 February 2022, hours after Russia's invasion of Ukraine, President Klaus Iohannis convoked a second meeting of the Supreme Council of

National Defence since the crisis has started and discussed the urgent measures that must be implemented in response to this major crisis.[15] The President also emphasized that Romania benefits from a historical highest protection amid a potential aggression. He also underlined that the country will not be asked to fight in the war in Ukraine, thus managing to address one of the fake narratives that has been recently circulating on social media. [16]

Shortly after that, President Iohannis also met with the President of the Senate and President of the Chamber of Deputies to further discuss the matter.[17] The day of 24 February was also marked by the convocation of the task force for the Russian military aggression by Prime-Minister Nicolae Ciucă. Members of the task force discussed the coordination of governmental structures and the functioning of all public services[18].

The eventful day ended with Minister of Foreign Affairs Bogdan Aurescu asking Romania's Permanent Delegation to NATO to require the activation of Article 4 from The North Atlantic Treaty.[19] The application of this provision would enable the Parties to organise a consultation given that the territorial integrity, political independence, or security of any of the Parties is threatened.[20]

The discourse following each event is filled with reassurance of security and strong reliance on Western allies, signalling that Romania, as a NATO member and strategic partner of USA benefits from all security guarantees that it could need". [21] Meanwhile, many Romanians are concerned by the impact of Russia's invasion in Ukraine on their country. On Romanian Television, Ukrainian soldiers have been regularly featured since December.



President Klaus Iohannis and NATO General Secretary Jens Stoltenberg, Președintele României (Președintele României, 11 February 2022)

## Russia's Approach to the Black Sea Region

Foreign policy analysts have identified four hypotheses that respond to the question as to why Russia mobilised troops at the border with Ukraine.[22]

1. Russia wants to invade Ukraine.
2. Russia wants to force Ukraine's President Volodymyr Zelenskyy to implement the Minsk agreements.
3. Russia is using the tensions formed in Ukraine to revive its international status as a great power in front of the United States.
4. Russia wants to limit NATO from expanding in BSR and wishes for the Finlandization of Ukraine and possibly other countries in the region.[23]

Russia's main objective in the BSR seems to be its re-emergence as a dominant factor in the former Soviet space, as opposed to the comeback as a dominant power.[24] It is in this context that the Russian Foreign Minister is asking NATO to withdraw its military presence from Romania and Bulgaria.[25]

Over centuries, Russia has adopted a strategy of influencing the general opinion of the BSR public, by spreading fake news, propaganda and sponsoring cyberattacks. In Romania, there are several narratives built around the Ukrainian crisis, such as: the crisis in Ukraine has been invented by the US, while Russia is a victim in the region, or that Romania will be required to fight in a potential war in Ukraine due to a recently promulgated decree on the Romanian-Ukrainian Agreement on Military-Technical Cooperation. [26] In the end, it seems that Russia's objectives are to create a vulnerable non-NATO area that emerges from Russia, goes through Bulgaria, Serbia and Bosnia, and connects with Montenegro and the Adriatic Sea.[27]

## Contemporary Romanian Foreign Policy

Romania is a parliamentary republic with a semi-presidential regime. The mainly pro-European country, led by President Klaus Iohannis, is an ex-Eastern bloc country with a deep-seated fear towards Russia.[28] Key foreign policy points to understand Romania's response to the Russia-Ukraine crisis include:

- The increase of its role and profile within the European Union and NATO
- Strengthening and extending the Strategic Partnership with the United States. This is called the Strategic Conceptual Triad that forms the basis of Romanian foreign policy. [29]

In the bilateral and multilateral relations, which are vital for Romania, the country describes itself as a predictable actor.[30] Following the declarations made by the United States on supplementing the military presence in Romania, several state representatives underlined the importance that the United States holds in its foreign policy.

President Klaus Iohannis declared that sending US soldiers represents a solid contribution that responds to the concerning security issue in the Eastern Vicinity. Prime Minister Nicolae Ciucă also submitted that, by raising the number of US soldiers, the US discourages any threat coming from Russia. Defence Minister Vasile Dîncu adds that U.S. support is only a defensive measure, and further NATO coordination is required in order to find the best suited options for strengthening the defence.[31]

As of 19 February 2022, Romania is hosting almost 3000 U.S. troops.[32] This number adds to the already 140 Italian, and 250 Polish soldiers.[33] Moreover, in context of his return from the informal reunion held by the European Council on 17 February 2022, President Iohannis declared that Romania is prepared to implement any European Union decision.

Citing President Iohannis, "we have a 600 km border with Ukraine, and it is possible to appear a flux of migrants, in case of a conflict with Russia. We are ready for this situation. We will take any necessary measure it is imposed, given the situation on the ground. We also prepared specific measures, but it must be noted that we require diplomatic solutions, not sanctions." [34]

Despite Defence Minister Vasile Dîncu's claims that Romania can now take over 500,000 potential Ukrainian refugees,[35] the measures currently implemented by Romania only includes an expansion of only 2,500 extra places for refugees and asylum seekers.[36] The crisis could lead to 3 to 5 million Ukrainians fleeing from the conflict.



