

THE  
PEACE &  
SECURITY  
MONITOR

South East Europe  
&  
Black Sea region



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## South East Europe & Black Sea region

**Issue 10**

**November 2023**

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## South East Europe & Black Sea region

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November 2023

### Foreword

Over the past months, the Western Balkan region has witnessed two key events. The escalating tensions between Serbia and Kosovo reached a critical point with an armed incident in Northern Kosovo on September 24th. This incident significantly hindered the delicate negotiation stabilization talks. Although discussions between the two entities continued in Brussels throughout October, there has been no substantial progress on crucial issues, such as Kosovo's integration into the international political landscape and the formation of a political entity for the Serb national minority in Kosovo. At the same time, Belgrade is actively preparing for upcoming parliamentary elections, whose outcome will shape Serbian foreign policy in the foreseeable future. The Serbian leadership and the ruling party have initiated an active election campaign, while the opposition remains fragmented across several coalitions. The Nagorno-Karabakh conflict appears to have concluded with a massive exodus of the Armenian population from the region and the announcement of the Armenian leadership that the unrecognized Republic will cease to exist in 2024. The international community and the government in Yerevan have been reluctant to go beyond criticizing the expulsion of the civilian population. However, Armenia continues to pursue broader political and trade cooperation with "Western" partners while avoiding conflicts with neighboring Azerbaijan and Turkey at the cost of the Armenian population in Nagorno Karabakh. Additionally, the Caucasus Region has been marked by the announcement that Georgia may potentially be granted EU Candidate status, a development that will test the commitment of the EU and Georgia to forge closer cooperation.

While the anticipated Ukrainian counter-offensive failed to make significant progress in the past months, media focus rapidly shifted to the conflict in Palestine following a Hamas attack on October 7th. This attack prompted a full-scale military response by the Israeli Defence Forces (IDF) and numerous civilian casualties on both sides. Countries in the Middle East region have increasingly criticized Israel's response to the October attacks, with Turkish President Erdogan going so far as to label Israel a "terrorist state." This has made the relations in the Middle East even more unstable and a step closer to a broader conflict. The last quarter of 2023 has witnessed multiple events that the platform assesses as critical for the future peace and stability of South Eastern Europe, and Eastern Europe Regions as well as the Middle East.



# Western Balkan–EU Relations: Changing Together!?

## Narratives from the Berlin Process Summit

*Ida Schumann*

### Key Takeaways

- The EU's plea: I have seen the transformation, Western Balkans, but let me witness more.
- The Western Balkans' response: You can see me grow with time, but do not expect a total makeover – I am no chameleon.
- Ukraine, Israel, and Palestine chime in unison: Can you stop the squabbling and choose one of us to truly stand behind?

On October 16th, 2023, Europe assembled in Tirana for the 10th anniversary of the Summit Meeting of the Berlin Process. Representatives from Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia, Austria, Bulgaria, Croatia, France, Germany, Greece, Italy, Poland, Slovenia, United Kingdom, Spain, Hungary, Romania and the Netherlands convened with EU officials and those from international organizations and financial institutions to celebrate this momentous occasion.

This article delves into the European Commission's press, particularly video footage, regarding the Berlin Process Summit, and how that compares to coverage from the Netherlands, Germany, and Spain. We shall unearth the varied angles the various nations have taken to interpret this event, uncovering any discrepancies in their perspective.

What burning questions about EU integration is the European Commission facing? Will its broadcasts be populated with only the leading lights of the summit? Or can we get to know all those involved and their individual perspectives, struggles, and potential?

What anthems of joint ventures between the Western Balkan nations and the Union will ring out from the podiums? To ensure these words do not fall on deaf ears, hotpot.ai's AI image generator will bring them to life in vivid metaphors of inter-nation collaboration.

### The European Commission's Press

Exploring the audiovisual library of the European Commission unveils a trove of insight into the Berlin Process Summit. There are 22 videos, the majority of which are clips of attendees walking to the venue and private conversations between figures. Five parties were given exclusive camera time and they provided valuable opening remarks. However, there was still more to learn from the fifteen other participating parties – that is, until we turn on our national news channels! Let us tune into the Berlin Process Summit's leading voices.

Edi Rama, Albanian Prime Minister

Edi Rama [1] concluded that the European Union achieved to formulate a unified response to the war between Russia and Ukraine. He pondered if the European Union and Western Balkan countries could bring the same enthusiasm to trying to work out the challenges that they both confronted for the sake of their people. In the words of Rama, "Many chances exist. But for those of us here presenting the Europe without the U the most striking political challenge is a painful separation between EU member states and non-EU members.

Living without the U is no easy feat [...]”. Therefore, he does not want a “distant relationship” with the EU but work “like partners” to get a better feel of shared challenges and to develop their solutions. A Union was promised, but has yet to come into being – Rama is keen to ensure that disappointment does not fester, but soothes away. The “New Growth Plan” [2] would be a great beginning. Getting real about moving forward with EU accession, in his view, would mean to stop playing games delaying the Union. If necessary, he would rather advocate taking very pragmatic but highly effective steps towards EU accession.

Rama’s metaphor is about a common roof. If you want one, build it.



Original prompt from the opening remarks for AI image generation:

“Some of you are from the EU. And some others including myself are from E without the U. Yet all of us firmly believe nowadays in the necessity of a common roof [...]”

Pedro Sánchez, Spanish Prime Minister

In light of the Palestinian-Israeli conflict, Pedro Sánchez [3] believes that the Berlin Process Summit is an even more important forum for political exchange. Enlargement, today, has become a “high priority” of the European Union. From his perspective, Europe is a role model for dialogue and its capacity to resolve differences among member states. He reminds his colleagues that reconciliation is the lightning keyword to play it forward.

Sánchez’s metaphor suggests that it is decision time: to invest in diplomacy or else we might see world maps change.



Original prompt from the opening remarks for AI image generation:

“Europe is an example that dialogue works, that cooperation among members works, that differences can be overcome, and that reconciliation is the only way forward. [...] it is a timely reminder for us all, especially now when the Middle East region also very close to us is on fire.”

Von der Leyen, President of the European Commission

Von der Leyen [4] cuts right to the chase: It is a time to be best friends. For this friendship to intensify she and the Commission want to grant the Western Balkan countries access to the European single market in defined areas, for example, free movement of goods and services, road, transport, energy, electricity, the EU's digital single market, with the aim of narrowing the gap between the Western Balkan countries' and EU member states' economies. She expects the Western Balkan countries, in turn, to also let neighboring countries access their regional market. "If there are blockages the only ones you can block is yourself, the others will move on [...]", she stresses.

Von der Leyen's metaphor is about outcompeting global crises by creating domino effects of cooperation.



Original prompt from the opening remarks for AI image generation:

"We are living on a burning planet. We are challenged by Gen AI. In these times, you need best friends. And you said, you are the best of friends we can wish for. Let us work so that you join a European Union that has proven that it is possible to have, together, lasting peace and sustainable prosperity."

Olaf Scholz, German Federal Chancellor

Olaf Scholz [5] signals to the Western Balkan countries that they can rest assured of receiving the best support from the German government and from his colleagues in the EU. His message is: For approaching EU accession, regional conflicts, especially the Kosovo-Serbia conflict, must be worked out.

Scholzes' metaphor is about choosing the Western Balkans and choosing regional peace.



Original prompt from the opening remarks for AI image generation:

"It is time to overcome conflicts that have continued for far too long that only hold your countries back."

Charles Michel, President of the European Council

Charles Michel accentuates that EU enlargement remains a merit-based process, thus, in practice, accession dates are always flexible.

He admits that the EU would be aware that accession was a long-made promise and adds “[...] but we still have a lot to do to get ready.”. What he means by that is the gradual integration of the Western Balkans into EU policy, especially the Single Market, and the yet unresolved Serbia-Kosovo conflict.

Michel’s metaphor is about rescuing an on-and-off wedding between the EU and the Western Balkans.



Original prompt from the opening remarks for AI image generation:

“Dear Edi, I know you have compared enlargement to a bride that never shows up to the wedding. I would like to tell you that the bride is now actively preparing for the wedding.”

National News

## *The Netherlands*

In the Netherlands, the Berlin Process Summit received scant attention. The newspapers Trouw, NRC, Telegraaf, and the Algemeen Dagblad did not report on it on the day of the summit. In the Volkskrant, previously, an analysis titled “Groeispurt EU Bezorgt de Leiders Hoofdpijn” [6] (EU growth spurt gives leaders headaches) was released in the context of the Granada Summit. Reuters had commented on the Granada Summit where Charles Michel proposed a first date for the EU expansion. This date being 2030, he hopes, would end procrastination and instill a wave of optimism to hit reform goals [7].

## *Germany*

The FAZ issued a short message on the Balkan Process Summit with a focus on Olaf Scholzes’ positions to overcome regional conflicts and to align with economic reform efforts as quickly as possible [8].

The Süddeutsche Zeitung published a video by Reuters that casts light on the Berlin Process Summit more comprehensively. Besides overcoming regional conflicts and adhering to economic reform commitments, this article emphasized that Scholz had told the Western Balkan countries that they could count on him. It applauded Von der Leyen’s strategy of creating domino effects of cooperation by reminding the Western Balkan countries of the relevance of opening their regional market to their neighbors [9].

The Frankfurter Rundschau issued an opinion piece. In “Project for Peace”, Thomas Kaspar’s message is that the Western Balkan Summit would have been a fantastic opportunity for the EU to define itself in a new way - with more authenticity. According to him, the EU “failed completely” to present itself authentically.



What he is getting at is the very situation of the EU being in need of the support of the Western Balkans in order to solidify its position as a geopolitical actor. “The EU negotiates with the Western Balkans. This sentence alone includes many wrong assumptions [...]”, he asserts. In his opinion, the upper hand in negotiations, which traditionally had rested with the EU by default, now gravitates towards the Western Balkan countries and it would be crucial to face them accordingly and not to urge or warn them to get things done. This vocabulary should be a remnant of the past.

In another example he makes a case for Albania positioning itself against Chinese influence in the area and, thus, siding with NATO and EU. As an act of gratitude, or the lack thereof, the EU would let Albania “starve” with its reform efforts, he condemns [10].

The Zeit Online published news on the Berlin Process Summit with statements originally made by the German Press Agency, without edits made. In the spotlight of the German Press Agency are the following takeaways: A) The Western Balkan countries would be mainly responsible for preparing for EU accession, B) The EU Commission scaled up its efforts unprecedentedly with, one, the Growth Plan, and, two, the prospect of an investment package of six billion in exchange for reforms and, three, a climate cooperation deal between Germany and the Western Balkans, and C) The German Press Agency calls attention to German Chancellor Scholz “condemning” the incident in Banjska “in the strongest possible way” [11] in September 2023, and Serbian Prime Minister Ana Brnabić not posing for the “family photo” of the summit (Serbian media explained that in the background of this family photo the Kosovo flag showed, a gesture which could not be accepted) [12].

### *Spain*

Ignacio Calleja writes for the Spanish newspaper “El Confidencial” and in his publication, he creates

awareness that the Berlin Process Summit would not be so much different from how the most controversial Spanish domestic political issue is currently taken care of [13].

The leader of the Popular Party, Alberto Núñez Feijóo, claimed that Spain would have arrived at “un punto de inflexión en la historia democrática” (a turning point in democratic history). Earlier, in 2017, Catalonia tried to break free from Spain, which was the most profound political shock the country had experienced in decades. Now, Núñez Feijóo accuses the President of the Government, Pedro Sánchez, of purposefully leaving open the process of deciding whether or not those who took part in the secessionist attempt should be punished or granted amnesty [14].

According to Núñez Feijóo, for Pedro Sánchez to continue governing he would buy the support of the Catalans and delay their potential punishment. This situation, so Núñez Feijóo declares, would paint Spain with a “similar horizon as that of the Balkans” with a view to the development of EU accession [15]. What he hints at is that power play might be responsible for a delay in results in both, the Berlin Process Summit and the Catalonia Process.

In the newspaper El Debate, the leading news is that Pedro Sanchez participated in the inauguration of the Berlin Process and pursued Spain’s interests, for example, by having joined the working groups on the Single Market and on good neighborhood relations [16].

El País, in contrast, shifted the attention in its news coverage on the Berlin Process Summit on Pedro Sánchez and his duty to analyze together with other European colleagues the situation that caused the war between Gaza and Israel. When naming the participating parties to the Summit, the newspaper informed its readers on a side note that Spain has not formally recognized Kosovo as a country [17].

## Conclusion

The European Union may butt heads on the nitty-gritty of enlargement, but they are aware that the Western Balkan countries are the best ally they could ever wish for. So when both sides agree that it is time to get hitched and form a political union, what is stopping them?

It appears the EU is eager to take the reins of geopolitics and steer the world forward with unified positions formulated in the bloc. But while there is a loop-de-loop of bureaucratic red tape, the arena of international relations never stops moving – whether it is Ukraine and Russia or Israel and Palestine, real-time events continuously crash into one another faster than the EU can agree on a stance.

In POLITICO's piece "Two wars threaten to overload Europe's leaders", Luigi Scazzieri of the Center for European Reform, holds that the EU must find a way to split its attention and financial resources between Ukraine and the Middle East. The ripple effects of the Middle East conflict have Europe teetering on a dangerous precipice. Germany, in particular, has seen an increase in anti-Semitic street protests where celebratory candy is distributed in honor of Jewish victims. Terrorist atrocities in France and Belgium have only exacerbated already heightened security concerns across the EU. Meanwhile, Lithuania and diplomats from other EU member states warn that the EU should not divert its focus "from the drama that is taking place at our backdoor, and for some member states, even at their border [...]". Their message is, "Don't forget Ukraine." [18].

The Berlin Process Summit and its linkage to the EU's defense industry has raised questions about Europe's ability to compete with other superpowers in geopolitical battles. But what if we took a different approach? What if Europe's leaders are better equipped to specialize in creating positive, long-term impacts for citizens rather than waging war? After all, more wars only spell big trouble!

It's not black and white. It is not war or peace. When queried about why a democracy like Germany – or any other EU country – is now talking about beefing up its defense arsenal, Former German President Gauck was ready with a response. In international politics, he quipped, "you can't let authoritarian regimes run rampant – compromising your democratic foundations and right to autonomy for the sake of placating them" [19].

Sometimes, "kindness just won't do". In that case, equipping yourself shows a show of strength and puts you as an equal to the one who was agitating. That is when negotiations for peace can start to take place. "Arms ain't no big thing" he reminded us, "as long as they don't get used.". In Gauck's perspective, it needs both, soft power and hard power.

Very few have the privileged insight, clout, or capacity to shape Europe's geopolitical course. Those not part of this elite group can only draw conclusions and propose actions based on what is made available in public discourse. To this end, behold:

- Nationwide, it is time to give a voice to centrist voters who have lost faith. If instability keeps hurting their everyday lives, they may look for a new path forward, ranging from desirable to undesirable extremes, unless our political leaders sit down and create pragmatic solutions that work in local communities. It is not enough to simply talk about the future; it must be made real.
- The West Balkans and the EU have had a 20-year fling – enough time to determine they are legit. Postponing accession to the year 2030 or even beyond might just be the green light for the Balkans to start playing the field. If the accession process takes thirty years in total, that is almost double the lifespan of the Weimar Republic's doomed romance with democracy.
- The EU would be wise to steer clear of far-flung wars beyond its borders rooted predominantly in defending its ideals.

Armed conflict breeds more death and leads to increased humans seeking refuge from strife. Sometimes, some wars have been known to fill the coffers of many, from those who reap the rewards of selling arms and resources to those who gain access to newly-minted territories. But what happens when all that is left in a war zone is an absence of resources? Climate change has only exacerbated the situation, leaving formerly-abundant lands dry and depleted. This leaves us with one plausible option: invest as much as possible into the regulated trading of resources, bound within agreements that are both respected and mutually beneficial.

If we had to sum up the Berlin Process Summit in one dish, it would have to be an indulgent French feast.



“The EU and the Western Balkans can be like ratatouille: a dish of cultures, fused together to create a delightful melody of flavors.

But, salt has to be handled wisely; too much brings out the wrong notes and the balance between salty and sweet must always remain. This is true for both food and foreign policy - balance is key!”

## Author’s note

Direct quotes made in reference to Edi Rama, Albanian Prime Minister, Pedro Sánchez, Spanish Prime Minister, Von der Leyen, President of the European Commission, Olaf Scholz, German Federal Chancellor, Charles Michel, President of the European Council, and Former German President Joachim Gauk can slightly vary from their original wording by virtue of a) translations, b) non-translatable content, and c) removed filler words and added punctuation for increased readability.

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## Sources

- [1] Berlin Process Leaders Summit 2023, Tirana: Joint Press Conference, with the Participation of Ursula von Der Leyen, President of the European Commission, European Commission, [audiovisual.ec.europa.eu/en/video/I-247948](https://audiovisual.ec.europa.eu/en/video/I-247948). Accessed 22 Nov. 2023.
- [2] The New Growth Plan for the Western Balkans, European Commission, 8 Nov. 2023, [ec.europa.eu/commission/presscorner/detail/en/QANDA\\_23\\_5605](https://ec.europa.eu/commission/presscorner/detail/en/QANDA_23_5605).
- [3] Berlin Process Leaders Summit 2023 in Tirana, Albania, European Commission, [audiovisual.ec.europa.eu/en/video/I-247913](https://audiovisual.ec.europa.eu/en/video/I-247913). Accessed 22 Nov. 2023.
- [4] Berlin Process Leaders Summit 2023 in Tirana, Albania, European Commission, [audiovisual.ec.europa.eu/en/video/I-247910](https://audiovisual.ec.europa.eu/en/video/I-247910). Accessed 22 Nov. 2023.
- [5] Berlin Process Leaders Summit 2023 in Tirana, Albania, European Commission, [audiovisual.ec.europa.eu/en/video/I-247904](https://audiovisual.ec.europa.eu/en/video/I-247904). Accessed 22 Nov. 2023.
- [6] Peeperkorn, Marc. "Groeispurt EU Bezorgt de Leiders Hoofdpijn." *De Volkskrant*, 4 Oct. 2023, [www.volkskrant.nl/nieuws-achtergrond/groeispurt-eu-bezorgt-de-leiders-hoofdpijn-b5a6a5fe/](https://www.volkskrant.nl/nieuws-achtergrond/groeispurt-eu-bezorgt-de-leiders-hoofdpijn-b5a6a5fe/).
- [7] EU Leaders Back Bigger Union but Avoid Date, Warn Against Short Cuts, Reuters, 6 Oct. 2023, [www.usnews.com/news/world/articles/2023-10-06/eu-leaders-back-bigger-union-but-avoid-date-warn-against-short-cuts](https://www.usnews.com/news/world/articles/2023-10-06/eu-leaders-back-bigger-union-but-avoid-date-warn-against-short-cuts).
- [8] "Scholz bei Westbalkan-Gipfel: „An der Zeit, Lokale Konflikte zu Überwinden.“ Scholz bei Westbalkan-Gipfel, FAZ, 16 Oct. 2023, [www.faz.net/aktuell/politik/ausland/scholz-bei-westbalkan-gipfel-an-der-zeit-lokale-konflikte-zu-ueberwinden-19247685.html](https://www.faz.net/aktuell/politik/ausland/scholz-bei-westbalkan-gipfel-an-der-zeit-lokale-konflikte-zu-ueberwinden-19247685.html).
- [9] Westbalkan-Gipfel: Scholz Ermuntert zum "Berliner Prozess," *Süddeutsche Zeitung*, [www.sueddeutsche.de/politik/westbalkan-gipfel-scholz-ermuntert-zum-berliner-prozess-1.6288665](https://www.sueddeutsche.de/politik/westbalkan-gipfel-scholz-ermuntert-zum-berliner-prozess-1.6288665). Accessed 2 Nov. 2023.
- [10] Kaspar, Thomas. Der Westbalkan Ist ein Projekt für den Frieden – Doch Die EU Versagt Jetzt Schon, *Frankfurter Rundschau*, 16 Oct. 2023, [www.fr.de/meinung/kommentare/projekt-fuer-den-frieden-92580648.html](https://www.fr.de/meinung/kommentare/projekt-fuer-den-frieden-92580648.html).
- [11] Von Der Leyen and Scholz: We Are Waiting for a Full Investigation of the Events in Banjska, KOHA, 16 Oct. 2023, [www.koha.net/en/arboretum/395707/Scholz-strongly-condemns-the-attack-in-the-bathroom/](https://www.koha.net/en/arboretum/395707/Scholz-strongly-condemns-the-attack-in-the-bathroom/).
- [12] Diplomatie: Scholz Ruft Balkan-Staaten Zur Engeren Zusammenarbeit Auf, *Zeit Online*, 16 Oct. 2023, [www.zeit.de/news/2023-10/16/scholz-dringt-auf-eu-beitritt-der-westbalkan-staaten](https://www.zeit.de/news/2023-10/16/scholz-dringt-auf-eu-beitritt-der-westbalkan-staaten).
- [13] Calleja, Ignacio. Feijóo Acusa a Sánchez y los Nacionalistas de Llevar a España a UN Proceso como los Balcanes, *El Confidencial*, 16 Oct. 2023, [www.elconfidencial.com/espana/2023-10-16/fejoo-acusa-a-sanchez-y-los-nacionalistas-de-llevar-a-espana-a-un-proceso-como-los-balcanes\\_3755105/](https://www.elconfidencial.com/espana/2023-10-16/fejoo-acusa-a-sanchez-y-los-nacionalistas-de-llevar-a-espana-a-un-proceso-como-los-balcanes_3755105/).
- [14] García de Blas, Elsa. Feijóo Acusa a Sánchez de "Fraude Electoral" Por Preparar una Amnistía Que Negó Hasta El 23-J, *El País*, 21 Sept. 2023, [elpais.com/espana/2023-09-21/fejoo-acusa-a-sanchez-de-fraude-electoral-por-preparar-una-amnistia-que-nego-hasta-el-23-j.html](https://elpais.com/espana/2023-09-21/fejoo-acusa-a-sanchez-de-fraude-electoral-por-preparar-una-amnistia-que-nego-hasta-el-23-j.html).
- [15] Manifestaciones En España Contra Amnistía Para Los Independentistas Catalanes, *Barrons*, 29 Oct. 2023, [www.barrons.com/articulos/manifestaciones-en-espana-contra-amnistia-para-los-independentistas-catalanes-f97864d7](https://www.barrons.com/articulos/manifestaciones-en-espana-contra-amnistia-para-los-independentistas-catalanes-f97864d7).
- [16] Directo: Sánchez, En La Cumbre de Líderes Del Proceso de Berlín, *El Debate*, 16 Oct. 2023, [www.eldebate.com/espana/20231016/directo-sanchez-nbspcumbre-lideres-proceso-berlin\\_146663.html](https://www.eldebate.com/espana/20231016/directo-sanchez-nbspcumbre-lideres-proceso-berlin_146663.html).
- [17] Sánchez Viaja a Albania este Lunes y El PSOE Cambia al Martes la Reunión de su Comisión Negociadora, *El País*, 15 Oct. 2023, [elpais.com/espana/2023-10-15/sanchez-viaja-a-albania-este-lunes-y-el-psoe-cambia-al-martes-la-reunion-de-su-comision-negociadora.html](https://elpais.com/espana/2023-10-15/sanchez-viaja-a-albania-este-lunes-y-el-psoe-cambia-al-martes-la-reunion-de-su-comision-negociadora.html).
- [18] Moens, Barbara, et al. Two Wars Threaten to Overload Europe's Leaders, *POLITICO*, 26 Oct. 2023, [www.politico.eu/article/eu-leaders-von-der-leyen-face-two-wars-ukraine-israel-palestine-middle-east-conflict/](https://www.politico.eu/article/eu-leaders-von-der-leyen-face-two-wars-ukraine-israel-palestine-middle-east-conflict/).
- [19] Gauck, Joachim. "Joachim Gauck: Erschütterungen." *Erfurter Herbstlese* 2023. Joachim Gauck: Erschütterungen, 13 Nov. 2023, Erfurt, Atrium Der Stadtwerke Erfurt.

