

## Russian – Serbian Strategic Partnership: Scope and Content

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### Introduction

Since 2007 Serbia has had intensive relationships with one of its three<sup>1</sup> or four<sup>2</sup> foreign policy pillars – The Russian Federation. The most visible aspect of bilateral relations, in addition to the construction of the South Stream gas pipeline and overall cooperation in the energy sphere, is the common view on the issue of status of the autonomous province of Kosovo and Metohija. This issue has instigated other issues related to the international law and international relations. For example, since the August 2008 crisis in Georgia, Serbia has never joined the European Union in its position at the meetings of the OSCE Permanent Council.<sup>3</sup> Likewise, Serbia voted against the UN General Assembly Resolution recognizing the right of return by refugees (internally displaced persons) to Abkhazia.<sup>4</sup> Besides, Serbia has expressed “sympathies”<sup>5</sup> or “understanding”<sup>6</sup> for the Russian President Medvedov’s initiative to conclude a new European Security Treaty. These harmonized positions indicate that there is a clear coordination, understanding and even strategy of joint positions at the international level between the authorities of the Republic of Serbia and The Russian Federation, both regarding the issue of Kosovo and other international issues.<sup>7</sup> This intensive political cooperation should certainly be viewed in the context of Serbian integration into its “first pillar” – the European Union. For example, in 2008 Progress Report<sup>8</sup>, the European Union clearly stated that in the implementation of the oil-gas arrangement with Russia, Serbia had to ensure that the obligations of the Energy Community Treaty are respected, which constitutes a part of Serbia’s European integration process.<sup>9</sup> This is a clear signal that Europe expects Serbia to behave in accordance with the rules of the “club” Serbia wants to join, i. e. that Europe is not against the cooperation with Russia as long as that cooperation is within European rules.

The general conclusion is that this “Russian pillar” of Serbian foreign policy has become increasingly stronger. Although its strength cannot still be compared with that of the pillar called the

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<sup>1</sup> The European Union, the United States of America and Russian Federation constitute “three pillars” of Serbian foreign policy. These three pillars, although previously mentioned in the presentations of Serbian officials, were last time clearly formulated in President Tadic’s address to the Serbian ambassadors in January 2009. Mr. Tadic: “EU – the most important goal” – January 12, 2009

[http://www.b92.net/info/vesti/index.php?yyyy=2009&mm=01&dd=12&nav\\_category=11&version=print](http://www.b92.net/info/vesti/index.php?yyyy=2009&mm=01&dd=12&nav_category=11&version=print)

<sup>2</sup> On the occasion of Mr. Tadic’s visit to China, he spoke about China being one of the pillars of Serbian foreign policy. The interview of the President of the Republic of Serbia Boris Tadic in Politika daily, Tadic: China – Serbian Strategic Partner, available at: <http://www.politika.rs/rubrike/Politika/Tadic-Kina-strateshki-partner-Srbije.lt.html>

<sup>3</sup> EU has the common position about the issues related to the August 2008 conflict between Georgia and Russia and the EU presiding state expresses that attitude at the meetings of the OSCE Permanent Council in Vienna. The neighbouring countries Montenegro and Macedonia regularly join the EU position.

<sup>4</sup> Resolution of the General Assembly UN GA/10708, 15 May 2008, available at: <http://www.un.org/News/Press/docs//2008/ga10708.doc.htm>

<sup>5</sup> The interview of V. I. Vornokov, Russian Permanent Representative to OSCE, Rosiyskaya gazeta, 20 August 2008 [http://www.mid.ru/Brp\\_4.nsf/arh/62547841B1A28DDCC32574AB0055AC1B?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/62547841B1A28DDCC32574AB0055AC1B?OpenDocument)

<sup>6</sup> The stenographic record of statements and answers to the questions asked by media representatives given by the Russian Minister of Foreign Affairs S. V. Lavrov at the joint press conference about the outcome of negotiations with the Serbian Minister of Foreign Affairs V. Jeremic, Moscow, February 20, 2009. (Стенограмма выступления и ответов на вопросы СМИ Министра иностранных дел России С.В.Лаврова на совместной пресс-конференции по итогам переговоров с Министром иностранных дел Сербии В.Еремичем, Москва, 20 февраля 2009 года) [http://www.mid.ru/brp\\_4.nsf/0/B38351266782BAE6C32575670037ABC8](http://www.mid.ru/brp_4.nsf/0/B38351266782BAE6C32575670037ABC8)