First American troops arrive in Romania, Klaus Iohannis (Facebook, 11 February 2022) accessed 25 February 2022.

In this circumstance, while Romania is expected to act in unison with European Union and NATO, it appears that it does not have a coherent foreign policy[37] in respect to fundamental aspects of this crisis, such as national strategy in respect to provocations in the region, realistic measures on potential migration as an effect of the destabilisation in BSR, or clear responses to questions raised by population.

## Romania's Cognitive Dissonance

Bogdan Aurescu, Minister of Foreign Affairs, controversially declares that Romania is not threatened by the Russo-Ukrainian crisis and that Romanians should not fear being involved in a military conflict with the Russian Federation.

The argument behind this statement is that since Romania is under the strong security umbrella of NATO and the US, there is no other action that it could implement to improve its response to the crisis.[38] From this declaration, it appears that Romania is heavily relying on the belief that the European Union will impose substantial sanctions, while NATO will respond accordingly to Russia's aggression. However, this declaration is conflicting. While the official statement is that Romania is not in a position of fear, the Ministry later mentions that even if it was, the country is strongly protected by its allies.

The Head of Information and Public Relations Department, Brigadier General Constantin Spînu also declares that the crisis in Ukraine should not be a direct security threat for Romania or any other NATO member.[39] However, while this statement is partially true, it could be misleading. Russia is almost certainly aiming to prevent any possibility for Ukraine to become NATO member. This is therefore a threat that targets the entire BSR region, especially the countries that are part of NATO.

Although the tension is directed to Ukraine, the message is felt by the entire BSR and is affecting the peace and security of each BSR country. As Constantin Spînu later underlines, while Romanians do not have reasons to be fearful, the situation will likely influence the region, both economically and politically.[40] In the end, while there are reasons for concern, official statements adopt a position that either conceals the real state of affairs or simply seeks to protect the political class and fulfil any duty of releasing a communication.[41]

## Romania's Response to the Crisis in Ukraine

Romania relies on President Joe Biden and President Emmanuel Macron's pledge of sending troops to enhance NATO's defensive strategy and implement NATO's Enhanced and Tailored Forward Presence.[42]

However, this commitment does not raise, nor lowers the security of Romania, as the latter is only influenced by the geopolitical context.[43]

There is no reason to believe that the security of Romania would be influenced by 2000 American troops on the ground. Instead, what it could do is to merely send a message to Romania that these countries appreciate their bilateral relations, as well as to Russia that NATO and its allies are ready to support countries in the region in case of escalation.[44] However, the cultivation of this strategic narrative suits Romanian foreign policy.

As Marius Ghincea believes, Romania's foreign policy is based on the presence of American and NATO troops on Romanian territory.[45] The reasoning behind this is that in case of an attack directed to Romania, the Occident would also be automatically involved. However, whether this supplementation of troops on Eastern territory could provoke or at least infuriate Russia is also doubtful as Russia does not have amicable relations with Romania[46] and is treating it as a proxy actor that is subservient to the U.S. This is also why all the regional negotiations are conducted between Russia and America,[47] while states like Romania adopts a passive position.

The heavy reliance of Romania on foreign support is perceived in several declarations made by the Defence or Foreign Affairs Ministry as well as by the President. Defence Ministry Vasile Dîncu declared that Romania allocates a major importance to the implementation of allied decisions.[48], but has not offered any domestic opinion on the Ukrainian crisis.

Romania's foreign policy in the region is described by foreign policy analysts as being on autopilot. This can be seen in the response to the Ukraine's crisis, where it adopts a reactive approach, as opposed to a proactive one.[49] This is not only seen in the choice of words by the President, such as 'planning actions of suitable reaction based on the evolution of the Ukrainian situation', but also in the approach to the entire crisis.

President Iohannis did not make a declaration on the Russo-Ukrainian crisis until 26 January 2022, when he convened the Supreme Council of National Defence just a day before he was scheduled to meet several state and organisation representatives.[50] At that date, the international and Romanian press were already lost in the noise of heavy coverage of the situation in the BSR. Exemplified by the Ukraine crisis, Romania does not have a coherent foreign policy approach.

President Emil Constantinescu declared in 1998 before the US Congress that Romania is an 'anchor of security in the South-West of Europe', while President Klaus Iohannis submitted in 2020 that Romania is a 'security vector' in the BSR.[51] Two years later, the President relies almost entirely on allied decisions, NATO support and legitimacy. There are three factors as to why Romania's foreign policy vis-a-vis Ukraine's crisis is heavily inadequate. The lack of willingness and imagination from the political class, the lack of institutional expertise on matters of foreign policy and a certain systematic exclusion of alternative opinions, visions[52] are the three elements that prevent Romania from formulating a coherent response to ongoing Russo-Ukrainian crisis.