# Recent Developments in the Nagorno–Karabakh Conflict

*Murathan Arslançan*

## Key Takeaways

- The Nagorno–Karabakh region has remained a focal point in the South Caucasus geopolitics, marked by ongoing tensions, a blockade, and significant developments throughout 2023. Tensions escalated with the construction of a new checkpoint by Azerbaijani forces in violation of the 2020 ceasefire agreement. Diplomatic efforts were pursued through discussions for a peace treaty aimed at establishing official diplomatic relations, but an incident on 15 June 2023 led to Baku halting aid delivery in response to allegations of Armenian fire.
- The situation worsened with the detention of Vagif Khachatryan on 29 July 2023, adding to the growing humanitarian crisis. Despite the initiation of an ‘anti-terrorist operation’ by Azerbaijan, hostilities were short-lived, and a ceasefire on 21 September 2023 paved the way for talks on the region’s future.
- Post-ceasefire, reports of ethnic Armenians leaving the region surfaced, expressing their reluctance to integrate into Azerbaijan. Azerbaijan’s arrest of Ruben Vardanyan and the dissolution of the self-proclaimed Republic of Artsakh added to the complex developments.
- However, a positive note emerged on 18 November 2023 when Armenian Prime Minister Nikol Pashinyan announced that, despite difficulties, Armenia and Azerbaijan had agreed on “basic principles for a peace treaty,” while on 21 November 2023 Baku also encouraged Yerevan to start peace negotiations.

## What Has Happened Recently?

In the geopolitical landscape of the South Caucasus, the Nagorno–Karabakh region has maintained its significance, marked by a blockade initiated on 12 December 2023.[1] An important meeting occurred on 1 March 2023, at the Russian peacekeepers’ headquarters, where representatives from the Azerbaijani government and the de facto Nagorno–Karabakh leadership convened.[2] On 23 April 2023, tensions heightened as Azerbaijani forces and construction workers initiated the construction of a new checkpoint at the entrance to the Lachin corridor, previously under Russian peacekeepers’ control as per the 2020 ceasefire agreement.[3]

Throughout May and June, leaders and representatives from both sides engaged in discussions across various global capitals to address different facets of a peace treaty aimed at establishing official diplomatic relations.[4] However, on 15 June 2023, an incident at the newly established Azerbaijani checkpoint on the Lachin road led to Baku halting the delivery of essential aid by Russian peacekeepers into Nagorno–Karabakh in response to an allegation of Baku that a fire was opened from the Armenian side.[5]

The situation escalated further on 29 July 2023, when Azerbaijani border guards detained 68-year-old Vagif Khachatryan at the Lachin road checkpoint. This marked the first instance of Baku detaining an ethnic Armenian at the checkpoint for alleged crimes dating back to the early 1990s.[6]

Amidst growing tensions and a humanitarian crisis resulting from the blockade, the de facto parliament elected Samvel Shahramanyan as the new leader of the self-proclaimed Republic of Artsakh on 9 September 2023. Shahramanyan assumed leadership following the resignation of his predecessor, Arayik Harutyunyan, who had faced mounting criticism due to the worsening humanitarian situation.[7]

On 18 September 2023, the International Committee of the Red Cross (ICRC) reportedly sent trucks through the Lachin corridor and the Aghdam road, attempting to alleviate the dire conditions in the mountain enclave.[8] However, on 19 September 2023, Azerbaijan initiated an 'anti-terrorist operation' in Karabakh, claiming to take "anti-terrorist measures of a local nature" and shelling areas controlled by ethnic Armenian authorities with support from Armenia.[9] The hostilities were short-lived, and by 21 September 2023, both sides agreed to a ceasefire proposed by Russian peacekeepers. The terms included the disbandment and disarmament of ethnic Armenian Karabakh forces, with talks on the region's future and the fate of its ethnic Armenian population scheduled to commence.[10] While these events were taking place, the ICRC aid could not be delivered properly and only on 23 September 2023, the ICRC announced that it restarted to deliver aid into the region.[11]

Following the ceasefire agreement, Azerbaijan ceased its military activities in the region. Following this, three days later reports emerged that a significant number of ethnic Armenians from the Nagorno-Karabakh region began leaving, asserting their refusal to integrate into Azerbaijan.

In a subsequent development on 27 September 2023, Azerbaijan announced the arrest of Ruben Vardanyan, a billionaire banker and philanthropist, who previously headed Karabakh's separatist government between November 2022 and February 2023.[12] Simultaneously, the self-proclaimed Artsakh Republic declared its dissolution, stating that it would cease to exist by 1 January 2024.[13]

Upon Armenia's provisional measures request, on 17 November 2023, the International Court of Justice issued a provisional measure order. Accordingly, Azerbaijan was ordered to guarantee the right to return and safety of Armenians who left the Nagorno Karabakh region after 19 September 2023.[14] Finally, on 18 November 2023, Armenian Prime Minister Nikol Pashinyan announced that despite difficulties, through diplomatic efforts, Armenia and Azerbaijan had agreed on "basic principles for a peace treaty" to initiate negotiations for a peace treaty.[15] Few days later, on 21 November 2023, the Azerbaijani side expressed its readiness for peace talks.[16]

In 2023, Nagorno-Karabakh faced ongoing tensions, and diplomatic efforts for a peace treaty were unsuccessful due to an incident in June, which led to Baku halting aid. Azerbaijan's brief 'anti-terrorist operation' led to a ceasefire in September, sparking reports of Armenians leaving, reluctant to integrate. The arrest of Ruben Vardanyan and the self-proclaimed Republic of Artsakh's dissolution added complexity to the situation. Statements from Yerevan and Baku on 18 November and 21 November 2023, respectively, signal hopeful steps towards resolving bilateral conflicts.

## Recommendations

- Armenia and Azerbaijan should continue peace talks and focus on building stable diplomatic relations while regarding the future status of ethnic Armenians of Nagorno-Karabakh.

## Sources

- [1] Murathan Arslançan, 'Latest Developments on the Nagorno-Karabakh Conflict and the EU's Rising Potential in the Peace Process' (February 2022) Peace and Security Monitor South East Europe & Black Sea Region 14.
- [2] Heydar Isayev and Lilit Shahverdyan, 'Azerbaijan-Karabakh dialogue is happening' Eurasianet (2 March 2023) <<https://eurasianet.org/azerbaijan-karabakh-dialogue-is-happening>> accessed 24 November 2023.
- [3] 'Azerbaijan sets up checkpoints on the Lachin corridor' Economic Intelligence Unit (27 April 2023) <<https://www.eiu.com/n/azerbaijan-sets-up-checkpoints-on-the-lachin-corridor/>> accessed 24 November 2023.
- [4] 'The Nagorno-Karabakh Conflict: A Visual Explainer' International Crisis Group (16 September 2023) <<https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer>> accessed 24 November 2023.
- [5] Vasif Huseynov, 'June 15 Provocation At Lachin Checkpoint And Implications For Armenia-Azerbaijan Peace Process - Analysis' Eurasia Review (26 June 2023) <<https://www.eurasiareview.com/26062023-june-15-provocation-at-lachin-checkpoint-and-implications-for-armenia-azerbaijan-peace-process-analysis/>> accessed 24 November 2023.
- [6] Heydar Isayev and Lilit Shahverdyan, 'Azerbaijan arrests Nagorno-Karabakh resident during medical evacuation for "war crime"' Eurasianet (31 July 2023) <<https://eurasianet.org/azerbaijan-arrests-nagorno-karabakh-resident-during-medical-evacuation-for-war-crime>> accessed 24 November 2023.
- [7] International Crisis Group (n 4).
- [8] Felix Light and Nailia Bagirova, 'Karabakh gets Red Cross aid via two routes, in step to ease crisis' Reuters (18 September 2023) <<https://www.reuters.com/world/asia-pacific/red-cross-sends-humanitarian-convoys-karabakh-first-reopening-since-december-2023-09-18/>> accessed 24 November 2023.
- [9] Felix Light, 'Azerbaijan launches 'anti-terrorist operation' in Karabakh' Reuters (19 September 2023) <<https://www.reuters.com/world/asia-pacific/azerbaijan-launches-anti-terrorist-operation-karabakh-2023-09-19/>> accessed 24 November 2023.
- [10] Tim Lister, Anna Chernova, Christian Edwards and Radina Gigova, 'Azerbaijan says it has retaken breakaway Armenian enclave after separatists surrender' CNN (21 September 2023) <<https://edition.cnn.com/2023/09/20/asia/nagorno-karabakh-russia-ceasefire-intl/index.html>> accessed 24 November 2023.
- [11] 'Armenia/Azerbaijan Operational Update: 70 metric tons of humanitarian supplies cross the Lachin road; medical evacuations carried out' ICRC (23 September 2023) <<https://www.icrc.org/en/document/armenia-azerbaijan-operational-update-70-metric-tons-humanitarian-supplies-cross-lachin-road-and-medical-evacuation>> accessed 24 November 2023.
- [12] Felix Light, 'Azerbaijan arrests former top Karabakh minister as exodus tops 50,000' Reuters (27 September 2023) <<https://www.reuters.com/world/asia-pacific/tens-thousands-ethnic-armenians-rush-flee-nagorno-karabakh-2023-09-27/>> accessed 24 November 2023.
- [13] 'Nagorno-Karabakh Republic will cease to exist from Jan 1 2024 - Nagorno-Karabakh authorities' Reuters (28 September 2023) <<https://www.reuters.com/world/asia-pacific/nagorno-karabakh-republic-will-cease-exist-jan-1-2024-nagorno-karabakh-2023-09-28/>> accessed 24 November 2023.
- [14] Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan) (Pending)  
ICJ Press Release 2023/69.
- [15] 'Armenia and Azerbaijan have agreed on basic peace treaty principles, TASS reports' Reuters (18 November 2023) <<https://www.reuters.com/world/asia-pacific/armenia-azerbaijan-have-agreed-basic-principles-peace-treaty-tass-cites-armenian-2023-11-18/>> accessed 24 November 2023.
- [16] Republic of Azerbaijan Ministry of Foreign Affairs, 'No:665/23, Press Statement by the Ministry of Foreign Affairs of Azerbaijan on the call upon Armenia for resumption of the negotiations to conclude the peace treaty' (21 November 2023) <<https://www.mfa.gov.az/en/news/no66523>> accessed 24 November 2023.

# Bulgaria–Türkiye Relations

*Jonathan Pugh*

## Key Takeaways

- Bulgaria and Türkiye have a very long and complicated history, with present day relations being the best they have ever been.
- Turkish influence in Bulgarian domestic politics has created a new dynamic to the relationship.
- Türkiye is influencing Bulgaria's domestic politics through the party 'Movement for Rights and Freedoms' (DPS).
- Energy, however, is the lynch pin of Bulgaria–Türkiye relations and Russia's influence here should be a concern for European policymakers.



In 1877, Russian general Iosif Gurko liberated Veliko Tarnovo, ending the 480-year rule of the Ottoman Empire. Source: Wikipedia

## Introduction

Bulgaria and Türkiye have relations that go back nearly seven centuries. Both states are members of the North Atlantic Treaty Organization (NATO) and are situated in strategic positions on NATO's southeastern flank facing both the Black Sea area and towards the eastern Mediterranean and the Middle East.

Türkiye's relations with the European Union have a history of antagonism in recent years, while Bulgaria's new government has taken a much more explicitly pro-EU and pro-Western stance compared to previous ones.[1] [2] However, both states, despite NATO membership and their public support for Ukraine, also have a complicated relationship with Russia that includes close economic relations that are centred around energy supplies.[3] [4] On the surface, the relationship of Bulgaria and Türkiye may appear as a model for the rest of the Euro-Atlantic area in how European countries can have more positive relations with Türkiye, which still aspires to join the EU.[5] Moreover, Bulgaria has acted as a mediator on occasion between the EU and Türkiye. Nevertheless, their relationship is complicated by a long history that affects both countries' domestic politics.[6]

## Bulgaria and Türkiye's relationship in historical perspective

The Republic of Türkiye's predecessor state, the Ottoman Empire, occupied Bulgaria for six centuries. The occupation was followed by various periods of expulsion of ethnic Turks and Muslim minorities from Bulgaria's territory.[7] Indeed, Bulgaria was the Ottoman Turks first European conquest, even before the eventual capture of the Constantinople – present day Istanbul.[8] Until Russia's invasion (or liberation) of Ottoman-ruled Bulgaria in 1877–78, Muslims outnumbered Christians inside the borders that make up today's Bulgaria. After the Treaty of Berlin of 1878 and the creation of the Principality of Bulgaria, most of these Muslims eventually emigrated (often forcibly) to other parts of the Ottoman Empire in successive waves over the subsequent decades.[9]



Many of them were ethnic Turks, others were the descendants of Slavic Bulgarian-speaking converts to Islam from the Ottoman-era, known as Pomaks.[10] Even today, nearly a quarter of Türkiye's population has ancestral links to Bulgaria and the rest of the Balkans.[11]

Into the twentieth century, during both the First and Second Balkan wars in 1912–13 and 1913, Bulgaria and the Ottoman Empire were on opposing sides. Nevertheless, compared to their regional rivals in the Balkans such as Greece, Romania, and Serbia who all made territorial gains, both Bulgaria and the Ottoman Empire ultimately ended up as losers.[12] During the First World War the two fought on the same side, albeit the losing side again, when they allied with the Central Powers of Germany and Austria-Hungary against the Entente of Great Britain, France, and Russia. After the Second World War, Bulgaria and Türkiye found themselves on opposing geopolitical sides again, as Bulgaria succumbed to Communist domination.[13]

During the Cold War, Bulgaria was Moscow's most erstwhile and loyal ally in the Balkans, while Türkiye was a NATO member from 1952. In the 1980s, Bulgaria-Türkiye relations reached a nadir. Bulgaria's Communist government decided that its Muslims minority was in fact little more than Bulgarian Slavs who had been forcibly converted by the Ottomans.[14] These Muslims even if they had a Turkish identity, had, according to the Bulgarian authorities, to "regain their Bulgarian identity".[15] In 1989, after a failed attempt by Bulgaria's Communist government to instigate a name change amongst Bulgarian Muslims, where those with Turkic names were strongly encouraged to adopt Slavic ones, 300,000 Bulgarian Muslims were forcibly sent to Türkiye. Yet by deporting them to Türkiye, the Bulgarian authorities were in effect admitting their Turkish identity.[16]

However, at the very end of Bulgaria's Communist regime on 29 December 1989, this policy of 'assimilation' was rescinded and by 1991, Bulgaria's post-Communist government was prioritising good relations with Türkiye.[17]

Since then, the two states have enjoyed their longest period of good relations. In 2004, Türkiye supported Bulgaria's accession to NATO, while Bulgaria, after joining the European Union in 2007, has consistently supported Türkiye joining the EU.[18]

## Türkiye's links to Bulgaria's domestic politics

The Ottoman legacy can be seen in Bulgaria's large Turkish and Muslim minorities - Muslims make up 12.9% of Bulgaria's population, Turkish speakers 9.1%.[19] Türkiye now may be using their interests to influence Bulgaria's domestic politics through the party Movement for Rights and Freedoms' (DPS). After decades of antagonism, the DPS, has now become closely aligned with Türkiye's ruling party the Justice and Development Party (AKP). For example, Turkish President Recep Tayyip Erdoğan recently addressed the DPS party conference via video.[20] This led to claims of Turkish interference in Bulgarian domestic politics by some political figures within the country.[21]



A screenshot from Erdoğan's address to the DPS conference, Source: Euractiv

The long-standing historical grievances and resentment generated by the centuries-long period of Ottoman subjugation, are an important element of Bulgarian identity.[22] This factor exacerbates concerns when Bulgarian politicians accuse Türkiye of interference in Bulgarian elections. The corrupting influence of the DPS within the Bulgarian state was illustrated when it came to light that the former Chairman of the DPS had his own private port on Bulgaria's Black Sea

coast, with his personal security supplied by the Bulgarian state.[23]

The DPS often has had huge electoral and political influence within Bulgarian politics despite being a minority interest political party and continues to do so.[24] The nationalist fear of Turkish influence is also increased by the fact that many of the DPS's constituency are Bulgarian citizens who reside in Türkiye.[25]

The mixture of pro-Russian and anti-Turkish sentiments have been raised again by the proposal of Bulgaria's current We Continue the Change-Democratic Bulgaria' governing coalition, suggesting changing Bulgaria's national day from the current 3 March to 24 May.[26] On 3 March 1878 Russia defeated the Ottoman Empire at the Battle of Shipka and liberated Bulgaria, while the 24 May celebrates the creation of the Slavic alphabet in Bulgaria 1200 years ago. [27]

This proposal is a challenge to the pro-Russian sentiment in Bulgaria, 3 March brings to the fore connotations of Russia as the liberator of Bulgaria from Turkish yoke, the idea of Russia been a historic friend. 24 May is a celebration of Bulgarian history that predates Russia's involvement in it and signifies a cultural shift to the West. The contest between both and anti and pro-Russian sentiment is not a new thing in Bulgaria's domestic politics and pre-dates the First World War.[28]