<sup>7</sup> Video press conference of the Ministers Lavrov and Jeremic where Minister Jeremic spoke about this strategy [http://www.mid.ru/brp\\_4.nsf/clndr?OpenView&query=21.2.2009&Lang=%D0%D3%D1%D1%CA%C8%C9](http://www.mid.ru/brp_4.nsf/clndr?OpenView&query=21.2.2009&Lang=%D0%D3%D1%D1%CA%C8%C9)

<sup>8</sup> Brussels, November 5, 2008, SEC(2008) 2698 final, available at:

[http://ec.europa.eu/enlargement/pdf/press\\_corner/key-documents/reports\\_nov\\_2008/serbia\\_progress\\_report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/serbia_progress_report_en.pdf)

<sup>9</sup> The Treaty was signed on October 25, 2005 in Athens, ratified by the competent authority of the Republic of Serbia on July 19, 2006 and came into effect on July 1, 2006 – *Official Gazette of the Republic of Serbia*, No. 62/2006 dated 19/07/2006.

European Union, since, according to the data of the Republic Statistical Agency of Serbia more than one half of the total foreign trade in goods goes to EU<sup>10</sup>, it has become stronger and more important. Namely, since 2004 the value of trade exchange with Russia has been constantly increasing. The majority of Serbian import originates from Russia, in the value of almost one billion US dollars per year, consisting mainly of energy resources. On the other hand Serbia exports to Russia mainly medicaments, half-products and some food.<sup>11</sup>

In this review we are going to analyze the issues related to Russian support to Serbia in connection with the Kosovo status issue and the feedback that Russia expects from Serbia at the political and economic agenda.

The review is not dealing with the economic issues separately, but they will be touched upon for the purpose of emphasizing their significance within the political relationships. The fundamental thesis of the review is that the political cooperation or “strategic partnership” between Russia and Serbia is unfavourable for Serbia in its present form, because it does not sufficiently take into account priorities of the Serbian European integrations. In addition, the Serbian policy towards Russia, set up in this way, above all due to the Russian support to the status of Kosovo, must take into consideration the fact that the Russian support does not have a decisive impact on its solution. Also, the fact that Russia assumed a different stance towards the Georgian provinces than towards the Kosovo issue, casts a shadow over the Russian policy of supporting the principle of territorial integrity and sovereignty of Serbia. Consequently, we can say that the EU integration should have the central place within Serbian foreign policy priorities, while the cooperation with Russia is a bilateral issue that should not jeopardize the EU integration at any time. The proper measure of cooperation between Serbia and Russia is “practical – bilateral cooperation”<sup>12</sup>, which should not put at risk the European perspective of Serbia. However, this review does not have an intention to suggest that Russia has a plan for impeding European integration of Serbia or to suggest that any of the analyzed Russian actions is illegitimate from the aspect of Russian interests – as seen by the Russian leaders themselves. On the contrary, the review is striving to show that the responsibility lies on the Serbian leadership to accept Russian initiatives, which reflect Russian interests, only if they are not damaging European integrations of Serbia.

### **Qualitative Improvement in Russia-Serbia Relationships at the Beginning of 2009**

It is often emphasized that the qualitative improvement in the bilateral relationships between the two countries occurred on January 25, 2008 when the Agreement in Moscow between the Government of the Republic of Serbia and the Government of the Russian Federation on cooperation in the field of oil and gas industry was signed. However, the Serbian party ratified this Agreement only on September 10, 2008 by the Law that came into effect eight days later. This Agreement started its existence only after President Tadic’s visit to Moscow in December 2008.

*The strategic partnership in the energy sphere*, which had been announced in January 2008, following the signing of the Agreement, returned to be a “practical bilateral cooperation” in July of the same year, when Foreign Minister Vuk Jeremic visited Moscow.<sup>13</sup> Perhaps this could be explained by the Russian questions about the failure of the Serbian side to ratify the Oil-Gas Agreement from January 2008. The meeting between President Tadic and Minister Sergey Lavrov in New York, in the wake of the meeting of the UN General Assembly in September 2008, and Russian active support in passing the resolution of this body calling for an advisory opinion of the International Court of Justice about the unilateral declaration of independence of Kosovo, did improve this cooperation. On the occasion of President Tadic’s December visit to Moscow, both Presidents of Russia and Serbia before their meeting publicly mentioned “strategic relationships” between Serbia and Russia.<sup>14</sup> After this visit, it became obvious that the Serbian authorities have