## Conclusions

The backbone of Romania's foreign policy is still the membership to the European Union and NATO, while the involvement of the United States in the region is also strongly welcomed. Officials tend to always refer to the NATO and European Union membership, pillars that usually make up for a lack of opinion when it comes to security concerns.

This situation is unacceptable for a country that should be imaginative and motivated to offer fresh perspectives for its own region. Disconnected from reality, Romania used to call itself a power vector in the region. It seems that as of now, there is not a well-rounded official position that the country has taken.

Romania is not able to raise suggestions and make declarations of its own, as it lacks expertise, willingness and openness to new ideas. Romania's response to the Ukraine crisis is rather characterised by a lack of response. And at last, when the response is delivered, it contains nothing but regular references to NATO and US plans.

Romanian officials give conflicting declarations on the country's position in respect to the regional crisis. The Ministry of Foreign Affairs submits that Romania is not in a position of threat, while the President declares that the crisis affects the security of the entire Euro-Atlantic. Romania's lack of ideas in foreign policy has been characterised by German journalists as statism, while France says that the country suffers from schizophrenia in its foreign policy. Romanian analysts simply conclude that the country does not have a foreign policy in the BSR.[53]

In addition to rallying around with its NATO allies, Romania must adopt its own domestic position and specific measures in the context of regional security issues. The perpetual resorting to its western affiliations only decreases its real strategic role within NATO or the European Union. To do so, several institutional reforms must be implemented.

## Recommendations

- Romania should make provisions for increased numbers of Ukrainian refugees. A potential solution could be to coordinate its measures with UNHCR and relevant bodies in order to significantly increase spaces available.
- Bucharest must estrange itself from nepotism and military detachments and engage with experts that speak Russian and have proved expertise on Russian space.
- Bucharest should disrupt political status quo, support external ideas that could dissolve the narrow and rigid current foreign policy. It should refresh its political class with volition, innovation and ambition.

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# Turkish-made Drones in Ukraine: Both a Game-changer and an Excuse for Escalation

*Ilker Kalin*

## Key Takeaways

- Turkey and Ukraine have developed a mutually beneficial industrial-defense relationship in the past several years.
- Ukraine has bought dozens of Turkish-made drones (i.e. TB2) since 2019 and reportedly made more orders recently. Besides, the two countries indicated their interests in a broader defense-based cooperation.
- In late October 2021, Ukraine used TB2 drone, for the first time, to destroy a howitzer used by pro-Russian separatists in Ukraine's breakaway Donbas region.
- This raised concerns both for Russia and the West. While Russia seemed to be alarmed by Ukraine's growing tactical advantage in the Donbas region as well as the increasing cooperation between Ukraine and Turkey, the West was concerned that Russia could use such an attack as a pretext for an invasion.
- While the increasing cooperation between Ukraine and Turkey could be a potential strong alliance against Russia's aggressive policies in the region, Turkey might prefer to seek a middle ground in case the current tension between Russia and Ukraine increases further.

## Turkish-made Drones in Ukraine

In late October 2021, the Ukrainian Army released a video footage of its use of the Turkish-made TB2 drone to destroy a howitzer used by pro-Russian separatists in Ukraine's breakaway Donbas region.[1] Although Ukraine has had TB2 drones since 2019, it was the first time that they were used in an offensive manner.[2] This has, therefore, raised more concerns and stirred fury in Moscow.[3]

In December, Putin brought up the Ukraine's use of TB2 drones over a phone talk with President Erdogan of Turkey, referring it as a "destructive" and "provocative" action.[4] In Turkey's defense, Foreign Minister Mevlut Cavusoglu stated that Turkey cannot be held responsible for Ukraine's use of TB2 drone in its conflict with pro-Russian separatists.[5]

The United States has been warning European allies in the past several months and more so in the past week that Russian President Vladimir Putin is deploying troops near the Ukraine border and is likely to be in preparation for an invasion. [6] Alarmed by this call, the European Union has warned Russia that such a plan would have serious consequences.[7] While the Kremlin denies that it has such an intention, it accuses Ukraine of being in preparation of an assault toward Russian-backed separatists in the Donbas region.[8]

Amidst the increasing tension between the East and West, the defense cooperation between Turkey and Ukraine, especially through the deliveries of drones, has various implications for many actors in the region as well as other global powers. For one thing, there is an increasing concern in the West that Russia might use Ukraine's use of TB2 or other western supplied weapons as a pretext for an attack.[9] For example, according to some pro-Russian news outlets, the Ukraine Army staged a dangerous provocation by flying TB2 drones near Belarus's borders where the Russian military is positioned. [10] For another, the US has, overall, been supportive of the cooperation between Ukraine and Turkey.[11]



The Bayraktar TB2 Drone, Photograph taken from SavunmaSanayiST (accessed on February 23, 2022)

Moreover, while both Turkey and Ukraine have significant strategic and economic benefits from their cooperation, Turkey might follow a middle ground strategy not to jeopardize its close relations with Russia. All in all, TB2 drones add another layer of complication to the already murky conflict in Ukraine. Against this backdrop, this piece attempts to provide a clear perspective on potential roles of Turkish-made drones in Ukraine from the perspectives of various actors, including Turkey, Ukraine, and Russia.