## Bulgaria-Türkiye Economic Relations

Both Bulgaria and Türkiye were founder members of the Organization of the Black Sea Economic Cooperation (BSEC).[29] On 1998, BSEC's member states launched the Black Sea Trade and Development Bank (BSTDB) and by 2000 Bulgaria-Türkiye trade had reached 646 million dollars per year.[30] In 2021, Türkiye was Bulgaria's fifth largest export market and import market second largest source of imports.[31] To Türkiye, Bulgaria is its second largest export market and import market in the Balkans after Romania.[32]

By 2022, the trade volume between the two states had reached nearly seven and a half billion dollars and presently Türkiye is Bulgaria's largest trade partner outside the European Union.[33] The two states are linked economically through the EU-Türkiye Customs Union since 2007.[34] Turkish investments in Bulgaria are worth 2.5 billion dollars and nearly 1500 Turkish companies operate there.[35] Another important export of Türkiye to Bulgaria is Turkish television. Turkish television dramas are very popular in Bulgaria leading to one Bulgarian television celebrity to quip that "as much we hate to admit it, the Turks are closer to us than Greeks, Latinos ... and the European Union".[36] Turkish television has enhanced Türkiye's soft power not just in Bulgaria but across the Balkans.[37] The two states also have close and important links in transportation and energy and are crucial transit routes for oil and gas from the Caucasus and Central Asia to Europe.[38]



Turkey's floating LNG storage unit at Saros Bay, Source: TradewindsNews

For instance, a high-speed railway linking Bulgaria to Istanbul is now near completion after construction began in 2019.[39] The strong economic relations also rely on the pipelines exporting natural gas from the Caucasus, Central Asia, and Russia to Europe. On 3 January 2023, Türkiye signed an agreement with Bulgaria on that gives Sofia's state energy company Bulgargaz access to Turkish Liquefied natural gas (LNG) terminals for 13 years. Accordingly, Bulgaria can import 1.5 billion cubic meters (bcm) of LNG annually from Türkiye. Up to April 2022, Russia supplied over 80% of Bulgaria's domestic gas needs, Russia then withdrew gas supplies after Bulgaria refused to pay for it in Russian Rubles.[40]

For Bulgaria, the gas contract with Türkiye is crucial as in combination with its access to Greece's LNG terminals, it allows it to replace its reliance on Russian gas imports.[41] For Türkiye, the agreement with Bulgaria increases its prominence as a natural gas hub for Europe. However, Türkiye is still a large importer of Russian gas and the Bulgaria-Türkiye gas agreement, may give Russia an entry point into the Bulgarian and European gas market and allow it to circumvent EU sanctions.[42] The revenue from generated from the export of natural gas is crucial to Russia economy and its ability to continue funding its military operations in Ukraine. Türkiye does not reproduce its own gas, its leverage in the energy field comes from being a regional gas hub, Russia, as the world's biggest gas producer is vital for this.[43] Russia may be less visible than before its war with Ukraine but is it still a major presence in the European gas market.[44]

#### The importance of Bulgaria-Türkiye relations for Euro-Atlantic security

Bulgaria and Türkiye have supported Ukraine in its war with Russia.[45] However, both states still have extensive commercial links to Russia. In Türkiye, these links remain strong and in Bulgaria a significant proportion of the Bulgarian elite and population still harbour pro-Russian sentiments.[46]

Ukrainian analyst Artem Fylypenko describes the Bulgarian elite as being in a "geopolitical twine" over its strong economic links with Russia, while being a member of the EU and NATO.[47] Although many of Bulgaria's economic links to Russia have been ruptured by the Russo-Ukraine war, some pro-Russian sentiment still remains.[48] For example, in May 2023 pro-Russian protesters rioted and damaged the main EU offices in Sofia, in protest at the EU's anti Russia stance over the Russo-Ukraine war.[49] Furthermore, Bulgaria's President, Rumen Radev pro-Russian rhetoric has caused international controversy.[50]

Bulgargaz's contract with Turkish gas giant Botas offers a backdoor for Russian gas into Europe as the volumes from the Caucasus and Central Asia and states such as Azerbaijan and Turkmenistan's do not yet equal Russia's gas supplies to Europe.[51] Furthermore, in Türkiye's case, trade with Russia has in fact increased since February 2022.[52] Türkiye has taken full advantage of the pullout of European and American companies from Russia's domestic market by letting its own companies fill the gap.[53]

Finally, in terms of European security, Bulgaria is crucially situated on the EU's eastern frontier and, alongside Greece, controls the EU's border with Türkiye. This has made Bulgaria a key migration route for migrants from the Middle East into Europe.[54] Since 2015, the Bulgaria - Türkiye border has become heavily securitized, with controversy that includes accusations of brutality by Bulgarian security personnel towards migrants, as well as the death of one Bulgarian border guard.[55]

#### Conclusion

Bulgarian academic Emilia Zankina describes Bulgaria-Türkiye relations as being dominated by three dynamics. First, Bulgaria support of Türkiye's EU accession.[56] Second, Bulgarian domestic politics, with Bulgarian nationalists often stirring up anti-Turkish sentiment, and the DPS benefiting from Türkiye's support. Third, Türkiye's domestic politics that benefit from economic relations with Bulgaria and the political benefits to the ruling AKP.

I would add a fourth dynamic, the dynamic of Russia in both states' economic and security politics and Russia's historic role as the liberator of Bulgaria from Ottoman rule. This dynamic is further shaped by Bulgaria - Türkiye energy relations and the Russian origin of the gas that flows from Turkish LNG facilities and traverses through Turkish territory into Bulgaria.

Despite the economic and historic links to Türkiye and Russia, Bulgaria has also looked strategically towards the northwest.[57]

Historically, the northwest path was centred on Germany, nowadays, this path is centred on Brussels, the EU, and NATO. The fourth dynamic is a threat to Bulgaria's northwest strategic trajectory and to the interests of the EU and NATO, it is not for no reason that Bulgaria was once considered as little as six years ago by the American think tank the Atlantic Council, as a potential Russian Trojan Horse within NATO.[58]

The current Bulgarian government has taken a more explicitly pro-Western stance.[59] This government should be rewarded for this with further integration into the EU. At the same, EU leaders should be wary of Bulgaria – Türkiye relations becoming a route for Russia to circumvent EU sanctions and threaten European interests. Bulgaria – Türkiye relations are dominated by economic interests and their respective domestic politics, which offers Russia scope to be a malign influence.

## Recommendations

To ensure that continued trajectory and to further tie Bulgaria to Euro-Atlantic institutions.

- Immediately that means allowing Bulgaria, alongside Romania, into the EU's Schengen free-movement zone.[60]
- In the longer term, it means Bulgaria joining the European single currency, the Euro by January 2023.[61]
- Finally, the EU should keep a close eye on Bulgaria – Türkiye energy relations and beware of Russia's potential corrupting influence in this area and more pertinently its attempt to utilise it to evade EU sanctions.

Bulgaria and Türkiye are the Euro-Atlantic world's jumping off point into the Black Sea and even further afield into the Middle East. They are both vital for Europe's future energy supplies and security and crucial to the EU's ability to permanently prevent Russia's dominance of the European gas market.

Their continued good relations are also a key element of the Euro-Atlantic security architecture on NATO's southeastern flank.

## Sources

- [1] Demirtaş-Coşkun, Birgül. "Turkish-Bulgarian Relations in the Post-Cold War Era: The Exemplary Relationship in the Balkans." The Turkish Year book, 2001.  
<https://dergipark.org.tr/tr/pub/tyir/issue/50037/641483>
- [2] Bishku, Michael. B. "Turkish-Bulgarian Relations: From Conflict and Distrust to Cooperation over Minority Issues and International Politics." Mediterranean Quarterly, vol, 14, no. 2, Spring 2003, pp. 77-94.  
<https://muse.jhu.edu/article/42957/pd>
- [3] Ibid
- [4] Emen-Gökatalay, Özde. "From Religious to Ethnic Minorities: The Cultural and Social Integration of Pomaks into Post-Ottoman Turkey." Migration Letters, vol. 20, no. 1, January 2023, pp. 39-50.  
[https://www.researchgate.net/publication/367663613\\_From\\_Religious\\_to\\_Ethnic\\_Minorities\\_The\\_Cultural\\_and\\_Social\\_Integration\\_of\\_Pomaks\\_into\\_Post-Ottoman\\_Turkey](https://www.researchgate.net/publication/367663613_From_Religious_to_Ethnic_Minorities_The_Cultural_and_Social_Integration_of_Pomaks_into_Post-Ottoman_Turkey)
- [5] Bechev, Dimitar. "A rival or an awkward partner? Turkey's relationship with the West in the Balkans." Southeast European and Black Sea Studies, vol, 22, no, 1, 2022, pp. 11-24.  
<https://www.tandfonline.com/doi/abs/10.1080/14683857.2021.2024988>
- [6] Glenny, Misha. "The Balkans 1804-1999: Nationalism, War and the Great Powers." London: Granta Publications.
- [7] Demirtaş-Coşkun, Birgül. "Turkish-Bulgarian Relations in the Post-Cold War Era: The Exemplary Relationship in the Balkans." The Turkish Year book, 2001.  
<https://dergipark.org.tr/tr/pub/tyir/issue/50037/641483>
- [8] Bachvarov, Marin. "The Current Ethnic Panorama in Bulgaria." GeoJournal, vol. 43, no. 3 1997, pp. 215-24.
- [9] Demirtaş-Coşkun, Birgül. "Turkish-Bulgarian Relations in the Post-Cold War Era: The Exemplary Relationship in the Balkans." The Turkish Year book, 2001.  
<https://dergipark.org.tr/tr/pub/tyir/issue/50037/641483>
- [10] Demirtaş-Coşkun, Birgül. "Turkish-Bulgarian Relations in the Post-Cold War Era: The Exemplary Relationship in the Balkans." The Turkish Year book, 2001.  
<https://dergipark.org.tr/tr/pub/tyir/issue/50037/641483>
- [11] Zankina, Emaila. "A delicate balancing act: Turkish-Bulgarian relations within the context of foreign and domestic politics." Southeast European and Black Sea Studies, vol. 22, no. 1, 2022, pp. 65-81.
- [12] "Bulgaria." European Commission, 2023.  
<https://eurydice.eacea.ec.europa.eu/national-education-systems/bulgaria/population-demographic-situation-languages-and-religions>
- [13] Bechev, Dimitar. "A rival or an awkward partner? Turkey's relationship with the West in the Balkans." Southeast European and Black Sea Studies, vol, 22, no, 1, 2022, pp. 11-24.
- [14] Nikolov, Krassen. "Erdogan 'openly interferes' in Bulgarian politics, pundits say". EURACTIV 18 December 2020.  
<https://www.euractiv.com/section/global-europe/news/erdogan-openly-interferes-in-bulgarian-politics-pundits-say/>
- [15] Mihaylov, Valentin. "Bulgaria's Geopolitical and Geoeconomic Reorientation (1989-2019)." Journal of Geography, Politics and Society, vol, 9, no, 4, 2019, pp. 12-13.
- [16] Dimitrova, L, Antoaneta. "Battered by Geopolitical Winds, Bulgaria Struggles to Restart Much Needed Reforms". Journal of Common Market Studies, vol. 60, 2022, pp. 88-100.
- [17] Costu, Safak. "Unraveling the Intricacies of Bulgarian Politics: A Deep Dive into the Role of the Movement for Rights and Freedoms (DPS)". BNN 26 November 2023.  
<https://bnn.network/politics/unraveling-the-intricacies-of-bulgarian-politics-a-deep-dive-into-the-role-of-the-movement-for-rights-and-freedoms-dps/>
- [18] Koseva, Denitsa. "Tensions between Bulgaria and Turkey escalate ahead of Bulgaria's presidential election runoff." Bne Intellinews, 21 November 2021.  
<https://www.intellinews.com/tensions-between-bulgaria-and-turkey-escalate-ahead-of-bulgaria-s-presidential-election-runoff-227629>
- [19] "Radev supporters counter Bulgarian government's national day pick." EURACTIV, 4 September 2023.  
<https://www.euractiv.com/section/politics/news/radev-supporters-counter-bulgarian-governments-national-day-pick/>
- [20] "We Continue the Change-Democratic Bulgaria coalition presents proposed amendments to constitution". The Sofia Globe, 23 July 2023.  
<https://sofiaglobe.com/2023/07/23/we-continue-the-change-democratic-bulgaria-coalition-presents-proposed-amendments-to-constitution/#:~:text=The%20amendments%20envisage%20restructuring%20the,term%20limits%20for%20municipal%20mayors>
- [21] Glenny, Misha. "The Balkans 1804-1999: Nationalism, War and the Great Powers." London: Granta Publications.
- [22] Telci, Ismail Numan and Peneva, Aydzhana Yordanova. "Turkey and Saudi Arabia as Theo-political Actors in the Balkans: The Case of Bulgaria". Insight Turkey, vol, 21, no, 2, 31 May 2019.  
<https://www.insightturkey.com/articles/turkey-and-saudi-arabia-as-theo-political-actors-in-the-balkans-the-case-of-bulgaria>
- [23] Ibid
- [24] The Black Sea Economic Cooperation (BSEC). 2023.  
<http://www.bsec-organization.org/related-bodies#:~:text=The%20Black%20Sea%20Trade%20and,Russia%2C%20T%2C%20C%20Crkiye%2C%20and%20Ukraine>
- [25] Demirtaş-Coşkun, Birgül. "Turkish-Bulgarian Relations in the Post-Cold War Era: The Exemplary Relationship in the Balkans." The Turkish Year book, 2001.  
<https://dergipark.org.tr/tr/pub/tyir/issue/50037/641483>
- [26] "Bulgaria's largest trade partners. World Integrated Trade Solution", 2021.  
<https://wits.worldbank.org/CountrySnapshot/en/BGR/textview>
- [27] Türkiye's largest trade partners. World Integrated Trade Solution, 2021.  
<https://wits.worldbank.org/CountryProfile/en/Country/TUR/Year/LTST/TradeFlow/Import/Partner/all/>

[28] "Relations between Türkiye and Bulgaria". Republic of Türkiye Ministry of Foreign Affairs, 2023.

<https://www.mfa.gov.tr/relations-between-turkey-and-bulgaria.en.mfa#:~:text=Relations%20between%20T%C3%BCrkiye%20and%20Bulgaria%20%2F%20Republic%20of%20T%C3%BCrkiye%20Ministry%20of%20Foreign%20Affairs&text=Political%20Relations%20%3A,friendly%2C%20neighborly%20and%20allied%20countries>

[29] "EU-Türkiye Customs Union." European Commission, 2023.

<https://trade.ec.europa.eu/access-to-markets/en/content/eu-turkiye-customs-union>

[30] "Relations between Türkiye and Bulgaria". Republic of Türkiye Ministry of Foreign Affairs, 2023.

<https://www.mfa.gov.tr/relations-between-turkey-and-bulgaria.en.mfa#:~:text=Relations%20between%20T%C3%BCrkiye%20and%20Bulgaria%20%2F%20Republic%20of%20T%C3%BCrkiye%20Ministry%20of%20Foreign%20Affairs&text=Political%20Relations%20%3A,friendly%2C%20neighborly%20and%20allied%20countries>

[31] Dema, Violeta. "Turkey's Soft Power Policy Towards the Balkans." *International Journal*, vol. 2, no. 2, 2023, pp. 49-53.

<https://scienceij.com/index.php/sij/article/view/24>

[32] Ibid

[33] Museyibov, Ayaz. "The South Caucasus and Central Asia: Diversifying the EU Gas Market." *Eurasia Daily Monitor* Vol, 19, no, 65, 4 May 2022.

<https://jamestown.org/program/the-south-caucasus-and-central-asia-diversifying-the-eu-gas-market/>

[34] Bovenizer, Noah. "Final phase begins on Turkey-Bulgaria high speed railway." *Railway Technology*, 25 July 2023.

<https://www.railway-technology.com/news/final-phase-turkey-bulgaria-railway/>

[35] Sabadus, Aura. "Turkey, Bulgaria deal may open backdoor to Russian gas in EU." *Independent Commodity Intelligence Services (ICIS)*, 24 July 2023.

<https://www.icis.com/explore/resources/news/2023/07/24/10908128/turkey-bulgaria-deal-may-open-backdoor-to-russian-gas-in-eu/>

[36] Kobeszko, Łukasz, Łoskot-Strachota, Agata, and Michalski, Adam. "Bulgaria steps up its gas cooperation with Turkey." *The Centre for Eastern Studies (OSW)*, 11 January 2023.

<https://www.osw.waw.pl/en/publikacje/analyses/2023-01-11/bulgaria-steps-its-gas-cooperation-turkey>

[37] "Russia and Türkiye: The 2023 Trade and Investment Dynamics." *Russia Briefing* 1 September 2023.

<https://www.russia-briefing.com/news/russia-and-turkey-the-2023-trade-and-investment-dynamics.html/>

[38] Sabadus, Aura. "Turkey's New Gas Hub Could be a Boon for a Beleaguered Russia." *RUSI* 6 November 2023.

<https://rusi.org/explore-our-research/publications/commentary/turkeys-new-gas-hub-could-be-boon-beleaguered-russia>

[39] Pécout, Adrien. "Europe has increased its imports of Russian gas by sea, regardless of the war in Ukraine." *Le Monde* 13 September 2023.

[https://www.lemonde.fr/en/energies/article/2023/09/13/despite-the-war-in-ukraine-europe-has-increased-its-imports-of-russian-natural-gas-by-sea\\_6133777\\_98.html](https://www.lemonde.fr/en/energies/article/2023/09/13/despite-the-war-in-ukraine-europe-has-increased-its-imports-of-russian-natural-gas-by-sea_6133777_98.html)

[40] Nikolov, Krassen. "Bulgaria sends largest military aid package to Ukraine." *EURACTIV* 14 July 2023.

<https://www.euractiv.com/section/politics/news/bulgaria-sends-largest-military-aid-package-to-ukraine/>

[41] Zankina, Emaila. "A delicate balancing act: Turkish-Bulgarian relations within the context of foreign and domestic politics." *Southeast European and Black Sea Studies*, vol. 22, no. 1, 2022, pp. 65-81.

<https://www.tandfonline.com/doi/abs/10.1080/14683857.2021.2024990?tab=permissions&scroll=top>

[42] "Since the beginning of Russia's aggression against Ukraine, Bulgaria's ruling elite has pursued a foreign policy that can be described as a "geopolitical twine": NISS expert took part in an international webinar". *National Institute For Strategic Studies* 8 June 2021.

<https://niss.gov.ua/en/news/niss-news/beginning-russias-aggression-against-ukraine-bulgarias-ruling-elite-has-pursued>

[43] Jack, Victor. "Bulgaria accelerates end of sanctions loophole that earned Russia €1B" *Politico*, 17 November 2023.

<https://www.politico.eu/article/bulgaria-accelerates-end-of-sanctions-loophole-that-earned-russia-elb/>

[44] Camut, Nicolas. "Pro-Russian protesters vandalize EU offices in Bulgaria." *Politico* 22 May 2023.

<https://www.politico.eu/article/pro-russia-revival-party-bulgaria-protesters-vandalize-eu-offices-in-sofia/#:~:text=Demonstrators%20splash%20building%20with%20red%20paint.&text=Supporters%20of%20the%20pro%2DRussian,capital%20during%20a%20protest%20Sunday>

[45] Vassilev, Ilian. "Bulgaria's Schizophrenic Energy and Defence Policy." *New Geopolitics*, September 2023.

<https://www.newgeopolitics.org/2023/09/18/bulgarias-schizophrenic-energy-and-defence-policy/>

[46] "Russia and Türkiye: The 2023 Trade and Investment Dynamics." *Russia Briefing* 1 September 2023.

<https://www.russia-briefing.com/news/russia-and-turkey-the-2023-trade-and-investment-dynamics.html/>

[47] "Migratory Routes." *Frontex*, 2023.

<https://www.frontex.europa.eu/what-we-do/monitoring-and-risk-analysis/migratory-routes/western-balkan-route/>

[48] "Bulgarian policeman shot dead patrolling Turkish border for migrants." *BBC*, 8 November 2022.

<https://www.bbc.co.uk/news/world-europe-63555609>

[49] Zankina, Emaila. "A delicate balancing act: Turkish-Bulgarian relations within the context of foreign and domestic politics." *Southeast European and Black Sea Studies*, vol. 22, no. 1, 2022, pp. 65-81.