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<sup>10</sup> Republic Statistical Agency, data available at: <http://webzs.stat.gov.rs/axd/index1.php?SifraVesti=356&Link=>

<sup>11</sup> Ibid <http://webzs.stat.gov.rs/axd/spoljna/index1.php>

<sup>12</sup> Interview of the official representative of the Russian Ministry of Foreign Affairs Andrey Nesterenko related to the upcoming visit of the Serbian Minister of Foreign Affairs V. Jeremic, July 16, 2008, available in Russian at: [http://www.mid.ru/Brp\\_4.nsf/arh/6319B2237D5B4F40C325748800295D18?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/6319B2237D5B4F40C325748800295D18?OpenDocument)

<sup>13</sup> Ibid

<sup>14</sup> The beginning of meeting with the President of Serbia Tadic, on December 24, 2008, available in Russian at: <http://www.kremlin.ru/text/appears/2008/12/210958.shtml>

serious intentions regarding the oil-gas arrangement and that they are determined not to agree to the change of Kosovo status. Hence, this visit cleared a path towards strategic relationships between the two countries, but only after having determined clearly both of these issues and having defined them in the relationships between the two countries.

When the Minister of Foreign Affairs Vuk Jeremic visited Russia on February 20, 2009, the Russian Minister of Foreign Affairs Sergey Lavrov, at the press conference after the meeting, described the state of relationships between the two countries as mutual *interest in building strategic partnership*. Before Jeremic's visit to Moscow, on February 19, 2009, the official representative of the Russian Ministry of Foreign Affairs Andrey Nesterenko had said that the working visit was in line with the agreement on extending intensive Russian-Serbian contacts at the high political level with the aim of developing projects of bilateral cooperation, as well as the agreement on *coordinating approaches and diplomatic efforts related to international problems*.<sup>15</sup> According to Nesterenko, they are *directed towards building a strategic partnership*. The Russian support to the Serbian policy over the Kosovo status issue and the strategy of joint stance at the international level also means joint positions on other issues at the international level. For example, during Minister Jeremic's visit to Moscow on February 20, 2009, Minister Lavrov expressed his gratitude to his Serbian counterpart for the *interested approach of Serbia towards the Russian initiative on signing a new European Security Treaty*.<sup>16</sup> During their conversation at the informal Ministerial Council in Corfu, the bilateral readiness of Russia and Serbia to cooperate closely in their efforts related to crucial international issues, including the issue of Kosovo, was confirmed.<sup>17</sup>

However, before Minister Jeremic's spring visit, Russian officials, even when they were talking about the strategic partnership between Russia and Serbia, spoke about the strategic partnership in the energy sphere (although they did use several different terms to describe that). Therefore, the question is what turned the *strategic partnership in the fuel/energy sphere*<sup>18</sup> into the *strategic partnership* between Russia and Serbia? The statements of Russian officials during this working visit of Serbian Minister did not contain any more the previous clarification "*strategic partnership in the sphere of energy*", which had been determining the state of relationships between Serbia and Russia up to that point. That clarification was used also during the conversation between Lavrov and Jeremic at the Ministerial Council in Helsinki<sup>19</sup> and in the previous contacts between Russian and Serbian officials.<sup>20</sup> Finally, the visit of President Medvedev to Serbia, announced for October 20, 2009 as a first-rate political event, is also directed towards *determining benchmarks for further strengthening of strategic partnership*.<sup>21</sup>

In 2009, the relationship between Russia and Serbia intensified and has been elevated to the level not seen for decades. There are contacts and cooperation in economy and politico-military sphere. By signing the Agreement on constructing the Serbian part of the *South Stream* gas pipeline and selling Serbian Oil Industry (NIS), as well as by planning the construction and modernization of the underground gas storage *Banatski dvor*, with all estimates that this is a political arrangement, this cooperation has been formed in such a way as to reflect not only Serbian interests related to Kosovo, but also many Russian interests. At the same time, other examples also support this assessment. The list of products that are exempted from customs

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<sup>15</sup> The interview of the official representative of the Russian Ministry of Foreign Affairs Andrey Nesterenko related to the upcoming visit of Serbian Minister of Foreign Affairs V. Jeremic, February 19, 2009 – available in Russian at: [http://www.mid.ru/Brp\\_4.nsf/arh/342FA6A377E5EA48C3257562004EDC0A?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/342FA6A377E5EA48C3257562004EDC0A?OpenDocument)