## Turkey's Ambitious Drone Projects

Bayraktar TB2 is a medium-altitude and long-range tactical unmanned aerial vehicle (UAV), commonly known as drone, made by Baykar Makina, a private Turkish defense company.[12] President Recep Tayyip Erdogan of Turkey particularly sees this locally-made drone as the indication of a military revolution.[13] Erdogan often iterates the country's ambition to eliminate its reliance on foreign suppliers and to become an important arms exporter.[14]

Although this is, as of now, an unrealistic and overly ambitious perspective[15], TB2 drones have, thus far, been the closest achievement on that end. For one thing, TB2 drones have proved themselves effective for Turkey in the conflicts in Libya, Syria, Nagorno-Karabakh, and Ethiopia. As such, Turkey launched dozens of drone strikes destroying Syrian military and militia ground forces in the northwestern province of Idlib in Syria[16]; TB2 drones are believed to enable the Government of National Accord (GNA), Turkey's ally in the capital Tripoli, to deter a siege by the Libyan National Army (LNA)[17]; and the use of TB2 allegedly tilted the balance of power during the Nagorno-Karabakh conflict in favor of Azerbaijan, destroying tanks, artillery and air defense systems of Armenia.[18] Moreover, there are serious concerns that TB2s were used to commit war crimes in the conflicts in Nagorno-Karabakh and Ethiopia.[19] Although TB2s suffered significantly in all these three conflicts, its relatively cheaper cost compared to others on the market makes TB2 all the more attractive for customers.

For example, while a TB2 costs around \$1 million to \$2 million on average, a US-made replacement would cost about \$20 million.[20] It should, however, be noted that although TB2 offers a low-cost option for customers, its sophistication still lags behind those produced by China, Israel, and the US; therefore, Turkey is still a minor, but an emerging player in the drone market.[21] Turkey has already sold TB2 drones to many countries, including Poland, Ukraine, Azerbaijan, Qatar, Morocco, Libya, and Ethiopia. Poland was the first NATO member to purchase TB2. After Poland's purchase, Latvia and Albania too signaled their interests in Turkey's TB2 drones. [22] This suggests that Turkish drones will soon be used in many regions for various purposes.

## Defense Cooperation Between Turkey and Ukraine

The establishment of strong ties between Turkey

and Ukraine go back to events such as Russia's annexation of Crimea and the Donbas region in 2014 and Turkey's shoot-down of a Russian airplane that passed over Turkish airspace near the Syrian border in 2015.[23] Following these developments in the Black Sea region, both Ukraine and Turkey became more concerned about their economic and security interests in the face of Russia's aggressive military build-up in the region.[24] Since then, both countries have held regular high-level bilateral meetings, culminated in practical economic- and defense-based initiatives.[25] Although relations between Turkey and Russia resumed again since 2016, the cooperation between Turkey and Ukraine persisted. Beside economic and strategic cooperation, the two countries iterated their support for each other concerning issues in the region, especially those regarding Russia's aggression in the Sea of Azov and the situation of annexed Crimea by Russia.[26]

Turkey has sold dozens of TB2 as well as control



Turkish President Recep Tayyip Erdogan (right) with Ukrainian President Volodymyr Zelenskyy (left) in Kyiv on February 3, 2022

stations and missiles to Ukraine since 2019.[27] Current dialogues between the two countries suggest that more deals are underway. First of all, Ukraine has reportedly ordered two dozens more TB2 from Turkey.[28] Besides, the deal between the two countries seems to be expanding into a larger defense cooperation. As such, Turkey and Ukraine made clear their plans on co-producing Turkish-developed drones.[29] This is likely to advance the existing mutually beneficial industrial-defense relationship between the two countries. This, in particular, will bring Motor Sich in Ukraine, the largest engine manufacturer for airplanes and helicopter worldwide, and Baykar in Turkey, the developer of Turkish-made drones, to a closer cooperation. Initial plans suggest that Turkish-drones will be powered by engines made by Motor Sich.[30] Also, Ukraine stated its interests in purchasing another Turkish-made drone, named AKINCI, which is more costly and advanced than TB2.[31]

## The Roles of Turkish-drones in the Conflict in Ukraine

Ukraine's use of TB2 to destroy a howitzer used by pro-Russian separatists in November 2021 triggered debates about future implications of TB2 and whether they might level the battlefield in favor of Ukraine. It is particularly interesting that Russia appeared to be more alarmed by Turkey's drones in Ukraine than by more advanced weapons, such as the Javelin antitank missiles provided by the US.[32] First of all, there is no doubt that Turkish drones, such as TB2, provide Ukraine with an upper hand over pro-Russian separatists in the Donbas due to their intelligence, reconnaissance, surveillance, and assault capabilities. Yet, there is legitimate concern in the West that if Ukraine continues to use TB2s offensively, Russia might use as part of a pretext for an attack or invasion.[33] To this end, Timur Akhmetov, a non-resident Turkey expert at the Russian International Affairs Council, stated in an interview that "the Ukraine-Russia crisis is primarily driven by Russian plans to renegotiate strategic security arrangements in Europe.