[50] Mihaylov, Valentin. "Bulgaria's Geopolitical and Geoeconomic Reorientation (1989-2019)." *Journal of Geography, Politics and Society*, vol, 9, no, 4, 2019, pp. 12-13.

[https://cejsh.icm.edu.pl/cejsh/element/bwmeta1.element.ojs-doi-10\\_26881\\_jpgs\\_2019\\_4\\_02](https://cejsh.icm.edu.pl/cejsh/element/bwmeta1.element.ojs-doi-10_26881_jpgs_2019_4_02)

[51] Maisel, Adam and DuVal, Will. "Do Bulgaria's Historical Russian Ties Spell Trouble for NATO and the Black Sea Region?" *Atlantic Council* 4 May 2017.

<https://www.atlanticcouncil.org/blogs/natosource/do-bulgaria-s-historical-russian-ties-spell-trouble-for-nato-and-the-black-sea-region/>

[52] Nikolov, Krassen. "Bulgarian parliament elects pro-EU government that can help Ukraine". EURACTIV 7 June 2023.  
<https://www.euractiv.com/section/politics/news/bulgarian-parliament-elects-pro-eu-government-that-can-help-ukraine/>

[53] Cokelaere, Hanne and Lynch, Suzanne. "Von der Leyen wants Bulgaria, Romania in Schengen ASAP." Politico, 13 September 2023.  
<https://www.politico.eu/article/von-der-leyen-bulgaria-and-romania-in-schengen-without-any-further-delay/>

[54] "Migratory Routes." Frontex, 2023.  
<https://www.frontex.europa.eu/what-we-do/monitoring-and-risk-analysis/migratory-routes/western-balkan-route/>

[55] "Bulgarian policeman shot dead patrolling Turkish border for migrants." BBC, 8 November 2022.  
<https://www.bbc.co.uk/news/world-europe-63555609>

[56] Zankina, Emaila. "A delicate balancing act: Turkish-Bulgarian relations within the context of foreign and domestic politics." Southeast European and Black Sea Studies, vol. 22, no. 1, 2022, pp. 65-81.

[57] Mihaylov, Valentin. "Bulgaria's Geopolitical and Geoeconomic Reorientation (1989-2019)." Journal of Geography, Politics and Society, vol. 9, no. 4, 2019, pp. 12-13.  
[https://cejsh.icm.edu.pl/cejsh/element/bwmeta1.element.ojs-doi-10\\_26881\\_jpgs\\_2019\\_4\\_02](https://cejsh.icm.edu.pl/cejsh/element/bwmeta1.element.ojs-doi-10_26881_jpgs_2019_4_02)

[58] Maisel, Adam and DuVal, Will. "Do Bulgaria's Historical Russian Ties Spell Trouble for NATO and the Black Sea Region?" Atlantic Council 4 May 2017.  
<https://www.atlanticcouncil.org/blogs/natosource/do-bulgaria-s-historical-russian-ties-spell-trouble-for-nato-and-the-black-sea-region/>

[59] Nikolov, Krassen. "Bulgarian parliament elects pro-EU government that can help Ukraine". EURACTIV 7 June 2023.  
<https://www.euractiv.com/section/politics/news/bulgarian-parliament-elects-pro-eu-government-that-can-help-ukraine/>

[60] Cokelaere, Hanne and Lynch, Suzanne. "Von der Leyen wants Bulgaria, Romania in Schengen ASAP." Politico, 13 September 2023.  
<https://www.politico.eu/article/von-der-leyen-bulgaria-and-romania-in-schengen-without-any-further-delay/>

[61] "Nikolov, Krassen. "Bulgaria wants Euro as parallel currency, begins talks with EU Commission". 29 June 2023.  
<https://www.euractiv.com/section/politics/news/bulgaria-wants-euro-as-parallel-currency-begins-talks-with-eu-commission/>

## Tracking Actors in the North Kosovo Crisis

Carolina Muzzillo

### Key Takeaways

- On 24 September 2023, Serbian groups carried out an attack in Bangka (north of Kosovo attack) on Kosovar police, which resulted in the murder of the Kosovan police officer Afrim Bunjaku.
- Northern Brigade and Civil Protection have been declared by the Kosovar Minister of Interior to be partly involved in the attack. The Kosovar government declared both groups as terrorist organizations already on 25 June 2023.
- On the 3 October 2023, Kingpin Radiomic, the vice-president of Srpska Lista, a party supported by Belgrade and representing Kosovo Serbs, acknowledged orchestrating an armed operation involving a group of Serbs in northern Kosovo. Consequently, he was apprehended and held in custody in Serbia. Recently, Radiomic has been released and is currently at liberty in Serbia.

The attack in Banjska conducted by Serbian groups against Kosovar police in Banjska has shaken again the precarious situation in North Kosovo. The incident revolved around a Serbian Orthodox monastery close to the village of Banjska in a predominantly Serb-inhabited area[1]. Reports from authorities in Kosovo and Serbia confirmed the deaths of one police officer and three of the assailants involved in the shootout[2]. The Banjska attack is not an isolated event, rather the last piece of a concatenated escalation of events that have taken place in North Kosovo since the license plate crisis in August 2022[3]. The crisis protracted in May 2023 with the

protests following the establishment of Albanian majors in Serb-majority municipalities in the North of the country, caused by the electoral boycott from the Kosovo Serbs[4]. As peace and security in Kosovo are rendered at stake, the worsening relations between Pristina and Belgrade exacerbate the backsliding of the Serbia-Kosovo dialogue[5]. The ongoing global crisis has the potential to serve as a catalyst for the emergence of local hotspots, escalating the risk of additional crises. In many instances, the participation of diverse actors leads to ambiguity and confusion, particularly in relation to the fragmentation and polarization of information channels. There is indeed a need for specific analyses that elucidate the involvement and nature of various entities in each focal area pertinent to peace and security issues. Such analyses can prove beneficial in assessing the severity of these crises more thoroughly, especially considering



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the lack of information and gaps in identifying and policy-targeting the actors involved. This analysis scrutinizes the actors involved in these recent events in Northern Kosovo to illustrate their identity and scope, and determine the influence of third parties, such as Serbia and Russia through the alleged logistical and material support to the non-state actors involved (e.g., through training, logistical assistance, ammunition, etc.) aimed at further destabilising the regional security in the Western Balkans.

## Unfolding the report on the Banjska attack: who are the actors involved?

A report published by Kosovo's Ministry of Affairs, [6] implies that the actors involved in the crisis include two militant groups –the Northern Brigade and Civil Protection–, the Srpska Lista, led by Milan Radiomic, and the alleged interference of Serbia and Russia.

On 20 October 2023, Kosovo's Ministry of Affairs (MFA) released a 50-page report on the 24 September 2023, terrorist attack in Banjska, asserting that the armed group responsible for the attack entered through Izvor, an illegal crossing point connecting Bangka in Zvecan and Novi Pazar in Serbia[7]. The Report provides evidence, notably photos, from the mobile phones of the group that carried the attack in Banjska[8]. A picture extracted from a mobile device belonging to a group member that participated in the attack shows Uglesha Jaredić, the former leader of the Kosovo Police Special Units in the northern region of Mitrovica, in a car with two other people in military uniforms, showing his alleged involvement in the attack[9].



Uglesha Jaredić, 23 September 2023. Source: KALLXO.com

Besides Jaredić, the report mentions Stefan Jovanovic and Millun Milenkovic as instrumental actors in the Banjska attack. Millun Milenkovic, known by the nickname "Llune" is described as one of the leaders of the group "Civil Protection" and deputy commander of the "Northern Brigade" who also led the group attacking KFOR troops[10]. The Kosovar MFA provided the information that Jovanovic's Serbian ID card was found in Banjska on the day of the aggression, further tying him to the terrorist group[11]. Jovanovic has also been identified to have participated in attacks on KFOR troops in Zvecan on 29 May 2023. The report exposes a complex web of connections, portraying Jaredić, Jovanovic, and Milenkovic as central figures in these incidents, emphasizing the need for comprehensive action to halt their action to ensure stability in Kosovo.[12]

## Norther Brigade and Civil Protection

The report published by Kosovo's MFA, indicates the primary involvement of Northern Brigade and Civil Protection (declared as terrorist groups by the Minister of Interior of Kosovo)[13]. Already in June 2023, the Kosovar Government designated the Northern Brigade and Civil Protection terrorist organizations[14]. The Srpska Lista, representing the Serbian minority in Kosovo, denied their existence, while Kosovo Prime Minister Kurti alleged the groups were training in Serbia to attack local and international institutions[15]. The U.S. State Department criticized Kosovo for labeling Serbian groups as "terrorists" without consultation, urging restraint[16], while the EU deemed it unhelpful in de-escalating tensions in northern Kosovo[17]. Similarly, the European Union described the designation as a "unilateral step" not contributing to de-escalating the situation in northern Kosovo[18] After the Banjska attack on 24 September 2023, the Kosovo Minister of Interior said the attackers included members of the Civil Protection and Northern Brigade.[19]

### Civil Defence

Since the end of the Kosovo War in 1999, different militant groups supported by Serbia have been operating in Kosovo, including the Civil Defense[20]. According to a study conducted jointly by the Belgrade Center for Security Policy and the Kosovo Center for Security Studies in 2015, Civil Protection was seen by the Serbian community in the north of Kosovo's institutions; however, the group kept operating in the northern part of the country[24]. Kosovo as a civilian structure whose sole purpose was to provide assistance to the civilian population in emergency situations especially related to natural hazards, while the Government of Kosovo considers it an illegal paramilitary formation that functions outside the legal and institutional framework of Kosovo[21]. The group initially had about 500 members, increasing to over 750 in 2013–2014[22]. The Brussels Agreement of 2013 (aimed at normalising the relationship between Kosovo and Serbia), foresaw the dissolution of all parallel Serbian security structures that exist in Kosovo, including the Civil Defense[23]. In 2016, 500 members were integrated into Kosovo's institutions; however, the group kept operating in the northern part of the country[24].

### The Norther Brigade

The Northern Brigade, a nebulous group in northern Kosovo, gained attention with graffiti in Mitrovica and other municipalities, bearing its logo and the Serbian inscription "Northern Brigade" in August 2022[25]. The graffiti contained inscriptions like "from November 21 [the date when the Kosovo government was expected to start applying fines for license plates] will be everyone's duty to resist every step of the way"[26] and that they do not intend to "leave Kosovo", addressing the Kosovo Authorities[27]. Unlike the Civil Defense, little is known about this group, including its members, backers, and specific roles. Despite uncertainties about the group's origins and activities, tensions in the north have increased, accompanied by more frequent calls from the Northern Brigade towards the

Serbian community to uprising against Kosovo's institutions and their alleged oppressive policies towards them[28]. Although the organization operates on social media platforms like Telegram, its identity and purpose remain undisclosed.[29]

However, according to the previously mentioned report from Kosovo's Foreign Affairs Ministry, Millun Milenkovic, alias Llune, was identified as one of the leaders of Civil Protection and currently serves as the deputy commander of the Northern Brigade[30]. Already since June 2023, "Llune" had a prominent role in the Civil Defense organization during protests in Leposavic, Zubin Potok, and Zveçan, which escalated to an attack on KFOR soldiers[31]. Since August 2022, Civil Defense members started identifying as the Northern Brigade, marking northern Kosovo cities with this name[32]. The document notes that Llune declared himself the deputy commander of the Northern Brigade. Further, the report emphasizes Milenkovic's influential role and the transformation of Civil Defense into the Northern Brigade.[33]



Grffiti left by the Northern Brigade in the city of Mitrovica, reciting: "Since November 21, it is everyone's duty to resist at every step! North Brigade". Politiko, 13 November 2023.

### The Srpska Lista

After the Banjska attack, Prime Minister Albin Kurti disclosed the discovery of a substantial cache of weaponry and ammunition within a monastery, an arsenal,

valued at approximately five million euros originally from Serbia, featuring items like hand grenades and machine guns, not typically accessible in the regular market[34]. Given the origin of the ammunitions, Kurti explicitly accused Serbia of participating in the preparation of the Banjska attack, alleging President Aleksandar Vucic's involvement in a conspiracy aimed at destabilizing Kosovo and provoking conflict [35]. The former vice president of the Srpska Lista, Radoicic, unequivocally confirmed his involvement in the attack on 24 September 2023. His attorney, Goran Petronijevic, emphasized that they were not terrorists but fighters for the freedom of their people[36]. In an unexpected turn, Radoicic resigned from the role of Vice President of Lista Srpska, stating explicitly that he was not acting on behalf of the political party during the attack in Kosovo.[37] Consequently, President Kurti asserted that Milan Radoicic, did not act on his own, but executed Serbian President's orders, an accusation that was rejected by Vucic[38].

## Serbia

In the report released by the Kosovo's Ministry of Affairs, Serbia's link to the attack is illustrated first through the figure Radoičić. He is described as a longstanding ally of Serbian President Vučić, holding significant political, business, and criminal influence, appointed by Vučić as the deputy chair of the Srpska Lista in Kosovo[39]. The report, supported by a photo from the event, alleged that weapons found in Banjska, associated with an attack in northern Kosovo, were not available on the black market and were produced in Serbia and Russia, suggesting both state's involvement[40]. Additionally, the report alleges that Serbia maintains up to 48 "forward operating" bases of its army near the Kosovo border, supported by images of paramilitary training on 20 September 2023, at the military base Pasuljanske Livade in Serbia[41]. Also, a BIRN investigation hinted at the weapons passing through Serbian state hands, however, Serbia vehemently denied any role in the Banjska attack. [42]

Considering the above, alongside Radoičić's presence at a Serbian Army demonstration on 22 April 2023, Kosovo's Prime Minister Kurti asserted that the attack aimed to sow instability in northern part of Kosovo, accusing Vučić of manipulating Kosovo Serb politicians for the benefit of Belgrade, namely invading Kosovo and annexing the northern part of the region.[43].

## Private Military Companies in the current North Kosovo crisis?

It is worth exploring the possibility of involvement of Russian Private Military Companies (PMCs) in the North Kosovo crisis, who might have assisted local actors through logistical, human and ammunition support. Indeed, concerning the Banjska attack, Kosovo's Minister, Xhelal Svecla, expressed concerns about individuals from Russia being trained in camps in Serbia, and the MFA report suggested Russian connections to groups operating in North Kosovo. Svecla indeed reported that the Kosovo authorities detected individuals coming from Russia, also providing equipment like uniforms, personal armor, Kalashnikovs, sniper rifles, and pistols, therefore implying logistical support equipment and weaponry for an entire battalion[44].

At the beginning of 2023, Skender Perteshi, researcher at the Kosovo Centre for Security Studies claimed that the Russian PMC Wagner is actively operating in the Western Balkans with the goal of destabilizing the region[45]. Perteshi alleges that Wagner acts under the directives of President Vladimir Putin, aiming to keep Kosovo and other Western Balkan countries in a state of tension and conflict, emphasizing the existence of a Russian liaison office in Pristina, suggesting its role in gathering information about Kosovo and regional security[46].

A more recent development pointed to Wagner and other Russian PMCs recruiting Serbian "volunteers" to fight in Ukraine, emphasizing Moscow's strategy to disrupt the region's integration with the West[47].

However, KFOR Commander Angelo Michele Ristuccia denied evidence of Wagner's presence in Kosovo in February 2023.[48] In October 2023, Kosovo Police chief Gazmend Hoxha claimed that constant employment of "Z" signs, symbolizing support for Russia's invasion of Ukraine, by the Northern Brigade and Civil Defense, added the possibility of a linkage between the two militant groups and Russia in the context of the Banjska incident. According to Hoxha, this might suggest the possibility of co-operation and bilateral support between Russian and Serbian groups. Also, Avni Islami, professor at the AAB University of Pristina, referred to the groups involved in the recent crisis in Northern Kosovo as "uniforms that are reminiscent of the Wagner group of Russian mercenaries. It seems that this structured group was an imitation of the Wagner group"[49]. Furthermore, the Kosovo Police's confiscation of Russian-manufactured weapons and equipment, including four-wheeled motorbikes. Hoxha disclosed that the confiscated arsenal contained items produced in Russia, indicating potential donations to the Serbian Army and police.[50]

## Conclusion

In the context of the North Kosovo crisis, the alleged involvement of the Northern Brigade, Civil Protection, and Srpska Lista, mainly through Milan Radoicic shed light on the necessity to further investigate the role and identity of state and non-state actors involved in events relevant to the maintenance of peace and security.

The Kosovo authorities' allegations against Serbia in planning the attack contribute to the broader narrative of external interference, extending also to the possible involvement of Private Military Companies (PMCs) from Russia like the Wagner group. This raises significant concerns regarding the normalisation of the relationship between Kosovo and Serbia. PMCs can be described as problematic for peace and security in the region as they are often

involved in support of non-state armed groups, often used to exercise influence over unstable areas. Furthermore, PMCs are not sufficiently subject to international regulation, as few states have adopted adequate measures. Indeed, states struggle with inadequate control over PMCs' actions, accountability, and cross-border operations. Simultaneously, territorial states lack regulatory frameworks, highlighting the need for an interconnected legal system to improve monitoring and addressing abuses by both local and international PMCs. Furthermore, PMCs are often responsible of harmful practices, violation of human rights, and training and support to paramilitary groups and other radical groups. An issue brief from the Centre of Civilians in Conflict provided a list of challenges and obstacles in the monitoring, regulation, and definition of Private Military Companies, such as 1) insufficient national legislative or regulatory frameworks and 2) definitional challenges and their implications for legal and regulatory regime applicability[51]. Drawing from their report, the same could be applied to the nebulous non-state actors allegedly involved in the crisis in Northern Kosovo.

The involvement of various local and external actors emphasizes the need for efforts in tracking and analysing the nature of those entities involved. This type of analysis allows for a better understanding of the local actors' scope and actions and the possible external involvement of foreign powers in potentially destabilizing the internal situation of, in this specific case, Kosovo. Ongoing scrutiny among involved parties is crucial to ensure stability and peace in the region, recognising the challenges posed by the elusive nature of nebulous groups and the complexity of analysing the nature, scope, and actions of non-state actors such as militant groups and Private Military Companies might be helpful in drawing targeted policies to mitigate the possible explosion of further tensions and to regulate them from a legislative point of view.

## Recommendations

- It is essential to provide identification and correct definition of every involved non-state actor and militant group to monitor their possible harmful actions and their role to guarantee more concrete and practical conflict analysis. To accomplish this, advocating for independent research and analysis of those entities could be advantageous.
- The provision under the Brussels Agreement of 2013 regarding the dissolution of all parallel Serbian security structures in Kosovo has not been successfully implemented. It is necessary to rethink a new strategy for the integration of all parallel Serbian security structures into parallel Kosovo structures. Yet, for the effective implementation of normalization provisions between Pristina and Belgrade, broadly categorizing non-state actors as "terrorists" may prove ineffective. This could exacerbate tensions and radicalize the minority population. Establishing the Association of Serb Majority Municipalities is crucial for addressing these challenges.