<sup>16</sup> The stenographic record of statements and answers to the questions asked by media representatives given by the Russian Ministry of Foreign Affairs Sergey Lavrov at the joint press conference with Serbian Minister of Foreign Affairs Vuk Jeremic, available in Russian at: [http://www.mid.ru/brp\\_4.nsf/0/B38351266782BAE6C32575670037ABC8](http://www.mid.ru/brp_4.nsf/0/B38351266782BAE6C32575670037ABC8)

<sup>17</sup> Details about the conversation between Ministers Lavrov and Jeremic on Corfu, June 29, 2009 available in Russian at: [http://www.mid.ru/Brp\\_4.nsf/arh/4E76296504640C9AC32575E4004E07F9?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/4E76296504640C9AC32575E4004E07F9?OpenDocument)

<sup>18</sup> Russian President Vladimir Putin, on the occasion of signing Oil-Gas Agreement on January 25, 2008, available in Russian at: [http://www.kremlin.ru/appears/2008/01/25/2006\\_type63377type63380\\_158116.shtml](http://www.kremlin.ru/appears/2008/01/25/2006_type63377type63380_158116.shtml)

<sup>19</sup> The interview between Lavrov and Jeremic in Helsinki, available in Russian at: [http://www.mid.ru/brp\\_4.nsf/0/B1C55C0EC386A565C32575150068BCC6](http://www.mid.ru/brp_4.nsf/0/B1C55C0EC386A565C32575150068BCC6)

<sup>20</sup> Lavrov – Tadic, September 25, 2008 in New York at the meeting of UN General Assembly, details about the meeting between Ministers Lavrov and Tadic, available in Russian at:

[http://www.mid.ru/Brp\\_4.nsf/arh/7CE4EDBF6A43E661C32574CF002059C3?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/7CE4EDBF6A43E661C32574CF002059C3?OpenDocument) ()

<sup>21</sup> A phone conversation between Presidents Medvedev and Tadic, available in Russian at:

[http://www.kremlin.ru/sdocs/news.shtml?day=5&month=08&year=2009&Submit.x=3&Submit.y=6&value\\_from=&value\\_to=&date=&stype=&dayRequired=no&day\\_enable=true#](http://www.kremlin.ru/sdocs/news.shtml?day=5&month=08&year=2009&Submit.x=3&Submit.y=6&value_from=&value_to=&date=&stype=&dayRequired=no&day_enable=true#)

duties or with reduced customs duties specified in the Treaty on Free Trade has been expanded.<sup>22</sup> It is expected that, in addition to the Moscow Bank, some other major Russian banks will come to Serbia, such as Gazprom bank. This will facilitate the expansion of Russian business in Serbia. Serbia requested a loan from Russia in the amount of one billion US dollars, which is being considered, but it is believed that it will be granted.<sup>23</sup> Besides, after many years of delay, the overhaul of the hydroelectric power plant Djerdap I should start and it should be performed by the Russian company *Siloviye Mahsini*. Since April 2009 the Russian engineers have been removing the bombs from the period of NATO bombing.<sup>24</sup> Also, the repair of weapons and military equipment of the Army of Serbia, mainly of Russian origin, is underway.

The conclusion emerges that before the end of 2008 and ratification of the Oil-Gas Agreement the Russians had not spoken about the strategic partnership in the same way as they began to speak after the ratification. Also, a series of previously mentioned changes occurred only after Serbia and Russia had established the foundations of their strategic partnership, which could not be only trade, investments and cooperation related to the status of Kosovo, because these are primarily Serbian interests. It was necessary to build in the strategic partnership Russian interests as well. Russia clearly stated that it is the cooperation related to oil/gas, under the terms and conditions that were finally agreed upon, and cooperation at the international level.<sup>25</sup> From that point on we can speak indeed about the strategic partnership.

Hence, presently we can separate three determiners of strategic partnership between Russia and Serbia: (1) Russian support to Serbian policy related to the status of Kosovo; (2) coordination of positions of the two countries regarding other international issues; (3) Unimpeded implementation of strategic economic projects such as the *South Stream* Project and the entire oil-gas arrangement between Russia and Serbia.