Moscow uses local crisis in Eastern Ukraine as a platform to show that further destabilization in Europe is possible and can be easily ignited by Russia. Basically Russia uses this crisis to improve its negotiating position vis-a-vis the United States." [34]

In the case of a full-fledge war, drones would be of no use anymore, as they are more suited for low-intensity conflicts with limited load capacities.[35] Drones might be handy in providing support to ground forces in conflicts where the opponent is not in possession of air-defense systems.[36] Similarly, Rob Lee, an expert on Russian military and fellow at the Foreign Policy Research Institute who talked to the Washington Post, states that "if Ukraine gets into a fight with Russia, Russia will destroy them [TB2s]" and adds "Russia could shoot them down, or even before that, they can destroy the airfields where TB2s operate, or they can destroy the ground control station." [37] One might rightfully ask why Russia is then concerned about Turkish drones in Ukraine if they do not pose a significant threat to Russia.

This question has two potential answers. First, drones can be used as a propaganda tool. Turkey has long done this at home and abroad conflicts to shape the perspectives of both national and international audiences on the conflict and to prop up the narrative within the country. For example, after the Syrian regime mounted a successful campaign in 2019 to take back its losses to Turkey in Idlib, Syria, and even killed 34 Turkish soldiers with the help of Russian aircrafts, Turkish TB2s struck back and destroyed large amounts of Syrian armors. Although Turkey could not gain back the territory loses, it managed to serve it as a decisive victory in Turkey's online and traditional media through disseminating video clips of TB2 attacks at the Syrian regime forces.[38]

Second and more importantly, a bigger concern of Russia could be the increasing strategic cooperation between Ukraine and Turkey, while drones are just one minor indication of this emerging threat against

Russia's military as well as strategic dominance in the Black Sea region. As such, Ukraine and Turkey have apparently rolled up their sleeves for a stronger economic- and defense-based cooperation. What this might mean for Russia is a potential alliance against its expansive strategy in the region.

Although the cooperation between Ukraine and Turkey seems to be a potential strong alliance against Russia's aggressive policies in the region, this assertion might fall short of grasping Turkey's perspectives and its probable behaviors in the face of more aggressive Russian policies toward Ukraine. Turkey and Russia have so far found themselves at opposing sides of various conflicts, including Syria, Nagorno-Karabakh, and Libya, but rarely stepped on each other's toes. If history is any guidance, it is likely that Turkey will seek a middle ground in case the current tension between Ukraine and Russia increases further. This is already evident in the statement by Ibrahim Kalin, Turkey's Presidential Spokesperson, on February 20, 2022 in the face of increasing tension across Ukraine's border that "...the sanctions against Russia wouldn't work. It is better to listen to other side and understand their strategic concerns. Russia feels threatened by NATO. Putin wants to redraw borders and renew strategic alliances 30 years after USSR's collapse... Turkey is a key member

of NATO. However it doesn't mean that we cannot be sort of alliances in Central Asia, Caucasus, Middle East, Africa or we cannot have good relations with China or Russia..."[39]

Moreover, on February 23, 2022 (after Putin's announcement on February 21 that Russia would recognize the independence of two territories in Ukraine's breakaway Donbas region), President Erdogan too made clear that Turkey does not want to make a choice between Russia and Ukraine, stating that Turkey has political and military relations with both countries.[40]

Similarly, after the Russia's annexation of Crimea, Turkey condemned Russia for the action, but did not impose sanctions like many other Western Powers.[41] This is partially due to the fact that Turkey does not want to jeopardize its economic interests with Russia, as the former is heavily reliant on the latter in terms of gas, imports, and tourists. Akhmetov explained this by stating that "today's political regime [of Turkey] is in the mode of survival. It wants to preserve what it has gained so far rather than to create something positive or new."[42]

Turkey's perspectives on and expectations from TB2s in Ukraine might be significantly different than those of Ukraine and Russia, as well as of other major powers.



Bayraktar TB2 Drones in the Ukrainian Army, Photograph taken from DefenseNews (accessed on February 23, 2022)

For Turkey, while maintaining cooperative relationships with Ukraine is good for its economy, it also gives Turkey leverage over Russia. On the one hand, Turkey aims to balance the power in the region. On the other hand, it is wary of potential fallout with Russia.