## Sources

- [1] Fatos Bytyci and Daria Sito-sucic, "Serb gunmen battle police in Kosovo monastery siege; four dead", Reuters, 25/09/2023. <https://www.reuters.com/world/europe/one-police-officer-killed-another-injured-kosovo-gunfire-pm-kurti-2023-09-24/>
- [2] Fatos Bytyci, Daria Sito-Sucic Serb gunmen battle police in Kosovo monastery siege; four dead, Reuters, September 25, 2023 <https://www.reuters.com/world/europe/one-police-officer-killed-another-injured-kosovo-gunfire-pm-kurti-2023-09-24/>
- [3] Alice Taylor, "Kosovo government postpones plan for volatile north after tensions with Serbia rise", Euractiv, 1/08/2023. <https://www.euractiv.com/section/enlargement/news/kosovo-government-postpones-plan-for-volatile-north-after-tensions-with-serbia-rise/>
- [4] Marko Prelec, "Behind the Renewed Troubles in Northern Kosovo", International Crisis Group, 7/06/2023. <https://www.crisisgroup.org/behind-renewed-troubles-europe-balkans-northern-kosovo>
- [5] Radio Free Europe, "Banjska Attack Has Been Setback For Serbia-Kosovo Dialogue Process, U.S. Ambassador Says", 27/10/2023, Radio Free Europe. <https://www.rferl.org/a/32657098.html>
- [6] REPUBLIC OF KOSOVA Ministry of Foreign Affairs a REPUBLIC OF KOSOVA Ministry of Foreign Affairs and Diaspora, "PRELIMINARY REPORT Initial Analysis of Serbia's Paramilitary Aggression on Kosova", 20/10/2023. [https://reporteri.net/wp-content/uploads/2023/11/Preliminary\\_Report\\_%E2%80%93\\_Serbi as\\_Aggression\\_on\\_Kosova\\_on\\_Sep\\_24\\_2023-1.pdf](https://reporteri.net/wp-content/uploads/2023/11/Preliminary_Report_%E2%80%93_Serbi as_Aggression_on_Kosova_on_Sep_24_2023-1.pdf)
- [7] Ardita Zeqiri and Adelina Ahmeti, 'Kosovo's Report Reveals Banjska Terrorist Attack Details', Prishtina Insight, 27/10/2023. <https://prishtinainsight.com/kosovos-report-reveals-banjska-terrorist-attack-details-mag/>
- [8] Ibidem
- [9] Adelina Ahmeti, 'Grupi terrorist dyshohet se u nis nga Novi Pazari për në Banjskë pasditen e 23 shtatorit', Kallxo 26.10.2023. <https://kallxo.com/lajm/grupi-terrorist-dyshohet-se-u-nis-nga-novi-pazari-per-ne-banjske-pasditen-e-23-shtatorit/?fbclid=IwAR2T5IXDtvOYROUq6B7sfk3yHiwvXic-4dsXzdlgbhVYsNHBvONkuCPIY>
- [10] Adelina Ahmeti, 'Raporti i MPJ-së: "Llune" një nga drejtuesit e "Mbrojtës Civile" dhe zëvendëskomandant i "Brigadës së Veriut"', Kallxo 26.10.2023. [https://kallxo.com/lajm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtetes-civile-dhe-zevendeskmandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJa\\_SfRsg3HLdIIZL4b2uhK-VOYU4cMWwZIC6z3AL4bKQw](https://kallxo.com/lajm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtetes-civile-dhe-zevendeskmandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJa_SfRsg3HLdIIZL4b2uhK-VOYU4cMWwZIC6z3AL4bKQw)
- [11] Ibidem
- [12] Adelina Ahmeti, 'Raporti i MPJ-së: "Llune" një nga drejtuesit e "Mbrojtës Civile" dhe zëvendëskomandant i "Brigadës së Veriut"', Kallxo 26.10.2023. [https://kallxo.com/lajm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtetes-civile-dhe-zevendeskmandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJa\\_SfRsg3HLdIIZL4b2uhK-VOYU4cMWwZIC6z3AL4bKQw](https://kallxo.com/lajm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtetes-civile-dhe-zevendeskmandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJa_SfRsg3HLdIIZL4b2uhK-VOYU4cMWwZIC6z3AL4bKQw)
- [13] Bekim Bislimi Dragan Stavljanin, 'Who Was Behind The Deadly Attack At The Orthodox Monastery In Kosovo?', Radio Free Europe, 26 September 2023.
- [14] Ardita Zeqiri and Adelina Ahmeti, 'Kosovo's Report Reveals Banjska Terrorist Attack Details', Prishtina Insight, 27/10/2023.
- [15] Fatos Bytyci, 'Kosovo designates two Serb groups as terrorist organisations' Reuters, June 29, 2023.
- [16] "This decision should have been coordinated with Kosovo's closest international partners, including those who have a primary responsibility to ensure Kosovo's stability. We again call on Kosovo to refrain from unilateral steps while working with the parties to resolve the current crisis". "Stejt Department: Odluka Kosova o terorističkim organizacijama donesena bez koordinacije sa SAD", Radio Free Europe, 29/06/2023.
- [17] U.S. Says Not Consulted Before Kosovo Declared Serbian Groups 'Terrorist', RadioFreeEurope, 30/06/2023.
- [18] United Nations Interim Administration Mission in Kosovo, Report of the Secretary-General , 5 October 2023
- [19] U.S. Says Not Consulted Before Kosovo Declared Serbian Groups 'Terrorist', RadioFreeEurope, 30/06/2023.
- [20] Ibidem
- [21] Isidora Stakić and Maja Bjeloš, "Budućnost Civilne zaštite na severu Kosova", Beograd : Beogradski centar za bezbednosnu politiku and Priština : Kosovski centar za studije bezbednosti, 2015.
- [22] 'What do the Civil Defense and the Northern Brigade do?', Kosova Press, October 2023.
- [23] Isidora Stakić and Maja Bjeloš, "Budućnost Civilne zaštite na severu Kosova", Beograd : Beogradski centar za bezbednosnu politiku and Priština : Kosovski centar za studije bezbednosti, 2015. [https://bezbednost.org/wp-content/uploads/2020/06/buducnost\\_civilne\\_zastite\\_na\\_severu\\_kosova.pdf](https://bezbednost.org/wp-content/uploads/2020/06/buducnost_civilne_zastite_na_severu_kosova.pdf)
- [24] 'What do the Civil Defense and the Northern Brigade do?', Kosova Press, October 2023. <https://kosovapress.com/en/%E2%80%8Bccka-bejne-mbrojtja-civile-dhe-brigada-veriore/>
- [25] Ibidem.
- [26] Maja Ficovic 'Graffiti And Resistance As Kosovo Readies Fines For Old Serbian License Plates.' Radio Free Europe, November 18, 2022. <https://www.rferl.org/a/kosovo-serbian-license-plates-fines-resistance-graffiti/32137397.html>
- [27] "Northern Brigade": We are not going anywhere, Kosovo is a holy Serbian land', Koha, June 30 2023 <https://www.koha.net/en/arboretum/383585/the-northern-brigade-is-not-going-anywhere%2C-Kosovo-is-a-holy-Serbian-land/>
- [28] Ibidem
- [29] Ibidem
- [30] REPUBLIC OF KOSOVA Ministry of Foreign Affairs and Diaspora, "PRELIMINARY REPORT Initial Analysis of Serbia's Paramilitary Aggression on Kosova", 20/10/2023. [https://reporteri.net/wp-content/uploads/2023/11/Preliminary\\_Report\\_%E2%80%93\\_Serbi as\\_Aggression\\_on\\_Kosova\\_on\\_Sep\\_24\\_2023-1.pdf](https://reporteri.net/wp-content/uploads/2023/11/Preliminary_Report_%E2%80%93_Serbi as_Aggression_on_Kosova_on_Sep_24_2023-1.pdf)

[31] Ibidem

[32] "Northern Brigade": We are not going anywhere, Kosovo is a holy Serbian land', Koha, June 30 2023 <https://www.koha.net/en/arboretum/383585/the-northern-brigade-is-not-going-anywhere%2C-Kosovo-is-a-holy-Serbian-land/>

[33] Adelina Ahmeti, 'Raporti i MPJ-së: "Llune" një nga drejtuesit e "Mbrojtës Civile" dhe zëvendëskomandant i "Brigadës së Veriut", Kallxo 26.10.2023. [https://kallxo.com/lqjm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtës-civile-dhe-zevendeskomandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJJa\\_SfRsg3HLdIIZL4b2uhK-VOYu4cMWwZ1C6z3AL4bKQw](https://kallxo.com/lqjm/raporti-i-mpj-se-llune-nje-nga-drejtuesit-e-mbrojtës-civile-dhe-zevendeskomandant-i-brigades-se-veriut/?fbclid=IwAR3AgZhrFYKE5NJJa_SfRsg3HLdIIZL4b2uhK-VOYu4cMWwZ1C6z3AL4bKQw)

[34] United Nations Interim Administration Mission in Kosovo, Report of the Secretary-General, 5 October 2023 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/281/92/PDF/N2328192.pdf?OpenElement>

[35] Ibidem

[36] Perparim Isufi and Milica Stojanovic, 'Kosovo Serb Kingpin Radoicic Takes Responsibility for Weekend Shootout' Balkan Insight, September 29 2023. <https://balkaninsight.com/2023/09/29/kosovo-serb-kingpin-radoicic-takes-responsibility-for-weekend-shootout/>

[37] Ibidem

[38] Ibidem.

[39] REPUBLIC OF KOSOVA Ministry of Foreign Affairs and Diaspora, "PRELIMINARY REPORT Initial Analysis of Serbia's Paramilitary Aggression on Kosova", 20/10/2023. [https://reporteri.net/wp-content/uploads/2023/11/Preliminary\\_Report\\_%E2%80%93\\_Serbi-as\\_Aggression\\_on\\_Kosova\\_on\\_Sep\\_24\\_2023-1.pdf](https://reporteri.net/wp-content/uploads/2023/11/Preliminary_Report_%E2%80%93_Serbi-as_Aggression_on_Kosova_on_Sep_24_2023-1.pdf)

[40] Ibidem

[41] Ibidem

[42] Al Jazeera Staff, 'Vucic 'wants war': Kosovo PM accuses Belgrade of inciting violence', Al Jazeera, 30 September 2023 <https://www.aljazeera.com/news/2023/9/30/vucic-wants-war-kosovo-pm-accuses-belgrade-of-inciting-violence>

[43] 'Kosovo's Kurti: Radoicic only executed, Vucic planned, ordered the attack' NI, 29 September 2023. <https://n1info.rs/english/news/kosovo-s-kurti-radoicic-only-executed-vucic-planned-ordered-the-attack/>

[44] Zana Cimili, Kosovo accuses Serbia of direct involvement in deadly clashes and investigates possible Russian role. The Associated Press. 28 September 2023 <https://apnews.com/article/kosovo-serbia-russia-tensions-vucic-kurti-eu-573d0b142b3985084ec868f80a6c7000>

[45] 'Perteshi: "Wagner" in the Balkans, collaborator of Serbia for destabilization', Koha, January 26 2023. <https://www.koha.net/en/arboretum/363116/Pertesh-Wagner-in-the-Balkans%2C-Serbia%27s-collaborator-for-destabilization/>

[46] Ibidem, pp.19

[47] Ibidem, pp. 9

[48] 'KFOR Commander denied Kurti: We have no evidence of Wagner's presence in Kosovo', KosovOnline, 24 February 2023. <https://www.kosovo-online.com/en/news/politics/kfor-commander-denied-kurti-we-have-no-evidence-wagners-presence-kosovo-24-2-2023>

[49] "Tko su glavni akteri krvave nedjelje: 'Oni su imitacija Wagnera, srpske vlasti su znale za njih'" Jutarnji List, 25/09/2023 <https://www.jutarnji.hr/vijesti/svijet/tko-su-glavni-akteri-krvave-nedjelje-oni-su-imitacija-wagnera-srpske-vlasti-su-znale-za-njih-15377914>

[50] Arton Konushevci 'Interview: Kosovo's Top Cop On Serbian Meddling And Why It's So Hard To Stop Weapons Smuggling' Radio Free Europe, October 08, 2023 <https://www.rferl.org/a/kosovo-police-hozha-serbian-meddling-weapons-smuggling-russia/32628366.html>

[51] "PRIVATIZING WAR: The Impact of Private Military Companies on the Protection of Civilians", Center for Civilians in Conflict (CIVIC), November 2022. [https://civiliansinconflict.org/wp-content/uploads/2022/12/CIVIC\\_PMC.pdf](https://civiliansinconflict.org/wp-content/uploads/2022/12/CIVIC_PMC.pdf)

# The State of Black Sea Security

Peter Chilvers

## Key Takeaways

- The loss of Russian influence over the Black Sea has seen its surface fleet restricted to operating from two less than adequate ports on its eastern seaboard and unable to use Sevastopol, the jewel of its crown in Crimea and the reason for the Russian annexation in 2014.
- The Black Sea is increasingly seen as a key corridor in an east-west transportation route linking China and Central Asia to Europe. Roles and influence within this strategic undertaking have become opportunities for conflict and cooperation.

- Prior to the Russian invasion of Ukraine in 2022 Europe had shied away from security confrontations with Russia, which made them the Kremlin's tool of choice[1]
- In its search for energy independence and projection of soft power and influence, the EU is planning to connect the continent with Caucasia by electric and fibre-optic cables. This may further sideline Russia and will likely be opposed by more disruptive activity.
- The Three Seas Initiative, Rule of Law (RoL) initiatives, and the application of deterrence models copied from northern Europe present opportunities for solidifying allied resolve.



Figure 1 - Detailed Map of the Black Sea[3]



## Kremlin Strategic View

Russian maritime doctrine has long established the 'basing and use of the components of the maritime potential, ensuring the protection of the sovereignty and the sovereign and international rights of the Russian Federation in the Black and Azov Seas'[2] as long-term tasks in Russia's national maritime policy and of vital national interest. The neo-realist Statist approach of the Kremlin to security was most visible in 2014 when it activated a long held contingency plan to annex Crimea and end the uncertainty of the Russian lease of the port and naval facilities in Sevastopol. Russia then used this base in its harassment of Ukrainian fishing boats and small naval craft as it built the Kerch bridge and isolated Ukraine's eastern seaboard and the port city of Mariupol. Ukraine in effect saw its commercial security and sovereignty eroded along its coastline and near coastal waters. In so doing Russia cemented its control over the Azov Sea. While it could not fully restore the Black Sea as a Russian lake, Russia could make advances in that realm and reclaimed the Sea of Azov as a Russian pond. The map at figure 1 shows the Russian internationally recognized Black Sea coast and in pink the extra-territorial coast line it now controls from Crimea to Abkhazia. Russia has doubled the length of Black Sea coastline it now controls since 2014.

The potential accession of Georgia and Ukraine into NATO would have led to the Alliance membership controlling the majority of the Black Sea littoral, leaving Russia with its small strip of Black Sea coastline between the Taman Peninsula and the North Caucasus.[4]

Russian strategic realism and its 'ways' and 'means' were moving toward the 'ends' of strategic success and compliance with its maritime doctrine until overreach in 2022. The Russian invasion of Ukraine in that year, had it been successful, would have secured the remainder of the coastline to the Danube delta, and with what the Kremlin terms a 'friendly'

government in Tbilisi, would have resulted in major strategic and commercial gains in terms of Black Sea security for Russia.

The Russian seizure of Snake Island and gas rigs in the western Black Sea was an interim attempt at isolating Ukraine by sea blockade, interdicting its maritime commercial activity which initially had some success. This activity demonstrated to the west the key strategic importance of the Black Sea. The Ukrainian push back and successful 'counter offensive' in the Black Sea in 2023 saw the recapture of Snake Island and the gas rigs close to Crimea. The development of Ukrainian longer-range missile systems and drone capability saw the Russian navy left with little choice but to withdraw from its bases in Crimea. Russian naval elements were forced to relocate to less suitable ports in Novorossiysk and Feodosia.

For Russia's president, Vladimir Putin, the recent drawbacks in the Black Sea constitute a political blow. Russia now looks weak in Crimea – which is a problem, given the central role that Crimea plays in Putin's neo-imperialist narrative.

The Kremlin's failure to fully impose a blockade on Ukrainian ports and prevent the export of vital Ukrainian grain has also been a blow to Russian prestige. Early threats of 'stop and search' and the threat of boarding ships in international waters which were intended to intimidate, have not been successful. Ukraine utilized the Danube river ports in figure 2 to outload grain, all be it in smaller amounts. At the moment 65% of Ukrainian grain currently goes out this way.[5] The ships then briefly hug the western coast into Romanian and Bulgarian NATO waters.

Before Russia's invasion, Ukraine was feeding 400 million people worldwide and accounted for 8% to 10% of global wheat exports and 10% to 12% of corn and barley exports.[7]

## Ports used to export Ukraine's grain



Figure 2 - Danube Port Map [6]

The main persisting threat to shipping is sea mines, several of which have found their way into neutral waters. Despite early suggestions by Admiral Stavridis, former Supreme Allied Commander Europe (SACEUR) that convoying commercial ships should be considered, the inhibiting issue became one of insurance costs. The threat or risk of sea mines was not satisfactorily mitigated by a convoy. Interestingly Admiral Stavridis also highlighted the rule of law issue that under international law, such blockades are illegal. There is no state of declared war between the parties (recall that in Putin's own words, Russian is merely conducting a "special military operation") and a blockade would directly curtail freedom on the high seas. [8]

In order to mitigate the Insurance shipping challenge brought about by Russian attempts at a blockade, the Ukrainian government has introduced a subsidy scheme to assist with insurance costs and with the help of allies providing intelligence, surveillance and reconnaissance capabilities Ukraine has had some success in assuring the alternative coastal corridor.

Turkey, Bulgaria and Romania have committed to a minesweeping joint force which will reduce risks further and hopefully normalise grain transportation. This represents a strong political, diplomatic and military statement in favour of the defence of freedom of navigation. As of late October, Ukraine managed to export nearly 700,000 metric tons of grain through the temporary corridor – a good start, but a fraction of the more than 30 million metric tons of food commodities exported under the grain initiative brokered with Russia by Turkey. [9]

As Russia seeks maritime security in depth, in line with its doctrine, it increases the risk that the current war in Ukraine will escalate insecurity in the lingering conflict with Georgia. The Kremlin signed a maritime security agreement with the Abkhaz government in 2009 [10] to develop a base in Ochamchire on the coast of Abkhazia. Only a few small Russian Border Guard craft have been based there since the cost of building a naval facility in anything like the size to rival Sevastopol with docks, quay sides, dry dock repair facilities and accommodation basing would be significant to say the least. None the less the recent announcement by de-facto leader of Russian-occupied Abkhazia, Aslan Bzhania, that Russia will be constructing a major facility adds to uncertainty and risk. [11] This further destabilizes Georgia-Russian relations and negatively impacts a large Georgian infrastructure port project close to the southern boundary with Abkhazia at Anaklia.

### Commercial Prospects for East and West

The recent crisis in the Black Sea region has concentrated attention and focus on the importance this area represents for European economies. China's long term plan to develop trade links with Europe and the west via its Belt and Road Initiative (BRI) and Silk Road initiatives (SRI) has seen infrastructure projects and investments in the Central Asian, Caspian and Caucasus regions, all of which will reach into and around the Black Sea and its littoral. All six littoral Black Sea states have engaged with

China under its BRI and some see Chinese influence as a way of balancing against Russia. [12] For example there is competing interest in the development of the mentioned deep sea port project in Anaklia, with both Chinese and American investment potential. China's interest is in developing its BRI and what is referred to as the 'Middle Corridor' (see figure 3) of the Black Sea is evident.[13] Similarly, American interest in the Georgian port, as headed by US Congressman Adam Kinzinger who identifies the need for America to counter Chinese influence in what has been a pro-Western country,[14] is also clear.

The growing commercial importance and therefore strategic value of the Black Sea is reinforced when one considers the development of the Short Sea Shipping (SSS) concept of the European Commission Communication COM (1999) 317 of June 1999[15] and the so called middle corridor' route linking Asia with Europe. Multi modal transportation links and supply chain resilience

will be key to economic development in the future. As logistical networks become under greater pressure and alternatives to the environmentally damaging road transport networks and the emissions which accompany that are sought, SSS is gaining in popularity.[16] The geographic networks and commercial relationships that encompass this east – west corridor which spans the Black Sea have long histories that overlay the disparate polities that currently exist from Asia to Europe and therefore offers simultaneously a route to stability and a potential for conflict.

In its recently launched Foreign Policy Concept Paper 2023 (FPC23) Russia promotes the 'improvement of infrastructure of the Western Europe–Western China International Transit Corridor', 'the Caspian and the Black Sea regions, and the Northern Sea Route'.[18] Within this policy paper one can see the importance the Kremlin also places on being a significant actor in any future Black Sea trade route.



Figure 3 – Black Sea as middle corridor [17]

## Black Sea States with Agency

Amongst the power politics at play, we need to remember that Black Sea states are themselves subjects with agency and not merely objects. The Russian ‘offer’ of statecraft and authoritarian governance is not one that resonates with the European aspiration toward democratic values. While there are political actors within Europe and in the near neighborhood who point to the achievements of Russia and the failings of liberal democracy, it is the discursive diplomacy and discursive statecraft within the European space which ultimately prevents the cooption of states and governments.

In terms of European agency, and the importance of securing Critical National Infrastructure (CNI) the EU announced a 2023 policy initiative aiming to reduce the region’s “dependency on terrestrial and fibre-optic connectivity transiting via Russia[19] See figure 4. In addition to this an electricity cable under the EU’s Global Gateway initiative is planned as an international infrastructure development programme to counter the dominance of China’s BRI, mobilising more than €300bn (\$318.41bn) in the next four years until 2027. One of its first projects is a 3GW high-voltage submarine electricity cable under the Black Sea. This project will connect the electricity systems of Azerbaijan, Georgia, Romania and Hungary, and continental Europe.[20] The European Commission has earmarked €2.3bn for it.[21] Georgia’s electricity system is 80% hydro, the preponderance of hydropower in Georgia’s electricity mix also makes it an attractive asset in the race to net zero and further diversifies away from dependency on Russia for both Europe and Georgia. See figure 5.