### **Kosovo Status Issue: the Russian Position**

From the beginning of talks related to the status of Kosovo, Russia's standpoint was that the solution must be reached with the consent of both parties "without artificial deadlines".<sup>26</sup> The proclamation of independence followed when it became clear that Russia was not going to yield and that the independence of Kosovo would not be verified by the UN Security Council. The Kremlin has always pointed out its support to the Serbian policy of defending the principle of territorial integrity and sovereignty. However, it has often been interpreted in Serbia as supporting and defending Serbia, which has never been the intention of Russian officials. The Russian position about the Kosovo's status issue was precise: Russia was defending the principle of territorial integrity and sovereignty, and not Serbia as a state. Defending this principle, Russia has been supporting the current Serbian policy related to the status of Kosovo, but it has not been defending Serbia. It would be difficult to imagine a situation in which Russia would provide any political or military assistance if Serbia tried to defend its territorial integrity in Kosovo using military

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<sup>22</sup> Ratified – *Official Gazette of FRY* – International Treaties, No. 1/2001. Pursuant Article 4, Paragraph 2 of the Agreement between the Federal Government of the Republic of Yugoslavia and the Government of Russian Federation, which provides that the signatory parties shall adjust the exceptions from the regime prescribed by Article 1 of this Agreement, that shall be applied on the basis of bilateral protocols signed by the signatory parties in accordance with their national legislations, at the seventh meeting of the Working Group for Improving Trade and Economic Cooperation and Enhancing Trade Mechanism between the Republic of Serbia and Russian Federation, the Protocol of Exceptions on Free Trade Regime was signed in Belgrade on April 3, 2009, but it is not clear whether it is subject to new ratification or it will be applied directly on the basis of signatures of the Working Group members.

<sup>23</sup> The Russian Ambassador in Serbia Aleksandar Konuzin,

[http://www.b92.net/info/vesti/index.php?yyyy=2009&mm=08&dd=06&nav\\_category=11&nav\\_id=375064](http://www.b92.net/info/vesti/index.php?yyyy=2009&mm=08&dd=06&nav_category=11&nav_id=375064)

<sup>24</sup> According to the data of the Russian Ministry for Emergency Situations, in the period from April 6 – August 12, the specialists from the High Risk Rescue Operation Centre within this Ministry searched 539,413m<sup>2</sup> of the territory and they plan to search the additional 418,000 m<sup>2</sup>. They found 177 explosive devices. Available in Russian at: [http://www.mchs.gov.ru/porta\\_news/detail.php?ID=22992](http://www.mchs.gov.ru/porta_news/detail.php?ID=22992)

<sup>25</sup> As soon as during his visit to Belgrade on October 9, 2007, Aleksey Miler, the Head of Gazprom said that "our entire business cooperation is a part of one complex project i. e. we consider our participation in the privatization of NIS to be a part of strategic cooperation with Serbia", *Vreme*, October 18, 2007.

<sup>26</sup> Russia opposes artificial deadlines for Kosovo settlement, *Ria Novosti* 17:2521/06/2007: <http://en.rian.ru/russia/20070621/67606516.html>

force or applying more intensive political measures (for example, economic sanctions against Kosovo).

As soon as in 2003 Russia withdrew its troops from Kosovo, with the explanation that further presence of Russian soldiers would only be used as justification for the developments considered by Russia to be wrong.<sup>27</sup> This stance practically released Russia from liability to be included in the issues related to the status of Kosovo and life of minorities, and released Russia from the costs of that operation. Russia withdrew to the level of discussion about the principles in the international bodies, bilateral and multilateral fora. This move had been done even before the policy related to the options of future status of Kosovo had been formulated and before the framework for the independence of Kosovo that followed after the outrage on March 17, 2004 was established. Namely, at that time the previous approach *standards before status* was transformed into a slogan rather than a policy.<sup>28</sup>

However, Russia kept its Chancery in Pristina and active cooperation with UNMIK, along with several policemen who worked in the corpus of UNMIK police. Russia was also included in the consultations related to the final status of Kosovo. Nevertheless, its standpoint that the parties have to reach an agreement without deadlines was not supported by the states of transatlantic community, primarily by Washington. Since the beginning of establishment of Kosovo independence, Russia has given certain diplomatic support to Serbia, which has been increasing over time and which resulted in postponing the proclamation of independence for a short period of time. The Russian position has all the time been interpreted as the necessity of respecting the international law, Helsinki Final Act 1975, and principles of sovereignty and territorial integrity.