## Conclusion

Turkish drones might be hot topics of the conflict between Ukraine and Russia in coming days. Given that Russia has now made clear its intention to invade Ukraine, the Russian and Ukraine militaries, thus TB2 drones, will come closer in possible battlefields. Although TB2s are reported to have little to none chance against Russia's air-defense in a full-scale warfare, they can still provide some deterrence and have the potential to influence the narratives of possible tactical-level confrontations through dissemination of video-images or pictures from the battleground.

Turkish drones played a game-changer role in various conflicts, including those in Nagorno-Karabakh, Syria, Libya, and Ethiopia. Although it is not likely to be the case against Russia, it is highly advised here that Ukraine ensures drones are deployed and used within International Humanitarian Law. This is particularly important given that the legality of the use of drones in conflicts is still a discussion topic.[43]

Alleged misuses of drones in several places, such as Nagorno-Karabakh and Ethiopia, make this discussion all the more relevant and raise serious concerns as to the way future warfare is leading.

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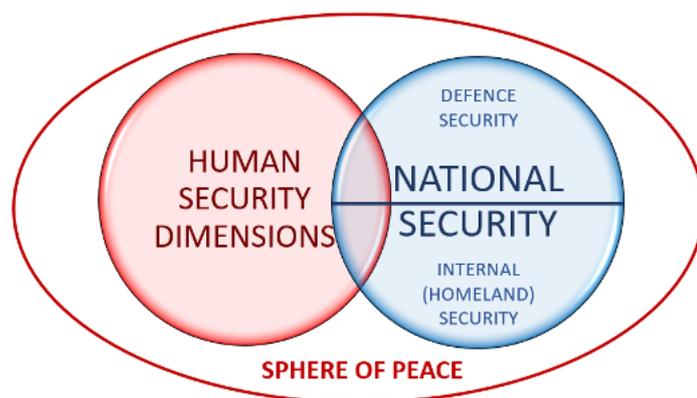
# Bosnia and Herzegovina from a Human Security Perspective

Peter Chilvers

## Key Takeaways

- Putting aside issues as to what the BiH state is, should, could or deserves to be, prioritising a human security model approach could better create structures of peace.
- In partnership with UN Trust Fund for Human Security, Canton 10's locally led human security focused programme strengthened security and community confidence.
- Considering economy as a human security factor, state owned enterprises in BiH, half of which are illiquid according to the IMF, present an ongoing existential threat to stability within the country.
- The information and cognitive space in BiH is fragile and arguably still part of a 'structure of violence' in BiH.

The traditional concepts of security is essentially state centric, and in many ways, security issues pertaining to Bosnia Herzegovina (BiH) have in the past often taken on shades of that hue. In 2015 Vesna Bojicic-Dzelilovic stated 'decentralization on ethnic principles was conceived as a form of statist security and therefore as the principal conflict management tool'[1]. Overly focused approaches on this paradigm style to security since the end of the most recent war in BiH may have trapped the country in a zero sum game of win/lose security. The recent rise in tensions and concerns over defacto secession lead by the Serb leader Milorad Dodik have once again put the spotlight on BiH security and stability. Prioritising a human security approach to the challenges of securing the future of the 'people' of BiH may enable a better outcome to that achieved than so far.



Human Security (HS) activity has been undertaken since 1995, but not necessarily as a primary methodology globally or in BiH.

The human security approach is one which gives primacy to individuals as the referent for security, rather than the state. This does not though divorce the security of the state from that of the people. Therefore if the individual is or feels threatened, then the state is also threatened, and by extension in the case of BiH, the quasi states or entities of the Federation and the Republika Srpska (RS) and even arguably the areas in Hercegovina dominated by ethnic Croats.

The notion of 'discounting' or the action of valuing a certain good more highly now than in the future has been a factor in perpetuating instability in BiH. The more doubt and fear people experience (foundational elements of human security), the more ready they will be to make (what appears to outsiders) improbable tradeoffs between current and future well-being. A consequence of this in BiH is the continued support for nationalist politicians.



expanded and modified by scholars like Leonard Berkowitz[6] would indicate the potential for a heightened risk of fear. This theory states that aggression is an outcome or result of blocking or frustrating persons or peoples efforts towards certain goals. The theory further posits that frustration caused by interference in goal-directed activity produces readiness for aggression, which if triggered can result in aggressive response[7]. Key words here are people and fear, both founding elements of Human Security, and fear as we have witnessed is that trigger commodity that has been so readily felt and exploited by the unscrupulous and manipulative of all parties across BiH, both in the past and present.