## Diplomacy and Lawfare

As has been seen so far, addressing security and the Black Sea region has needed a multi-faceted approach, in addition to the more traditional security modeling.

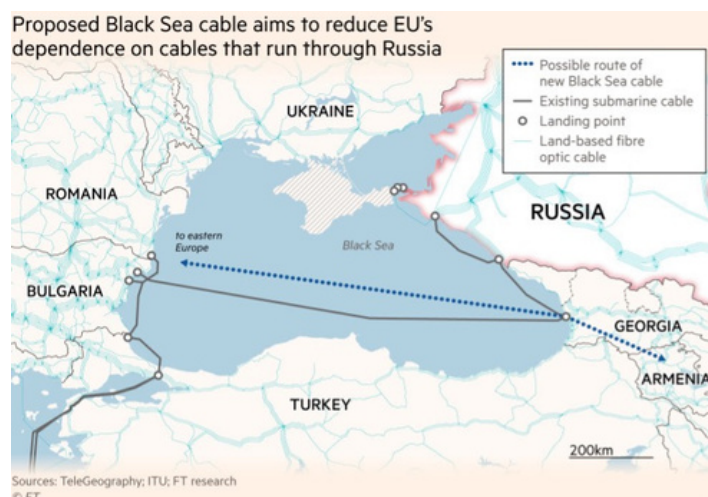


Figure 4 - Planned Internet cables [22]

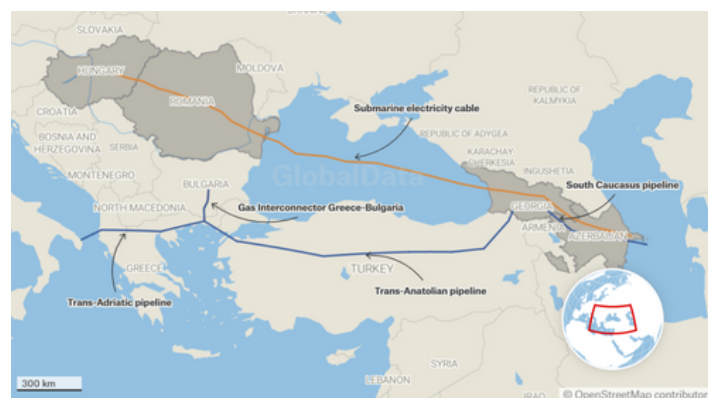


Figure 5 - Planned Electricity cable [23]

These wider challenges to European security posed in the Black Sea also demand and present opportunities for diplomatic activity. Despite its apparent failure and dismissal of relevance by some this remains an area of great potential. Allied with diplomacy, the emergence of what has been called ‘Lawfare’ has evolved. This undertaking has been described as action ‘designed to gain advantage from the greater influence that law and its processes exert over an adversary’.[24] Both approaches include actions and activities below the threshold of actual kinetic engagement.

In 2016/7, NATO established a ‘tailored Forward Presence’ (tFP) covering Romania and Bulgaria. It included a Black Sea Air Policing Mission but took a more ad-hoc approach than the formal deployment of NATO forces in the Baltic States

which function there as a 'trip-wire' to deter Russian aggression while reassuring the population. While the tFP demonstrates NATO commitment, diplomatically the asymmetry between the two NATO 'demonstrations' has the danger that it may signal the Black Sea being of lesser importance to European security. A constraint is the 1936 Montreux Convention which recognizes Turkish sovereignty over the Bosphorus Straits, grants Ankara the authority to restrict military access, and prevents non-littoral countries from possessing a permanent naval presence in the region. Overcoming these limitations and ensuring the right message is communicated is a key diplomatic task.

A March 2022 paper by Dr Alexander Lanoszka and James Rogers and supported by the former UK Secretary of State for Defence, Sir Michael Fallon, proposed the UK 'Convene a Joint Naval Force (JNF) with a specific mandate to undertake patrols under the United Nations Convention on the Law of the Sea (UNCLOS) and the Montreux Convention'.<sup>[25]</sup> There is precedence for this with the creation in 2014 of the northern Europe Joint Expeditionary Force (JEF) led by the UK Standing Joint Forces HQ at Northwood which brings together interested partner militaries both inside and outside NATO to train together and build interoperability, not least in the maritime domain. This would enhance the national resilience of countries adjacent to the Black Sea and give a diplomatic boost to western commitment.

From the RoL perspective Ukraine brought proceedings against Russia before the International Court of Justice (ICJ), the European Court of Human Rights (ECtHR), and two tribunals constituted under Annex VII of the UN Convention on the Law of the Sea (UNCLOS). Five disputes between Ukraine and Russia have also made their way to the WTO dispute settlement system<sup>[26]</sup>. Likewise the case concerning the detention of three Ukrainian naval vessels in 2018 and the judgement of the Hamburg Tribunal

under the International Tribunal for the Law of the Sea<sup>[27]</sup> should be noted.

Alongside the JEF in northern Europe is the Northern Future Forum which is an informal meeting of prime ministers, policy innovators, entrepreneurs and business leaders from the 9 nations in and around the Baltic. Replicating a similar body in the Black Sea could provide a useful platform to 'ease tensions and draw like-minded regional nations together in a common alignment'.<sup>[28]</sup>

The Three Seas Initiative (3SI) is another regional platform which could be used to reframe Black Sea security and as already been mentioned assist with discursive statecraft, something Galeotii, Lanoszka and Rogers define as the idea of 'preventing a competitor's worldview from gaining ground or to seize the initiative and reframe an area or reposition other countries – hostile or friendly – in accordance with one's own interests... and to control meaning, to compel people to frame issues, phenomena or regions in certain ways, and to deactivate alternative forms of framing'.<sup>[29]</sup> One intent would be to frame the Black Sea as an open and free area and delegitimise any attempt to shape a dominant security narrative from one nation, such as Russia.

Returning to the 3SI, this is a body which tries to link the Baltic, Adriatic and Black Sea as one economic space, expanding cross-border energy, transportation, and digital infrastructure and boost economic development. Twelve countries (see fig 6), all of which are members of the European Union, participate. The initiative is supported by the US Congress, being endorsed by a bipartisan resolution in November 2022.<sup>[30]</sup> There are other bodies which exist in the region such as the Black Sea Economic Cooperation Organisation (BSEC) which prioritises areas of cooperation such as trade and economic development, transport and communication, energy, banking and finance, agriculture and agro-industry, science and Technology and does include Russia as a member.



Figure 6 – 3SI membership[31]

Additionally there is the GUAM group of countries – Georgia Ukraine, Azerbaijan and Moldova which focus on democratic and economic development and also provides opportunities for diplomatic engagement.

## Conclusion

It is evidently necessary for Europe to reconceptualise Black Sea security in light of a consolidation of the European geo-political space. The EUs Neighborhood policy of 2004 was intended to create a zone of stability around the EU with neighbours rooted in representative democracy and free market economies. This placed it in competition with an authoritarian Kremlin which had little to offer to its former vassals by way of normative value. Against this the Black Sea became a zone of competition between two power blocks.[32] One block essentially a revisionist one which dominated the past and wishes to restore it, and another which had less past interest but is looking to build the future.

While war rages in Ukraine and the risks associated with conventional security threats are clear to all, the primary threat to the Black Sea region comes from ‘grey zone’ or non-kinetic sub-threshold challenges. From subversion and corruption

to disinformation and outright terrorism and criminality, through ‘political warfare’, the Black Sea is in a perilous and unstable situation, the likes of which have not been seen for 200 years.

Developments in and around the Black Sea also have significance for the Baltic Sea, not least because any failure in showing resolution and an ability to resist adventurism in one region may encourage challenges in the other. Black Sea States must not therefore be seen as periphery, but integral to the Mediterranean, Baltic and even the South China Sea. The Black Sea must be seen as a central ‘gateway’ between Europe and Eurasia and not as a distant margin. The Black Sea is a European Sea and as such vital for the economic stability and resilience of the continent and other Caucasus and Caspian states as well.

As we can see there many differing aspects of ‘security’ involved and this brings out the realisation that maritime security is yes, about ships and navies and hard conventional security, but its also about a lot more. Demonstrating that there is room and a need for diplomacy in the middle of what on the face of it seems to be a straight forward conventional war may not bring the war to an end, but can help prevent escalation and set the conditions for peace and prepare for a post war settlement.

In summary, while the war in Ukraine offers little opportunity for diplomacy, it does not mean diplomacy has little opportunity in the Black Sea. There are roles for traditional security, diplomacy, rule of law and judicial instruments in conflict transformation and how the future of Black Sea security is framed. The Black Sea region, more than ever before is of global significance. Despite the revanchist agenda of the Kremlin, which has shown itself an unreliable security partner, the Black Sea is no longer the Russian lake of Catherine the Great and the Soviet Union. The future of the Black Sea has great importance for both Europe and China, forming an important economic corridor between the two.

## Recommendations

- In order to support European aspirations, reinforce the liberal democratic community of nations in Europe and address systemic insecurities it will be necessary to strengthen resilience, reassure friends, allies and the like-minded, deter revisionist spoilers and where possible seek areas of cooperation and mutual benefit.
- In order to do this, it will require learning from and building on the European Neighborhood Policy of 2004[33] and its subsequent reviews alongside its Eastern Partnership program launched in 2009.[34]
- NATO and non-NATO countries need to work jointly in the region, a hybrid package similar to that seen in the Baltic should be developed. The NATO tFP mission would be a trip wire mission under Article 5, responding to NATO member territorial threats and the JEF style mission could be more adventurous in its cooperation and deployments since it would not trigger Article 5 collective defence responsibilities.
- Enlarge the role and purpose of the 3SI. This 'central European' initiative was initially established to ensure energy independence from Russia, it has concluded that it needs to address digital and IT security. Rail Baltica has seen transport links improve from north to south and a Rail Carpatia is seen as important to link to Ukraine. Future investments in 'standard gauge track' are being considered and should be funded.[35]
- Support Freedom of Navigation (FoN) in the Black Sea by both military, commercial, technological, financial, governance and legal means using all available conventions.
- Looking to the 'Northern Future Forum', adopt and adapt a cooperative model which would bring policy innovators, entrepreneurs and business leaders together in a Black Sea Forum.
- The OSCE could develop a negotiating platform for cooperation focused on its three security dimension pillars - Military, Political/Economic and Human, building on its expertise, experience and political relationships. However it needs to avoid looking at Black Sea security from the 1975 European security order perspective and the prioritising of dialogue over international law. Additionally it must not fall into the ad-hoc and often directionless conduct of its earlier monitoring mission in Ukraine.[36]

## Sources

- [1] Gustav Gressel, 'Promoting European strategic sovereignty in the eastern neighbourhood' (European Council on Foreign Relations 01 Dec 20) <https://ecfr.eu/publication/promoting-european-strategic-sovereignty-in-the-eastern-neighbourhood/> accessed 27/11/23
- [2] Tobias Kollakowski, 'Interpreting Russian aims to control the Black Sea region through naval geostrategy (Part One)' (Taylor and Francis online, 02 Jun 23) <https://www.tandfonline.com/doi/full/10.1080/13518046.2023.2201112> accessed 01/11/23
- [3] 'Nations on line', <https://www.nationsonline.org/oneworld/map/Black-Sea-political-map.htm> accessed 29/11/23
- [4] Tobias Kollakowski, Ibid
- [5] BBC, 'How is Ukraine exporting its grain now the Black Sea deal is over?' (BBC, 26 Sept 23) <https://www.bbc.co.uk/news/world-61759692> accessed 01/11/23
- [6] BBC Ibid
- [7] UK Government, 'Intelligence shows Russia may target Black Sea civilian shipping' (UK Gov, 4 Oct 23) <https://www.gov.uk/government/news/intelligence-shows-russia-may-target-black-sea-civilian-shipping> accessed 02/11/23
- [8] James Stavridis, 'NATO Convoys Can Protect Ukraine's Grain' (gCaptain, 25 Jul 23) <https://gcaptain.com/nato-convoys-can-protect-ukraines-grain-says-stavridis/> accessed 15/11/23
- [9] Dominic Culverwell, 'Is Ukraine's new Black Sea corridor working? Experts say it has potential' (Kyiv Independent, 28 Oct 23) <https://kyivindependent.com/is-ukraines-new-black-sea-corridor-working-experts-say-it-has-potential/> accessed 06/11/23
- [10] Matt Robinson and Margarita Antidze, 'Georgia appeals to West over Russian base' (Reuters, Mar 2009), <https://www.reuters.com/article/uk-georgia-defence-interview-sb-idUKTRE5222K20090303/> accessed 07/11/23
- [11] Natia Seskuria, 'Is Russia Expanding its Battlefield to Georgia?' (RUSI, 23 Oct 23) <https://www.rusi.org/explore-our-research/publications/commentary/russia-expanding-its-battlefront-georgia> accessed 06/11/23
- [12] Deboah Sanders, 'Can China promote stability in the Black Sea Region?' (Taylor Francis online, 28 Jun 21) <https://www.tandfonline.com/doi/full/10.1080/14683857.2021.1935771> accessed 06/11/23
- [13] 'Chinese Ambassador Confirms Chinese Interest in Anaklia Port' (Civil.ge 06 Sept 23) <https://civil.ge/archives/558042> accessed 01/11/23
- [14] 'US congressman urges Georgian gov't to allow US investments into Anaklia port project' (Agenda.ge 22 May 20) <https://agenda.ge/en/news/2020/1612> accessed 02/11/23
- [15] European Commission, 'The Development of Short Sea Shipping in Europe: A dynamic alternative in a sustainable transport chain' (COM (1999) 317, 1999) <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A51999DC0317> accessed 05/11/23
- [16] Ivo Veselinov Yotsov, Dimitar Yordanov Dimitrakiev, Angel Ziburto, Todor Dimov Koritarov, 'Analysis of the Logistics Transport Corridors in Black Sea ReGion Based on the Short Sea Shipping Concept' (Varna : International Association of Maritime Universities, Annual General Assembly 2017)
- [17] Yostov, Ibid
- [18] Elizabeth Buchanan, 'It's Russia's (Maritime) World – We're Just Living in it' (RUSI 23 Oct 23), accessed 28/11/23
- [19] European Commission, 'International Partnerships – Digital' (EU), accessed 18/11/23
- [20] European Commission, 'Statement by President von der Leyen at the signing ceremony of the Memorandum of Understanding for the development of the Black Sea Energy submarine cable' (European Union 17 Dec 22), accessed 18/11/23
- [21] Mirela Potkova, 'Weekly data: A submarine electricity cable is coming under the Black Sea' (Energy Monitor 27 Dec 22), Accessed 15/11/23
- [22] Alexandra Heal and Anna Goss, 'EU plans Black Sea internet cable to reduce reliance on Russia' (Financial Times 11 May 23), accessed 29/11/23
- [23] Ibid Potkova s20
- [24] Kittrie, Orde F, 'A Conceptual Overview of Lawfare's Meaning, Variety, and Power', *Lawfare: Law as a Weapon of War* (New York, online edn, Oxford Academic 2016), accessed 26 Nov. 2023.
- [25] Alexander Lanoszka, James Rogers, 'Global Britain and the Black Sea region', (Council on Geostrategy 29 Mar 22), accessed 20/11/23
- [26] Hill-Cawthorne, L. (2019). International litigation and the disaggregation of disputes: Ukraine/Russia as a case study. *International and Comparative Law Quarterly*.
- [27] Ishii, Y. (2019). Case Concerning the Detention of Three Ukrainian Naval Vessels (Ukraine v. Russian Federation): Provisional Measures Order (ITLOS). *International Legal Materials*, 58(6), 1147-1166. doi:10.1017/ilm.2019.48
- [28] Mark Galeotti, Alexander Lanoszka, James Rogers, 'The Black Sea region: Beyond NATO' (Council on Geostrategy 25 Nov 21) <https://www.geostrategy.org.uk/research/the-black-sea-region-beyond-nato/> accessed 21/11/23
- [29] Geostrategy Ibid
- [30] Sarah E. Garding, Derek E. Mix, 'The Three Seas Initiative', (Congressional Research Service 26 Apr 21) <https://crsreports.congress.gov/product/pdf/IF/IF11547> accessed 24/11/23
- [31] Garding Ibid
- [32] Gower, J., & Timmins, G, 'Introduction: The European Union, Russia and the Shared Neighborhood. *Europe-Asia Studies* 61(10), 1685-1687, (Taylor and Francis Ltd 2009) <https://www.jstor.org/stable/27752407> accessed 29 Nov 23
- [33] European Commission, 'European Neighbourhood Policy and Enlargement Negotiations' (EU Commission) [https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy\\_en](https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy_en) accessed 26/11/23



[34] European Commission, 'Eastern Partnership' (EU Commission)  
[https://www.eeas.europa.eu/eeas/eastern-partnership\\_en](https://www.eeas.europa.eu/eeas/eastern-partnership_en)  
accessed 25/11/23

[35] Sorin-Andrei Dojan, 'The Three Seas Initiative: what's in store for Ukraine?' (Future Rail 2023)  
[https://rail.nridigital.com/future\\_rail\\_nov23/three\\_seas\\_initiative\\_investment\\_options\\_ukraine](https://rail.nridigital.com/future_rail_nov23/three_seas_initiative_investment_options_ukraine) accessed 29/11/23

[36] Hanna Shelest, 'From Soft Security to Hard Security in the Black Sea Region – Does the OSCE Fit?' (Security and Human Rights 2022) [https://prismua.org/wp-content/uploads/2022/02/18750230-Security-and-Human-Rights-From-Soft-Security-to-Hard-Security-in-the-Black-Sea-Region-%E2%80%93-Does-the-osce-Fit\\_.pdf](https://prismua.org/wp-content/uploads/2022/02/18750230-Security-and-Human-Rights-From-Soft-Security-to-Hard-Security-in-the-Black-Sea-Region-%E2%80%93-Does-the-osce-Fit_.pdf) accessed 28 Nov 23

## PACE Spring Session

*Erekle Koplataдзе*

### Key Takeaways

- The PACE Autumn session was held on October 9–13, 2023 in the European Parliament building.
- PACE recognized the Holodomor as a genocide of the Ukrainian people;
- PACE called on Azerbaijani and Turkish authorities to respect their commitments and obligations to the Council of Europe or risk suspension from the organisation.
- The Council called on member states to declare Russia a 'Dictatorship,' and Putin 'illegitimate'

### Introduction

The Parliamentary Assembly of the Council of Europe (PACE) held its fourth and final ordinary session of the year on October 9–13, 2023, and adopted resolutions concerning countries in the South East Europe & Black Sea (the SEEB&BA) region. During the session week, the Assembly also presented an award of the 2023 Václav Havel Human Rights Prize to Osman Kavala, invited various high level special guests, while the members of the Assembly organized side-events shedding light to ongoing problems and to the need to protect human rights and rule of law. This session once again concentrated on Russia's aggression on Ukraine and the role of international organizations to prevent conflicts; debates also took place on the issues of Nagorno Karabakh and imprisonment of Osman Kavala in Turkey.

### PACE Spring Session

The President of the Assembly Tiny Kox started the Session by offering condolences to the victims in Ukraine, in Armenia and those exiting the Karabakh region of Azerbaijan, and to the victims of violence in Israel.



President Tiny Kox, Source: Council of Europe Mediathek, PACE Session

In his opening speech, the President highlighted some of the issues that would be discussed throughout the week, urged that the “broad international support is vital to rebuild a country which been affected so terribly by Russia's aggression”[1] and congratulated the members of the Assembly for their courage to act quickly, decisively and unanimously to suspend and expel Russia from the organization. He also stressed the importance of establishing an ad hoc tribunal for the crime of aggression and a register of damage “as a first step to compensate the victims and to hold accountable those responsible for this disastrous damage to our member state Ukraine” [2]. Part of his speech also touched upon the “dramatic exodus of the people of Karabakh in Azerbaijan to neighbouring Armenia”[3].

Among other issues, the President also highlighted the goals of the Reykjavík Declaration, which is to protect and promote peace and prosperity through international co-operation and strengthen the rule of law, human rights, and democracy throughout Europe.