Until August 2008 Russia covertly, and since then openly, had a completely different approach towards Georgian provinces Abkhazia and South Ossetia. Following the military intervention that took place 8–12 August and the defeat of Georgian forces that entered South Ossetia, as well as their expulsion from the Kodori Gorge in Abkhazia, on August 26, 2008 Russia recognized the independence of these two Georgian provinces. In doing that, Russia emphasized that Georgia had committed a crime with its treacherous assault on Tskhinvali<sup>29</sup> thus itself annulling its territorial integrity.<sup>30</sup> In addition, Georgia (unlike Serbia) attacked South Ossetia while the negotiations under international auspices were ongoing. The Russian argument for the recognition of these two Provinces is that it is the method of providing security in these “Republics”. Furthermore, many Russian arguments in the favour of independence of Abkhazia and South Ossetia, *mutatis mutandis*, are the arguments provided by the transatlantic community in the case of Kosovo, which is a kind of Russian response to ignoring in relation to Kosovo. Faced with the accusations of being inconsistent in its interpretation and application of international law, since in the case of Kosovo Russia took a completely opposite stance, Russia explained that it was *true* that the cases of Kosovo and Abkhazia and South Ossetia could not be compared because Serbia had not attacked Kosovo the way Georgia attacked South Ossetia, and therefore the case of South Ossetia was *sui generis*, and it was not equal to the case of Kosovo.<sup>31</sup> The words of President Medvedev are the following:

*Our colleagues told me more than once that the case of Kosovo is unique, as lawyers say casus sui generis. OK, if that case is unique, than this case [of Georgia] is also unique.*<sup>32</sup>

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<sup>27</sup> Press statements and answers to questions related to the outcome of the meeting with the Prime Minister of Serbia Vojislav Kostunica. The text is available in Russian at: <http://www.kremlin.ru/text/appears/2004/06/65300.shtml>

<sup>28</sup> Kai Eide's Report – Comprehensive Review of the Situation in Kosovo. Available at: <http://www.ico-kos.org/?id=6>

<sup>29</sup> Speech of Ambassador for Special Assignments within the Russian Ministry of Foreign Affairs D.E. Tarabin at the first working session of the Annual Security Conference OSCE, on June 23, 2009. “OSCE approaches and work in the field of early warning, conflict prevention and management, crisis management and post-conflict rehabilitation”, Vienna, June 23, 2009 - available in Russian at:

[http://www.mid.ru/Brp\\_4.nsf/arh/CE6A9D086155121CC32575E00055A9EA?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/CE6A9D086155121CC32575E00055A9EA?OpenDocument)

<sup>30</sup> See also the Announcement of the Russian Ministry of Foreign Affairs dated August 25, 2009, available in Russian at: [http://www.mid.ru/brp\\_4.nsf/0/4107A0E2642142ABC325761D0022E2AA](http://www.mid.ru/brp_4.nsf/0/4107A0E2642142ABC325761D0022E2AA)

<sup>31</sup> Sergey Lavrov, Face to face with USA: Between non-confrontation and convergence, Journal Profile, No. 38, October 2008, available in Russian at:

[http://www.mid.ru/Brp\\_4.nsf/arh/B3C8684DEA14B242C32574E1002FD07B?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/B3C8684DEA14B242C32574E1002FD07B?OpenDocument)

<sup>32</sup> Medvedev defends the solution of two Republics (Медведев отстаивает решение о двух республиках), [http://news.bbc.co.uk/hi/russian/russia/newsid\\_7583000/7583005.stm](http://news.bbc.co.uk/hi/russian/russia/newsid_7583000/7583005.stm)

## Two different cases or two standards for the same case: Kosovo and Georgian Provinces Abkhazia and South Ossetia

The Russian leadership has all along been comparing the cases of Kosovo and renegade Georgian provinces. According to Russia, the issue of Kosovo status and unilateral declaration of independence recognized by the majority of transatlantic community members was a *precedent*, which is also valid for Abkhazia and South Ossetia. Many post-Soviet states, such as Ukraine, Azerbaijan, Georgia, Moldavia, Central Asian states, do not even consider recognizing Kosovo, but neither do they consider recognizing Abkhazia and South Ossetia. Such stance is opposite to the efforts of transatlantic community invested in proving that the case of Kosovo is *sui generis*, unique and that it cannot be applied to other conflicts.<sup>33</sup> Precisely that attitude of treating Kosovo as *sui generis* case and ignoring the Russian position towards Kosovo in the last ten years motivated Russia to create a new *sui generis* case - Abkhazia and South Ossetia.