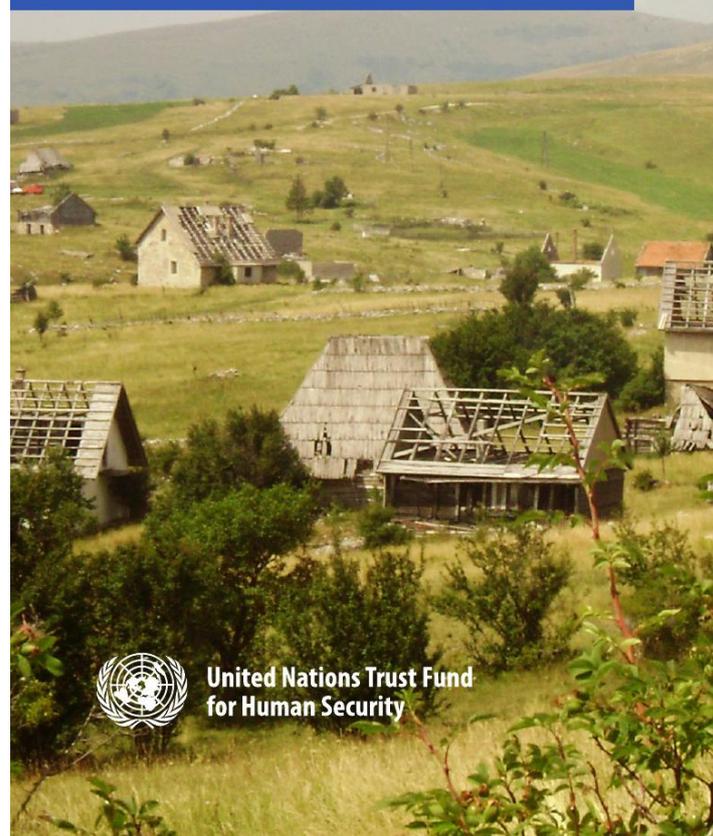
What can a Human Security Approach give BiH  
The state of BiH has had several authors - those who have made sacrifices for it, those who are reluctantly citizens of it, and external actors looking to capitalize on or exploit it, all with differing experiences, expectations and ambitions. So, if we are able to momentarily put to one side arguments, positions and issues as to what the BiH state is, should, could or deserves to be and de-construct the structures of violence and confrontation and construct structures of peace by using a human security model we may find a new way forward.

The UN Trust Fund for Human Security (UNTFHS) implemented a program in Canton 10 from 2013-2016 which held as its focus an approach to local security based on a HS approach. The Canton is economically poor and has a relatively small population. While some municipalities have a mixed ethnic population, some are also ethnically homogeneous. Due to its remoteness and the characteristics mentioned, the Canton has been marginalized in terms of attention from mainstream politics, however the region had its own tragic wartime history and insecurity persisted. According the UN, 'the goal of the programme was to eliminate community, personal and economic insecurities which threatened to undermine peace and development'[8].

Many stand-alone initiatives in the past had failed to adequately address security issues, so a holistic, comprehensive approach was trialed as part of this program. The results were encouraging and through a mix of projects from small business economic support to community capacity building for municipal authorities, police officers, social workers and teachers - all locally lead - security and community confidence was rebuilt and strengthened.

## Along the Paths of Honey and Milk

Applying the Human Security Concept in Canton 10



In its 2017 report on second generation security sector reform (SSR) in Bosnia, International security sector advisory team/ DCAF Geneva centre for security sector governance (ISSAT/DCAF) argued that 'local and international second generation SSR experts suggest there is a need to move away from state-centric, top-down orthodox approaches to the more flexible, bottom-up approaches'.

The argument for the locally lead and bottom up, combined with a human security approach would appear to offer productive outcomes.

The described success of the program in Canton 10 shows that a HS approach is a promising avenue for BiH. To achieve this the UNTFHS first had to understand the problem and challenges and then design interventions to improve the situation for the 'people', and in so doing the 'security' across the Canton. If this can be scaled up to a national level, a human security focused approached may offer a way to better understand where problems really lay and point to areas of vulnerability and opportunity. Improved overall HS can result in reduction in freedom from fear, want and indignity, and in so doing better secure people and therefore the state. By way of spoiler alert, those leaders who profit from those fears will inevitably try to disrupt any such process and must be marginalized and exposed. Looking at some of the UN HS factors we can see how they affect the people of BiH.

## Human Security Aspects

### Economy

One of the key UN identified HS factors is that of economy. Reflecting upon this and how it impacts peoples security and that of the state we cannot ignore State Owned Enterprises (SOE) and the role they often play in state capture by political elites from all main ethnic groups. According to the IMF half of SOEs are illiquid, owe billions of Euro, don't pay taxes and are supported by the state budget[9]. From the perspective of the ruling ethno-centrist leadership, they also form a basis of holding people to ransom as employees in an economy where independent businesses struggle due to bureaucracy, tax and regulatory burden and an inefficient judicial system[10]. The parties in power control who works for these enterprises, thereby extending economic control over their lives and by extension therefore who they vote for.

According to Majda Ruge 'Ethno-political control over the appointment of public companies' governing boards means that political parties control key business functions, from strategic, economic, and financial decisions to tenders and public procurement procedures'[11].

Reforming this system of patronage is akin asking turkeys to vote for Christmas, but finding a way to dismantle these structures is essential if progress is to be made in the area of peoples economic security. The Reform Agenda has made some head way but party membership remains strongly linked to employment[12]. All main ethno-nationalist parties partake in this abuse[13] and until people have secure economic activity, they will remain easy victims of what can be viewed as a structure of violence; and as mentioned above when talking about what human security is, such structures must be dismantled.