The Assembly started by adopting the agenda proposed by the PACE Bureau. It should be noted that before the sessions started, the Bureau received requests for the addition of three urgent and three current affairs debates to the agenda.

In the end, the Assembly added three urgent debates on "Humanitarian situation in Nagorno-Karabakh", "Call for the immediate release of Osman Kavala" and "Ensuring a just peace in Ukraine and lasting security in Europe" and two current affairs debates on "Escalation of violence in the Middle-East following the recent Hamas attack on Israel" and "The situation in the North of Kosovo\* following the recent attack and the need for de-escalation"[4].

## Russia's War on Ukraine and its consequences

It is noteworthy that without the addition of the Urgent Debates, the Agenda of the fourth ordinary session did not include a debate concentrating on Ukraine itself, but rather included debates that focused on wider consequences of the Russian war on Ukraine. Outside the Assembly work, the Latvian and Ukrainian members of the Assembly also organized a side-event discussion and an exhibition "Uprooted Children: Stories and Paintings of Ukrainian Children Saved from the Deportation of the Russian Federation" with the participation of President Tiny Kox.

In a symbolic move, the Ukrainian delegation also presented a gift to the Council of Europe, which will replace a gift from Russian delegation in the halls of the Assembly. The PACE committees also invited Russian o

pposition leaders exiled in Europe to discuss the current challenges, analyse their take on the future and create a "recurring contact platform" with representatives of Russian democratic opposition forces who share the values of the Council of Europe, respect the territorial integrity of Ukraine and condemn Russia's war of aggression[5].



Secretary General of the CoE Mrs Marija Pejčinović Burić delivering her speech at the exhibition on "Uprooted Children: Stories and Paintings of Ukrainian Children Saved from the Deportation of the Russian Federation", Source: Council of Europe Mediathek, PACE Session

On the threats stemming from the Russian war on Ukraine, the Assembly adopted three resolutions. The members of the assembly debated "The role of the Council of Europe in preventing conflicts, restoring credibility of international institutions and promoting global peace", "Ensuring a just peace in Ukraine and lasting security in Europe" and "Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation". Ms Lesia Vasylenko prepared the first of these three reports and Mr Serhii Soboliev presented it to the Assembly. In his presentation of the resolution, he emphasized the need for timely prevention of conflicts, the necessity to hold the dictators accountable and the importance of compensation of the victims by the aggressor. In his speech, Mr Soboliev also noted that Russia's aggression created an existential threat to the international order[6]. At the end of his speech, he reminded the members of the assembly that a country that kills civilians still has the right of veto in the UN Security Council[7].



Head of the Ukrainian Delegation Ms Mariia Mezenteva presenting a gift of Ukraine to CoE, Source: Council of Europe Mediathek, PACE Session

The resolution, which was supported by 70 MPs[8], notes that since 2010, the number of armed conflicts has increased due to “the breakdown in the rule of law, weak State institutions, and unsustainable exploitation of natural resources that exacerbates climate change, erosion of social welfare, the weakening of multilateralism and the passivity of the international community towards emerging threats”[9]. Additionally, the resolution states, “all of this might contribute to the rise of authoritarian regimes”[10]. The resolution also states that the Council of Europe should develop additional tools to promote democratic security, in particular, it should develop a common democratic security policy aimed at strengthening the efforts of the Council of Europe in the direction of protection and strengthening of international security. After amending the resolution, the final text included a paragraph advising member states to refrain from official engagement with the governments of both the Russian Federation and Belarus, particularly in the area of diplomatic appointments. In general, the text of the resolution highlights the importance of early conflict prevention, strengthening democratic institutions, early warning, and multilateralism and cooperation.

Romanian rapporteur Mr Iulian Bulai presented the second report and called on member states to make the established damage register operational as soon as possible, and additionally, establish a comprehensive compensation mechanism and promote the creation of a special international tribunal[11].

Towards the end of his speech, Mr Bulai criticised the Assembly by noting that the Assembly was not courageous enough after Russia's aggression in Transnistria, nor after the occupation of parts of Georgia, nor after the occupation and annexation of Crimea, and that today's Russian aggression on Ukraine is the result of all this inaction[12]. The text of the resolution, which was supported by 73 deputies, states that the Russian Federation and its political and military leadership should be held responsible for the committed atrocities and other violations of international law. By passing the resolution, the members of the assembly supported President Zelensky's peace formula and once again declared that the actions of the Russian Federation “indicate an attempt by the Russian Federation to annihilate the Ukrainian nation, waging a genocidal war”. The Assembly also recognized the mass famine (Holodomor) in Ukraine as an act of genocide and called on members to support Ukraine on its path towards accession to the European Union. The resolution also advises member states to maintain ties with democratic forces in Russia and Belarus for future dialogue[13].



Mr Pieter Omtzigt presenting his report, Source: Council of Europe Mediathek, PACE Session

Dutch rapporteur Pieter Omtzigt presented the resolution “Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation”. In his speech, the Dutch MP challenged the audience to ask themselves why Putin could be the president of Russia for more than 30 years, and ask, “Why you would need to, every now and then, change your president”[14]. The rapporteur also spoke of the importance of checks and balances between

institutions and that Putin's actions violate both the Russian constitution and international standards. In his concluding speech, the speaker noted that "There are more parts of Europe where dictatorships do exist and where we as an organisation of democratic nations have looked away for too long" and that "That dictatorship even seems to run in the [Aliyev] family"[15]. Omtzigt also drew attention of the Assembly to the text of the resolution, which states that extending the presidential term for more than 4-5 years will be considered a large step away from democracy and rule of law. In his concluding remarks, similarly to Mr Bulai, he concluded that the reason the Assembly was here is because they haven't shown resolve between 2014 and 2022. He added "We didn't stop [Putin] when there were two wars in Chechnya. We did not stop when he [Putin] invaded Georgia and annexed South Ossetia and Abkhazia. We did not stop when he went into Crimea. We did not do much when he entered Donbas. Because we waited so late on the day, we are now paying a high price". In addition, the resolution, which was supported by 43 members, notes that the current situation in Russia has led Russia to a de facto dictatorship and that there is a self-proclaimed president in Belarus. After adding an amendment to the resolution, the resolution calls on member states to "recognise Vladimir Putin as illegitimate after the end of his current presidential term and to cease all contact with him, except for humanitarian contact and in the pursuit of peace"[16]. Similarly, to other resolutions related to the war in Ukraine, this resolution also supports the creation of an international tribunal and the investigation of all crimes committed on the territory of Ukraine since 2014[17].

It is worth noting, that this resolution was initially foreseen to be debated on Wednesday evening; however, it was moved to Friday morning to make way for the current debate on the "Escalation of violence in the Middle-East following the recent Hamas attack on Israel". It is hard to judge and contemplate if the resolution

was moved on the last day deliberately, but it resulted in lower votes in favour of the resolution as majority of the MPs did not attend the sitting or already had left the city a day early.

## Turkiye and Osman Kavala

On the first day of the sitting, before the Assembly started debating the agenda issues, the Assembly held an award ceremony for the 2023 Václav Havel Human Rights Prize on October 9. In its 11th edition, there were three shortlisted candidates: Mr Yevgeniy Zakharov from Ukraine, Ms Justyna Wydrzynska from Poland and an eventual winner, Mr Osman Kavala from Turkey, who was represented by Ms Ayşe Bugra Kavala as he is in imprisonment in Turkey. Mr Osman Kavala was put in jail for his alleged role in Turkey's Gezi Park protests in 2017 and is a supporter of numerous civil society organisations in Türkiye for many years. He has been jailed for life without parole[18],[19]. In his speech, delivered by his spouse Ms Burga Kavala, he reminded the audience that he is completing his sixth year in prison, despite the two rulings of the European Court of Human Rights demanding his immediate release. He urged the members of the Assembly that "there is a necessity for the development of new means and mechanisms in order to strengthen the authority of the European Court and to reinforce the moral and practical power of the European Convention of Human Rights" and that "The practice of non-compliance with the judgments of the European Court nurtures the ways of thinking which devalue the universal norms protecting human rights"[20].



Mrs Ayşe Bugra Kavala accepting the Vaclav Havel Human Rights Prize on behalf of Mr Osman Kavala

In addition to awarding the Václav Havel Human Rights Prize, the Assembly voted in favour for a resolution on “Call for the immediate release of Osman Kavala”. Austrian MP Petra Bayer presented the report, reviewed the current situation and called on the Turkish side to release Osman Kavala.

The resolution, which was supported by 44 MPs, states that “in light of the exceptional circumstances present, the Assembly believes that the time has now arrived to take steps to initiate the complementary joint procedure”[21] in response to a serious violation by a member State of its statutory obligations. The resolution also suggests applying “Magnitsky legislation” impose targeted sanctions on Turkish officials. Additionally, the resolution states that “If Osman Kavala has not been released from prison by 1 January 2024, this Assembly recalls its ability to challenge the credentials of the Turkish delegation at its first Part Session of 2024”[22].

The decision to award him Vaclav Havel Prize angered Ankara, with Turkish Ministry of Foreign Affairs condemning the decision and claiming that ‘It is unacceptable that the Vaclav Havel Human Rights Prize has been awarded to a person about whom the Turkish judiciary has rendered a final conviction’ [23], and that this can be considered as attempts to politicize law. The Turkish authorities even assessed that this decision by PACE will damage the reputation of the organization[24]. On the other side, some of the experts and critics underline that the decision highlights the deterioration of Turkey’s human rights record in the second decade of Erdogan’s rule. Similarly, the Turkish authorities decried the adoption of the resolution and evaluated it as a “historic mistake”[25]. However, different media outlets note that Turkish authorities will have to abide or face the consequences of being at risk of expulsion from the organisation[26].

## Humanitarian situation in Nagorno-Karabakh

On Thursday, the Assembly debated on Humanitarian situation in Nagorno-Karabakh.

Croatian rapporteur Mr Domago Hajduković presented the report and noted that the Council cannot remain silent in the face of the exodus of Armenian population from Nagorno-Karabakh. He highlighted the Azerbaijani’s territorial sovereignty over the region, but that “the sovereignty of a territory also entails responsibilities for actions taken on it and the protection of people living in it”[27].

The speaker called for dialogue between the two sides and emphasized Azerbaijan’s responsibility to create conditions for a peaceful resolution of the conflict. In the resolution, the Assembly took note of the suspicions of ethnic cleansing in the region and called on the Azerbaijani side to fulfill its obligations and cooperate in organizing the visits of the Council’s observation missions. Also in the resolution, the Assembly noted that if Azerbaijan does not fulfill its commitments and obligations, the Assembly will have to consider initiating the complementary joint procedure and challenge the credentials of the delegation of Azerbaijan in upcoming Session in January.

This topic was discussed during other events throughout the week. Council of Europe Secretary General touched upon the developments in the region and that her special representative was dispatched Armenia to understand the needs of tens of thousands of people forcibly displaced from Nagorno-Karabakh. In her reply to the question of an Armenian MP Armen Gevorgyan, the Secretary General urged the Assembly to do everything to make sure that [Armenian population who left Nagorno Karabakh] go back. She also voiced her hopes that that it would be possible to send a mission also to Azerbaijan and urged “Azerbaijan to fully respect the European Convention on Human Rights, because in the territory of the Council of Europe everyone has the right to enjoy all freedoms and rights”[28]. Separately, Committees on Legal Affairs and Human Rights, Migration and Monitoring held a joint hearing on the topic “Human rights and humanitarian situation of Karabakh Armenians and Azerbaijan’s international obligations”.

Experts such as UNHCR's Representative to the European Institutions in Strasbourg Andreas Wissner, Senior Fellow at Carnegie Europe Thomas de Waal and Professor of Public, European and International Law at the University of Rostock Dr Bjorn Schiffbauer were part of the panel and discussed the ongoing exodus of population from the Nagorno Karabakh region. The experts seemed to agree that there was reasonable suspicion that ethnic cleansing took place.

## Conclusion

The Autumn session once again concentrated on the issues of Ukraine, Armenia-Azerbaijan and Turkiye. However, it is interesting how much attention each member state of PACE will devote to these resolutions afterwards, and how they will be translated into their foreign or domestic policies. Even though these resolutions are good indications and reflections of general European attitudes towards different issues, the resolutions of such international organizations should be taken carefully. International organisations are slower and their non-binding decisions will take their time before they are translated into actions. Their decisions might not bear immediate results. Despite this, it will be interesting to observe in the following months:

- If national parliaments adopt similar resolutions regarding Putin and Belarus and if their diplomatic relations cease to exist;
- How Turkish and Azerbaijani authorities will react to the resolution on release of Osman Kavala. They risk of being suspended from the organisation. Therefore, it will be interesting to see how these to member states coordinate their actions in relation to the Council of Europe.
- PACE will elect a new president in January 2024; so far, there has been an agreement between the political parties at PACE to alternate their members. This agreement might come to an end. This would mean there could be several candidates competing for the position.

- PACE will also elect a new Commissioner for Human Rights with a 6-year term.

In the meantime, CSOs can participate in the work of the CoE by:

- Nominating individuals or non-governmental institutions who or which are active in the defence of human rights. Nominations for the Prize must reach the Secretary General of the Parliamentary Assembly before 30 April each year. They shall be signed by at least five sponsors. This could be a great opportunity for SCOs to shed light and influence the debates.
- Similarly, nominations can be sent for the consideration of Vigdís Prize for Women's Empowerment. This can encourage local actors and promote their work throughout Europe.
- CSOs can streamline and work along with CoE on goals of The Reykjavik Declaration, check the progress and promote aims of Reykjavik Declaration within their societies and governments.

## Sources

- [1] Tiny Kox, PACE, "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-09/pm/en#speech-25058>
- [2] ibid
- [3] ibid
- [4] Tiny Kox, "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-09/pm/en#speech-25060>
- [5] Agence Europe, "Creation of a platform for contacts between Parliamentary Assembly of Council of Europe and Russian opposition forces" <https://agenceurope.eu/en/bulletin/article/13268/35>
- [6] Serhii SOBOLIEV "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-12/pm/en#speech-25652>
- [7] Serhii SOBOLIEV "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-12/pm/en#speech-25717>
- [8] PACE, The role of the Council of Europe in preventing conflicts, restoring credibility of international institutions and promoting global peace; <https://pace.coe.int/en/files/33140#trace-6>
- [9] PACE, The role of the Council of Europe in preventing conflicts, restoring credibility of international institutions and promoting global peace; <https://pace.coe.int/en/files/32837>
- [10] ibid
- [11] Iulian BULAI "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-12/pm/en#speech-25655>
- [12] Iulian BULAI "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-12/pm/en#speech-25719>
- [13] PACE, Ensuring a just peace in Ukraine and lasting security in Europe <https://pace.coe.int/en/files/33074>
- [14] Pieter OMTZIGT "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-13/am/en#speech-25959>
- [15] Pieter OMTZIGT "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-13/am/en#speech-25989>
- [16] PACE. "Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation" <https://pace.coe.int/en/files/33020>
- [17] ibid
- [18] Yeni Safak, Türkiye decries awarding of Vaclav Havel Human Rights Prize to convict, <https://www.yenisafak.com/en/news/turkiye-decries-awarding-of-vaclav-havel-human-rights-prize-to-convict-3671608>
- [19] NewsBook Human rights defender Osman Kavala awarded 2023 Václav Havel Prize; <https://newsbook.com.mt/en/human-rights-defender-osman-kavala-awarded-2023-vaclav-havel-prize/>
- [20] Ayse Burga Kavala, "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-09/pm/en#speech-25064>
- [21] PACE, Call for the immediate release of Osman Kavala <https://pace.coe.int/en/files/33075>
- [22] ibid
- [23] EurActiv Osman Kavala wins Europe rights prize, Ankara calls the award 'unacceptable' <https://www.euractiv.com/section/global-europe/news/osman-kavala-wins-europe-rights-prize-ankara-calls-the-award-unacceptable/>
- [24] ibid
- [25] Anadolu Agency, Türkiye decries European resolution as historic 'mistake' <https://www.aa.com.tr/en/turkiye/-turkiye-decries-european-resolution-as-historic-mistake/3018421>
- [26] Turkish Minute, PACE to recommend sanctioning Turkish officials involved in political imprisonments <https://www.turkishminute.com/2023/10/11/pace-recommend-sanctioning-turkish-official-involved-in-political-imprisonments/>
- [27] Domagoj HAJDUKOVIĆ "Verbatim" <https://pace.coe.int/en/verbatim/2023-10-12/pm/en#speech-25773>
- [28] ARKA, CoE Secretary General says special representative sent to Armenia to assess needs of refugees from Nagorno-Karabakh [https://arka.am/en/news/politics/coe\\_secretary\\_general\\_says\\_special\\_representative\\_sent\\_to\\_armenia\\_to\\_assess\\_needs\\_of\\_refugees\\_from\\_n/](https://arka.am/en/news/politics/coe_secretary_general_says_special_representative_sent_to_armenia_to_assess_needs_of_refugees_from_n/)



# September Attack in Northern Kosovo and the Rules on the Use of Force: An Analysis from a Jus ad Bellum Perspective

*Arbër Ahmeti*

Events that took place in northern Kosovo in September of 2023 mark the most severe confrontation between Kosovo and Serbia since the end of the Kosovo War in 1999, raising the alarm on the fragility of peace in the region and the possibility of renewed conflict.[1] Kosovo blamed Serbia for orchestrating the attack and framed it as an act of aggression.[2]

The international community widely condemned the attack, with the European Union labeling it a “terrorist attack”,[3] and the European Parliament calling for a freeze of funds under the Instrument of Pre-Accession Assistance and targeted sanctions if the involvement of Serbia in the attack is proven.[4] In response, NATO deployed around 700 troops to reinforce its mission in Kosovo.[5]

This analysis explores two key aspects: the applicability of the prohibition of the use of force and whether the attack constitutes an act of aggression.

## Attack of 24 September 2023 — Setting the Facts

In the early morning of 24 September of 2023, an armed group of more than 30 individuals blocked a road in northern Kosovo near the village of Banjë/Banjska and attacked Kosovo Police units, leaving one police officer dead and two injured. According to reports from the Kosovo Police, two trucks were put on the bridge that leads to the village of Banjë/Banjska, blocking access to the village. The responding units were attacked by the armed group “who fired at them with firearms, hand grenades and military-grade explosives.”[6]

After the initial attack, the Serbian armed group retreated into a Monastery in the nearby village of Banjë/Banjska, close to the border between Kosovo and Serbia. Consequently, Kosovo Police besieged the Monastery, and in the clashes with the armed group, three gunmen were shot dead and several individuals were arrested.[7] The other members of the group fled into Serbia, while Kosovo Police seized a significant amount of weapons and ammunition, military equipment, and vehicles, including two armored vehicles, which the armed group abandoned at the site where the clashes took place.[8]

According to the evidence presented by Kosovo’s Ministry of Internal Affairs, the vice-president of the biggest Kosovo Serb Party — ‘The Serbian List’, was in charge of the Serbian armed group and led the attack. Milan Radojičić — a collaborator of Serbia’s President who is considered an underworld kingpin in the north and is subjected to US and UK sanctions,[9] took full responsibility for the attack.[10]

## An Act of Aggression? — Kosovo’s and Serbia’s Reaction to the September Attack

After calling an emergency meeting of the Security Council of the Republic of Kosovo on the day of the attack, Prime Minister Albin Kurti held a Joint Press Conference concerning the events in northern Kosovo. Kurti stated that Kosovo Police was subjected to an “orchestrated [...] aggressive attack by Serbia’s criminal and terrorist gangs”.[11]

The Prime Minister's address qualified the attack as a criminal and terrorist attack, stating that "[o]rganized crime with political, financial and logistical support from Belgrade is attacking our state" and that a formation of "professional, military, or police officers" and not armed civilians and ordinary citizens carried out the attack.[12]

On 28 September, Kurti addressed the Assembly of Kosovo, stipulating that the events in Banjë/Banjska were an "aggressive attack by the criminal and terrorist gangs of Serbia" against the Republic of Kosovo.[13] During the session, Kurti officially qualified the events as an "act of aggression against Kosovo" for which Serbia should be "sanctioned and punished internationally." [14] Furthermore, he accused Serbia of "providing [the armed group] with military equipment, conducted combat training, as well [set] political goals and logistical support," arguing that the seized equipment "originate from Serbia." [15]



Kurti's conference, Source: <https://kryeministri.rks-gov.net>

On 23 October 2023, during the meeting of the United Nations Security Council (UNSC), Kosovo's President Vjosa Osmani accused Serbia of planning to annex northern Kosovo, mimicking Putin's Crimean Playbook by sending 'Little Green Man' to implement the plan. Osmani added that Kosovo was a victim of an 'act of aggression' carried out by "terrorist groups and paramilitary forces" financed and supported by Serbia.[16]

On the other hand, Serbia's Prime Minister Ana Brnabić categorically denied that Serbia had anything to do with the attack. She accused Kosovo of targeting other communities living in Kosovo and falsely accused Kosovo Police of executing two of the members of the armed group after they surrendered.[17] This position is a continuation of the discourse of victimization and blaming set by Serbia's President.[18] In his address to the 78th session of the United Nations General Assembly (UNGA), President Vučić stated that in "Kosovo, southern Province of the Republic of Serbia, the blunt violence is taking place, exerted against the Serbs by the separatist authorities of Albin Kurti." [19] During the press conference of 24 September, he denied any responsibility or involvement of the Serbian state, blaming Kosovo's Prime Minister and accusing him of intending to draw Serbia into a war with NATO.[20] He added that the attack on Kosovo Police was a legitimate act of resistance by Kosovo Serbs for which Kosovo officials bear full responsibility.[21]

## September Attack and the Use of Force under International Law

The attack of 24 September raises two critical issues that concern international law: (A) The Applicability of the Prohibition of the Use of Force; and (B) September Attack as an Act of Aggression.