The refusal of Russia to recognize Kosovo as well as its diplomatic and political support to Serbia, along with its diplomatic, political and economic support to Georgian provinces whose majority population, like Kosovo Albanians, requested independence from Georgia after the armed conflict, raise an issue of consistency of The Russian policy in relation to ethnic conflicts. If one compares the images from these two cases, the result is mixed. In spite of a series of similarities between them and Kosovo, referred to by Russia, there is a series of differences, referred to by the Western countries. Finally, little essence remains, except that real interests prevailed over principles and law.

However, it is necessary to compare both the interests of transatlantic community to recognize the independency of Kosovo as well as the interests of Russia to recognize Abkhazia and South Ossetia. Only then are we going to have a complete outlook at developments and outcomes of these events that marked the beginning of 21st century.

According to the data of the International Crisis Group some eight thousand people died in the 1992–1993 war in Abkhazia.<sup>34</sup> It ended in 1994 with the Moscow Agreement, which established the separation line between the conflicted parties and the political format for negotiations. In 1994, the negotiations began under the auspices of the United Nations and lasted until May 2009 when they ended in a total failure and when the UN Peacekeeping Mission in Abkhazia, Georgia ended with its withdrawal. Although the format for negotiations still exists through the so-called “Geneva Process” among Georgia, Russia, Abkhazia and South Ossetia, dealing with the security and return of the displaced, the United Nations do not have the field mission any more. Since the very beginning, Russia had deployed its peace contingent in the so-called zone of conflict between Abkhazia and Georgia, which was under the peace operations mandate of the Commonwealth of Independent States (CIS) supported by the United Nations. Until 2007 Abkhazia was completely integrated into the Russian economic system and totally dependent of Russia. Russia began to grant its passports to the inhabitants of Abkhazia and almost all inhabitants of non-Georgian ethnic background obtained those passports by 2007. Two months after the Kosovo’s declaration of independence on March 2, 2008 Russia officially withdrew from the sanctions imposed in 1996 on Abkhazia by CIS and established formal relationships between Russia and *de facto* authorities of Abkhazia (and South Ossetia)<sup>35</sup>. At the same time, it should be mentioned that Abkhazia continuously enjoyed the support of informal Russian circles, but also the formal ones such as the political and economic support of the Moscow City, with its long-term Mayor Yuri Luzhkov. For example Russia was almost always paying pensions to the inhabitants of Abkhazia. The consequence of these facts was that Georgia, but also some other transatlantic community states, since 2004 have not considered Russia to be a fair mediator, but the party to the conflict.

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<sup>33</sup> See Bruno Coppieters, The Recognition of Kosovo: Exceptional but not Unique, Readings in European Security, Centre for European Policy Studies, International Institute for Security Studies, Geneva Centre for the Democratic Control of Armed Forces & Geneva Centre for Security Policy 2009.

<sup>34</sup> Report “Abkhazia Today” available at <http://www.crisisgroup.org/home/index.cfm?id=4377&l=1>

<sup>35</sup> Press release of the Russian Ministry of Foreign Affairs:

[http://www.in.mid.ru/Brp\\_4.nsf/arh/79C58F476CAEC4E8C32574040058934C?OpenDocument](http://www.in.mid.ru/Brp_4.nsf/arh/79C58F476CAEC4E8C32574040058934C?OpenDocument)

According to the data of the International Crisis Group the conflicts in Abkhazia resulted in 239,000 displaced Abkhaz inhabitants, predominantly Georgians who used to constitute an ethnic majority in that Autonomous Province before the conflict, i. e. the total of 46% of all Abkhaz population. *De facto* Abkhaz authorities in 1999 allowed the limited return of Georgians in Gali Region, at the border with Georgia (some 45-50 thousand people), but they kept their position that the majority of Georgians could not be allowed to return *because the 1992 war disaster would be repeated*<sup>36</sup>. The recognition of Abkhazia happened despite the fact that more than a half of the population had been expelled from Abkhazia (46% of Georgians and an additional small percentage of people belonging to other ethnic groups who escaped at the very beginning of the conflict).

The events in South Ossetia did not essentially differ from the events in Abkhazia. The 1991 – 1992 conflict did result, though, in fewer victims – some 1,000 persons were killed. The 1993 International Framework for Negotiations was under the auspices of the Organization for European Security and Cooperation. Within the framework of the so-called Joint Control Commission, a body consisting of the representatives of The Russian Federation, Georgia, South Ossetia authorities and North Ossetia authorities, no essential progress resulted from negotiations during the entire “frozenness” of this conflict. The Russian Federation had its troops deployed also in this territory, under the mandate of ICS as well.