### Information

If we look at the HS factor 'information', we can see that BiH still struggles with an ethnically and politically divided media landscape. The BBC reported as recently as last year that 'while BHRT is the state broadcaster... the most influential TV outlets are those run by the Bosniak-Croat (RTVFBiH) and Serb (RTRS) entities and these are effectively controlled by the ruling political parties'[14]. While recently Milorad Dodik personally acquired Alternativa

TV in the RS to further his own aims[15], Reporters without Borders in their 2021 report comments that 'Editorial policies reflecting ethnic divisions and hate speech are ever more evident'[16].

Crisis Group in their 1997 report identified media as a critical element in stoking tensions ahead of the conflict of the 90s[17]. Much has been done to reform the media environment in BiH since then, but there is still a need for improvement in this area. Online media is particularly difficult to regulate, not only in BiH, but across the rest of the world. In BiH, many online platforms do not register in court nor publish contact information and therefore cannot be held responsible for the propaganda and hate speech they spread. Linking in to the HS factor of economy above, the 2019 'EU Progress Report' on media freedom in BiH stated that "Lack of transparency and clear criteria in the distribution of subsidies are a serious concern. Media integrity is also harmed by the advertising practices of public companies and advertising agencies linked to political parties." On top of this, part of the public broadcasters costs are funded by municipal budgets, resulting in "strong political influence".

As we can see the information and cognitive space in BiH is fragile and arguably still part of that 'structure of violence' talked of earlier. In order to address security in 21st century it is necessary to operate in the physical, virtual and cognitive spaces, this is understood by the negative forces that exist in BiH and needs to be addressed if sustainable security is to be achieved. This is the challenge of stabilising BiH, approaching that security through a human security lens can offer greater comprehension of vulnerabilities, and point to pathways to addressing them.

## Vulnerability

Vulnerable people can be easy to exploit, but evaluating it and designing responses and interventions can be challenging.

Patrick Webb pointed out that, 'Assessing vulnerability is like trying to measure something that is not there. It is an absence of security, basic needs, social protection, political power and coping options[18]. We tend to look for hazards and threats, things which we feel are there, rather than ways of managing or coping with them, which are less tangible.



Bosnian Muslims speak with a survey taker during Bosnia's first census in the village Krusev Do, near Srebrenica, in October 2013 RFERL

In this regard when recognizing the vulnerability felt by all segments of society and peoples of BiH, we should avoid vilifying populations and look to ways a human security approach can address the absences and enhance coping mechanisms. We should seek to hold leaders, who profit from and perpetuate the insecurity, to account. BiH has seen more than its fair share of brutality over many centuries, with all communities' victims at one time or another. To accept that there are irredeemably bad populations and ethnic groups only perpetuates the divisive narrative manipulative leaders exploit. Those narratives are designed to perpetuate the fear, want and indignity trapping regions like BiH as hostages to their past, resulting is the 'discounting' mentioned at the beginning of this article, where people accept less, because whatever they are offered seems at least a way of managing and dealing with that same fear, want and indignity. We must therefore appreciate the vulnerabilities of people and avoid ostracising communities.

## In Conclusion

EU accession has been widely seen as a way of overcoming entrenched ethnic divides in BiH[19]. The complex constitutional and jurisdictional arrangements established under the Dayton Peace Agreement and the General Framework Agreement for Peace though have inadvertently enabled entrenched elites to avoid implementing those accession requirements. Accession requires constitutional reform which will inevitably involve loss of control and power by those same elites who, as we have seen against the backdrop of the current 'secession' crisis, are unlikely to let go easily. Accession has and will entail degrees of transfer of power from entity and cantonal government to central state authorities and is this creates vulnerability as people of the main ethnic groups fear loss of identity. Thus as Nikolaos Tzifakis states, there is not one, but three different cost-benefit calculations concerning EU membership[20].

Notwithstanding this challenge, the application and prioritisation of a human security approach enables comprehensive responses and ways and means to 'address the multidimensional causes and consequences of complex challenges'[21]. A human security approach helps ground and localise national agendas by directly relating the issues and needs affecting people's lives both horizontally and vertically when they see and feel issues at the higher level are grounded in their reality.

The UN succinctly summarises that 'prevention is the core objective of human security. It addresses the root causes of vulnerabilities, focuses attention on emerging risks and emphasizes early action. It strengthens local capacities to build resilience, and promotes solutions that enhance social cohesion and advance respect for human rights and dignity'[22]. The success of the UNTFHS experience in Canton 10 referred to above can in part be attributed to the fact that there was little involvement from the political elites who have held BiH back to date. The subtle societal changes and community confidence created, occurred in what is a remote and under populated region with little by way of economic significance. It was none the less, as intended, a good proof of concept of what prioritising a human security approach can achieve.

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