### *A. The Applicability of the Prohibition of the Use of Force between Kosovo and Serbia*

Since Kosovo declared independence in 2008, Serbia has refused to recognize Kosovo and has continuously opposed the consolidation of its statehood. From Serbia's point of view, Kosovo remains 'Serbia's province' and in contradiction to the International Court of Justice's (ICJ) Kosovo Advisory Opinion,[22] maintains that Kosovo's declaration of independence was illegal under international law. Serbia has repeatedly used bellicose language and threats of use of force,[23] and in 2022, Serbia sent fighter jets to the Kosovo border to demonstrate force.[24]

Days after the terrorist attack in Banjë/Banska, the US National Security Council Spokesperson warned of a “very destabilizing development [...] [of] unprecedented staging of advanced Serbian artillery, tanks and mechanized infantry units” in the border with Kosovo.[25] Thus, the question arises of whether the obligation to refrain from the threat and use of force in international relations applies to Serbia.



KFOR in the North, Source: NATO via Flickr

Article 2(4) of the UN Charter states that all Member States “shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”, making any threat or use of force illegal.[26] The prohibition of the use of force in the UN Charter is comprehensive,[27] and is recognized as a peremptory norm of international law forming part of customary international law.[28] As the case law of the ICJ has confirmed, the norm is the cornerstone of the UN Charter.[29]

Forming part of customary international law, the obligation to refrain from the use of force is comprehensive in reach; the prohibition creates an obligation and applies to any state, regardless of its membership in the UN. The “essential object” of Article 2(4) is to protect the sovereignty of states.[30] Furthermore, the UNGA Resolution 2625 (XXV) on the Declaration of Friendly Relations reaffirms the principle of prohibition of threat or use of force against the territorial integrity and political independence of any state.

It stipulates that every state has the duty to “refrain from any forcible action which deprives peoples [...] of their right to self-determination and freedom and independence [...] refrain from organizing or encouraging the organization of irregular forces or armed bands [...] for incursion into the territory of another state [...] refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in the territory of another state.”[31]

Even though not binding, specific Resolutions of the General Assembly that state the law and principles of general international law reflect the consensus among Member States concerning the meaning and elaboration of principles of the UN Charter, therefore, are often regarded as authoritative interpretations of the UN Charter obligations.[32]

Furthermore, the prohibition of the use of force is a peremptory norm with erga omnes effect, which makes the non-recognition of Kosovo from Serbia irrelevant to the applicability of international rules on the use of force. In the Barcelona Traction case, the ICJ held that “the outlawing of aggression has created obligations applicable erga omnes, since all States have valid interests in the protection of the rights involved.”[33] Furthermore, the duty to refrain from the use of force extends to all situations in international relations, including in cases of territorial disputes and even to unlawfully occupied territories.[34]

To around 120 states that have recognized Kosovo, among whom the US and the majority of the EU and NATO Member States are, obligations and safeguards set by the international regulation of the use of force are applicable to Kosovo as they are applicable to all other states.

### *B. September Attack as an Act of Aggression*

Kosovo's position is that the September attack constitutes an act of aggression against Kosovo, which was planned and organized by Serbia. According to the UNGA Resolution 3314 (XXIX) on the Definition of Aggression, aggression is the use of armed force by a State against another state, including through the "sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein." [35]

Aggression is a multilayered and broad concept that includes narrower categories, such as the notion of armed attack set in Article 51 of the UN Charter. In contrast to any use of force in Article 2(4) of the UN Charter – which includes all uses of force, armed force, or other categories of force, regardless of the "specific means-kinetic or electronic [...] as long as it denotes violence", whether it is a direct or indirect use of force, [36] – the Definition of Aggression includes only the use of armed force and excludes the threat of force. [37] Thus, only the use of armed force constitutes an act of aggression. Nevertheless, any use of force constitutes a grave violation of a peremptory norm of international law.

The narrower category of aggression is armed attack, as Article 51 of the UN Charter stipulates. A state that is subjected to an armed attack can lawfully use force in self-defence in riposte to the armed attack, being one of the two exceptions to Article 2(4) of the UN Charter and a restriction to the obligation to refrain from the use of force. [38] The "sending of armed bands, groups, irregulars, and mercenaries" as prescribed in Article 3(g) of the Definition of Aggression, was accepted as one of the forms of armed attack by ICJ in the Nicaragua case. [39]

Kosovo did not need to argue that the September attack amounted to an armed attack because the measures it took were strictly police measures within its territory. A justification under the right of self-defence would be necessary only if measures taken by Kosovo would constitute an infringement on Article 2(4), which is justified only when a state is acting in self-defence. Such justification would also require Kosovo to prove that it was the victim of a grave use of force possessing a degree of 'scale and effect', which is attributable to Serbia by proving that the latter had 'effective control' over the armed group. [40]

According to a very criticized position of the ICJ in the Nicaragua case, "the financing, organizing, training, supplying and equipping of the contras, the selection of its military or paramilitary targets, and the planning of the whole of its operation" is not sufficient to attribute the acts of the non-state actor to a State. [41] However, such involvement would constitute a serious violation of Article 2(4) of the UN Charter. [42] Attributing acts of auxiliaries to a state would be necessary only to justify the use of force in self-defence but not to entail an assisting state with international responsibility. In the case of the September attack in northern Kosovo, all evidence leads to the substantial involvement of the Serbian state with the armed groups in Kosovo and a central role of Serbia's political and security institutions.



Seized weapons, Source: <https://mpb.rks-gov.net>

## Conclusion

Evidence suggests that the attack was “coordinated and sophisticated” with the final goal to destabilize security in the region.[43] The international community should address the attack and take appropriate measures to demonstrate the West’s determination for regional peace and security. Provided that the connection between the Serbian state and the armed group responsible for the attack can be proven, Serbia should be held responsible for violating the principle of non-use of force in international relations.

The attack can be discussed in the framework of the use of force; however, it has some elements of an ‘act of aggression’ which looks like it was prevented by the intervention of Kosovo Police. If the objective of the armed group was to incite a widespread insurgency and annexation of northern Kosovo as stipulated by the Kosovo government, we would be dealing with a clear case of armed attack provided that the requirement of ‘scale’ and ‘effect’ could be satisfied.

Such a scenario would mean a significant escalation and lead to a possible destabilization of the region, which would play into the hands of Serbia’s ally – Russia, whose mission is to undermine Western policies and values in the Balkans and also stretch EU and NATO resources to the maximum.[44]

## Sources

- [1] 'Deadly Kosovo Clashes Spark Fear of Escalation - DW - 09/29/2023' (dw.com) <<https://www.dw.com/en/deadly-kosovo-clashes-spark-fear-of-escalation/a-66965912>>.
- [2] 'Prime Minister Kurti's Speech at the Session of the Assembly of Kosovo' (28 September 2023) <<https://kryeministri.rks-gov.net/en/blog/prime-minister-kurtis-complete-speech-at-the-session-of-the-assembly-of-kosovo/>>; Fatos Bytyci, 'Exclusive: Kosovo's President Blames Serbia for Shootout, Says Kosovo "under Attack" | Reuters' Reuters <[https://www.reuters.com/world/europe/kosovos-president-blames-serbia-shootout-says-kosovo-under-attack-2023-09-28/#:~:text=PRISTINA%2C%20Sept%2028%20\(Reuters\),the%20restive%20area%20in%20years.>](https://www.reuters.com/world/europe/kosovos-president-blames-serbia-shootout-says-kosovo-under-attack-2023-09-28/#:~:text=PRISTINA%2C%20Sept%2028%20(Reuters),the%20restive%20area%20in%20years.>)>.
- [3] 'Condemnation of Violent Attacks on Kosovo Police' (United States Department of State) <<https://www.state.gov/condemnation-of-violent-attacks-on-kosovo-police/>>. 'Kosovo: High Representative Borrell Speaks to Prime Minister Kurti and President Vučić Following the Attack against Kosovo Police | EEAS' <[https://www.eeas.europa.eu/eeas/kosovo-high-representative-borrell-speaks-prime-minister-kurti-and-president-vucic-following-attack\\_en](https://www.eeas.europa.eu/eeas/kosovo-high-representative-borrell-speaks-prime-minister-kurti-and-president-vucic-following-attack_en)>. 'Kosovo: Statement by the High Representative Josep Borrell on the Attack against Kosovo Police | EEAS' <[https://www.eeas.europa.eu/eeas/kosovo-statement-high-representative-josep-borrell-attack-against-kosovo-police\\_en](https://www.eeas.europa.eu/eeas/kosovo-statement-high-representative-josep-borrell-attack-against-kosovo-police_en)>. US Mission OSCE, 'Joint Statement on the Recent Developments in the North of Kosovo' (U.S. Mission to the OSCE, 28 September 2023) <<https://osce.usmission.gov/joint-statement-on-the-recent-developments-in-the-north-of-kosovo-2/>>.
- [4] Joint Motion for a Resolution on the Recent Developments in the Serbia-Kosovo Dialogue, Including the Situation in the Northern Municipalities in Kosovo | RC-B9-0437/2023 | European Parliament. EWB, 'EP Adopts Resolution on Banjska, Calls for Measures against Serbian Government if Its Involvement Is Proven' (European Western Balkans, 19 October 2023) <<https://europeanwesternbalkans.com/2023/10/19/ep-adopts-resolution-on-banjska-calls-for-measures-against-serbian-government-if-its-involvement-is-proven/>>.
- [5] 'NATO Sends 600 UK Soldiers to Kosovo in Response to Clashes - DW -' (10 February 2023) <<https://www.dw.com/en/nato-sends-600-uk-soldiers-to-kosovo-in-response-to-clashes/a-66976832>>. 'RFERL, Romania To Send Troops To Bolster NATO Kosovo Force' (10 March 2023) <<https://www.rferl.org/a/kosovo-romania-more-kfor-troops-serbia-nato/32621642.html>>.
- [6] Gentiana Paçarizi, 'An Attack Following Long-Standing Tensions in the North - K2.0' [2023] Kosovo 2.0 <<https://kosovotwopointzero.com/en/an-attack-following-long-standing-tensions-in-the-north/>>.
- [7] 'Kosovo Police Press Release - Additional Information 3 (24 September 2023)' <<https://www.kosovopolice.com/en/komunikate-per-media-shtese-3-saopstenje-za-medije-dodatno-3-press-release-additional-information-3-2/>>.
- [8] RFE/RL, 'Kosovo Police Display Confiscated Weapons Following Monastery Attack' (RadioFreeEurope/RadioLiberty, 26 September 2023) <<https://www.rferl.org/a/kosovo-police-confiscated-weapons-monastery-attack/32609813.html>>.
- [9] 'Treasury Targets Corruption Networks Linked to Transnational Organized Crime' (U.S. Department of the Treasury, 15 November 2023) <<https://home.treasury.gov/news/press-releases/jy0519>>. 'Hotspots of Organized Crime in the Western Balkans: Local Vulnerabilities in a Regional Context' (Global Initiative Against Transnational Organized Crime 2019) pp. 24-27. <<https://globalinitiative.net/wp-content/uploads/2019/05/Hotspots-Report-English-13Jun110-Web.pdf>>.
- [10] 'Kosovo Serb Kingpin Radoicic Takes Responsibility for Weekend Shootout | Balkan Insight' <<https://balkaninsight.com/2023/09/29/kosovo-serb-kingpin-radoicic-takes-responsibility-for-weekend-shootout/>>.
- [11] 'Prime Minister Kurti's Full Address at the Joint Press Conference with the Deputy General Director of the Kosova Police, Fehmi Hoti' (Zyra e Kryeministrit, 24 September 2023) <<https://kryeministri.rks-gov.net/en/blog/prime-minister-kurtis-full-address-at-the-joint-press-conference-with-the-deputy-general-director-of-the-kosova-police-fehmi-hoti/>>.
- [12] *ibid.*
- [13] 'Transcript of the Plenary Session of the Assembly of the Republic of Kosovo, 28 September 2023' (28 September 2023) pp. 14-16. <[https://www.kuvendikosoves.org/Uploads/Data/SessionFiles/2023\\_09\\_28\\_ts\\_Seanca\\_dwWfwhS25e.pdf](https://www.kuvendikosoves.org/Uploads/Data/SessionFiles/2023_09_28_ts_Seanca_dwWfwhS25e.pdf)>. For unofficial translation of the Prime Minister's Speech see: 'Prime Minister Kurti's Speech at the Session of the Assembly of Kosovo' (n 2).
- [14] 'Prime Minister Kurti's Speech at the Session of the Assembly of Kosovo' (n 2).
- [15] *ibid.* For evidence see Sasa Dragojlo Bami Xhorxhina, 'In Kosovo Clash, New Bullets and Freshly-Repaired Mortars from Serbia' (Balkan Insight, 9 October 2023) <<https://balkaninsight.com/2023/10/09/in-kosovo-clash-new-bullets-and-freshly-repaired-mortars-from-serbia/>>.
- [16] 'Meeting Coverage of the UNSC 9450th Meeting on Situation on Kosovo (SC/15461)' (23 October 2023) <<https://press.un.org/en/2023/sc15461.doc.htm>>. see also: President Osmani's address at the UN Security Council meeting on Kosovo, 'Kosovo - Security Council, 9450th Meeting' (United Nations UN Audiovisual Library) <<https://www.unmultimedia.org/avlibrary/asset/3128/3128832>>.
- [17] 'Meeting Coverage of the UNSC 9450th Meeting on Situation on Kosovo (SC/15461)' (n 16); 'Kosovo - Security Council, 9450th Meeting' (n 16).
- [18] David Shedd and Ivana Stradner, 'Russia's Second Front in Europe' [2023] Foreign Affairs <<https://www.foreignaffairs.com/eastern-europe-and-former-soviet-union/russias-second-front-europe>>. Aidan Hehir, 'Kosovo Serbs May Feel Insecure, but They're Not "Ethnically Cleansed" | Balkan Insight' Balkan Insight (23 October 2023) <<https://balkaninsight.com/2023/10/23/kosovo-serbs-may-feel-insecure-but-theyre-not-ethnically-cleansed/>>.
- [19] 'Address by the President of the Republic of Serbia Aleksandar Vučić at the General Debate of the 78th Session of the General Assembly of the United Nations' (The President of the Republic of Serbia) <<https://www.predsednik.rs/press-center/news/address-by-the-president-of-the-republic-of-serbia-aleksandar-vucic-at-the-general-debate-of-the-78th-session-of-the-general-assembly-of-the-united-nations>>.

[20] Alice Taylor and Bojana Zimonjic, 'Vucic Blames Kurti for Police Ambush, Murder, Monastery Standoff in North' (www.euractiv.com, 25 September 2023) <<https://www.euractiv.com/section/politics/news/vucic-blames-kurti-for-police-ambush-murder-monastery-standoff-in-north/>>.

[21] Engjellushe Morina and Majda Ruge, 'Violence in North Kosovo: How the EU and the US Can Break the Cycle' (ECFR, 27 September 2023) <<https://ecfr.eu/article/violence-in-north-kosovo-how-the-eu-and-the-us-can-break-the-cycle/>>; 'Aftermath of Sunday's Terrorist Attack in North Kosovo: What Happened and What Does It Mean for the Dialogue?' (Prishtina Insight, 26 September 2023) <<https://prishtinainsight.com/aftermath-of-of-sundays-terrorist-attack-in-north-kosovo-what-happened-and-what-does-it-mean-for-the-dialogue-mag/>>.

[22] Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo (Advisory Opinion) [2010] ICJ Rep 403.

[23] 'Serbia Again Threatens Armed Intervention in Kosovo as Tension Escalates | AP News' <<https://apnews.com/article/serbia-kosovo-nato-tensions-ef13a7776f0303a85e47e281b7fda22e>>.

[24] 'Serbian Jets Fly Near Kosovo Border As Top U.S. Balkan Official Heads To Europe For Talks' Radio Free Europe/Radio Liberty (20:07:34Z) <<https://www.rferl.org/a/kosovo-serbia-border-warplanes-license/31479125.html>>.

[25] Constant Méheut, 'Serbia's President Rejects Claims of Troop Buildup Near Kosovo' The New York Times (1 October 2023) <<https://www.nytimes.com/2023/10/01/world/europe/serbia-kosovo-troops-vucic.html>>.

[26] Article 2(4) Charter of the United Nations, 59 Stat 1031; UNTS 993; 3 Bevans 1153 1945 ((signed 26 June 1945) 59 Stat 1031; UNTS 993; 3 Bevans 1153).

[27] Marc Weller (ed), The Oxford Handbook of the Use of Force in International Law (First edition, Oxford University Press 2015). P. 18.

[28] Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (Merits) [1986] ICJ Rep 102. para. 190.

[29] Armed Activities on the Territory of the Congo (DRC v Uganda) [2005] ICJ Rep 168.

[30] Olivier Corten, The Law Against War: The Prohibition on the Use of Force in Contemporary International Law (Hart Publishing 2010). p. 169.

[31] UNGA Resolution 2625 (XXV) on Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations 1970.

[32] Nico Schrijver, 'The Ban on the Use of Force in the UN Charter' in Marc Weller (ed), The Oxford Handbook of the Use of Force in International Law (First Edition, Oxford University Press 2015). pp. 476-77.

[33] Case Concerning Barcelona Traction, Light and Power Company, Limited (Belgium v Spain) [1970] ICJ Rep 3. paras. 33-34.

[34] Eritrea-Ethiopia Claims Commission - Partial Award: Jus Ad Bellum - Ethiopia's Claims 1-8. para. 10.

[35] Article 1, Article 3(g) United Nations General Assembly Resolution 3314 (XXIX) on Definition of Aggression 1974.

[36] Yoram Dinstein, War, Aggression and Self-Defence (Sixth Edition, Cambridge University Press 2017). p. 90.

[37] Yoram Dinstein, 'Aggression', Oxford Public International Law (Oxford University Press 2015) <<https://opil-ouplaw-com.uaccess.univie.ac.at/view/10.1093/law/epil/9780199231690/law-9780199231690-e236>>.

[38] Nicaragua Case (Merits) (n 28). para. 50; Hans Kelsen, The Law of the United Nations: A Critical Analysis of Its Fundamental Problems (Steven & Sons Limited 1950). p. 792.

[39] Nicaragua Case (Merits) (n 28). Para. 195.

[40] *ibid.* paras. 115, 191, 195. The effective control test was reconfirmed in Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v Serbia and Montenegro) [2007] ICJ Rep 2007. For a critique of effective control test see: A Cassese, 'The Nicaragua and Tadic Tests Revisited in Light of the ICJ Judgment on Genocide in Bosnia' (2007) 18 European Journal of International Law 649.

[41] Nicaragua Case (Merits) (n 28). paras. 115f.

[42] Corten (n 30). p. 449.

[43] 'US Envoy Says Kosovo Attack "Coordinated and Sophisticated"' (POLITICO, 26 September 2023) <<https://www.politico.eu/article/kosovo-attack-by-serbia-militia-coordinated-sophisticated-us-envoy/>>.

[44] Ivana Stradner, 'Russia's Influence in the Balkans' [2023] New Line Institute for Strategy and Policy; Paul Stronski, 'Russia in the Balkans After Ukraine: A Troubling Actor' (Carnegie Endowment for International Peace) <<https://carnegieendowment.org/politika/87959>>

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