When Georgia failed in all its attempts to change the negotiating format which was dominated by Russia and that had no perspective for achieving results in the favour of its territorial integrity<sup>37</sup>, President Saakashvili decided in favour of a military action. The action ended in failure, and that raised numerous questions related to the conduct in war by all participants and in particular by the troops that belonged to the unofficial authorities of South Ossetia. The conflict ended with the mediation of French President Sarkozy who negotiated the principles of cease-fire and the beginning of a new negotiation process. Russia and Georgia have never signed identical versions of these principles, but in the field they had a practical effect of stopping the conflict and Russian advance within Georgia. Until October 10, 2008 Russian forces withdrew from almost all parts of Georgia outside of South Ossetia. The entire Georgian population was also in this case exiled from South Ossetia and their property was mainly destroyed.<sup>38</sup>

Regardless of whether the cases of Kosovo, Abkhazia and South Ossetia are going to be considered precedents or not, the fact is that these cases have both many similarities and huge differences. In both conflicts until August 2008 Russia supported the principle of Georgian territorial integrity and voted for each UN Security Council resolution and each OSCE Permanent Council’s solution that were confirming that integrity. In practice, Russia supported the inhabitants of these two Georgian regions by granting the citizenship of The Russian Federation, which annulled all needs of this people to be a part of Georgia or to go to Tbilisi. Russia was giving them also practical support in the form of money, trade, open and half-open borders, etc. Russia used to justify this double track with humanitarian reasons and need to help the population of these regions who found themselves in an unsupportable situation due to the stubborn policy of Tbilisi.

Both of these two conflicts in Georgia should be viewed in the context of Russian need to keep its influence in the territory of South Caucasus. The Georgian striving towards NATO with the potential accession to NATO would leave Russian military forces in Armenia isolated. Besides, the alternative corridors for the transportation of energy resources – oil and gas from the Sub-Caspian region and Central Asia would become open and free of any Russian influence. After the conflict in 2008 and unanimous support to Georgia, given in more or less firm form, by the states of transatlantic community, Georgia made it clear that it was going to withdraw from CIS, which would have terminate the mandate of Russian forces in Abkhazia and South Ossetia. Russia decided to recognize its independence partly because, of the mentioned realpolitik arguments, and partly

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<sup>36</sup> Interview of *de facto* President of Abkhazia Sergey Bagapsh - available in Russian at: <http://www.apsny.ru/apsnynews/apsnynews.php?mode=more&more=13626>

<sup>37</sup> Since the first half of 2007 Georgia has advocated for the change of negotiation format according to the principle 2+2+2, OSCE and EU + Russia and Georgia + authorities of South Ossetia and parallel Provisional Administration of South Ossetia loyal to the Government of Tbilisi.

<sup>38</sup> Detailed information about the events can be found at the Internet sites of Human Rights Watch: <http://www.hrw.org/en/europecentral-asia/georgia>, and Amnesty International <http://www.amnesty.org/en/region/georgia>

because Russia needed to keep the presence of its armed forces in those territories and consequently its influence in these regions. Ever since, Russian soldiers have stayed in these two regions on the basis of agreement that Russia concluded with Georgia after its recognition. Therefore, Russian interests have evidently prevailed over the principles of preservation and protection of the territorial integrity of each country.

After the recognition of independence of Kosovo – an autonomous province of the sovereign country, Russia took a stance that the notion of state sovereignty and territorial integrity has now become completely relative. A doubt emerged that the weakening of sovereignty principle could have adverse effect on the territorial integrity of Russia itself, taking into account its problems in North Caucasus.<sup>39</sup> For that reason, from Russian perception of international relations the only option was the demonstration of force. This is, among other things, one of the main reasons why Russia opposes so strongly the enlargement of NATO, which is not seen directly as a military threat, but as something that largely narrows political options, including the option of force, in the case of instable North Caucasian Republics – Chechnya, Ingushetia, Dagestan as well as other Republics. These North Caucasus Republics have violent elements, and even terrorists, who advocate for the independence of these Republics from Russia. The presence of NATO on the unstable parts of the Russian border is something quite different from the presence of NATO on the Baltic borders that are stable from the Russian point of view.

The Russian response to the recognition of Kosovo's independence, mindful and consistent until August 2008, when Russia had strong principled position based on the international law and practice, became relative with the changed policy of the Kremlin. Its *moral high ground* was shattered and this consequently affected its capability of influencing and convincing anyone about the need to respect the principles of territorial integrity and sovereignty of Serbia in relation to the Kosovo case. Even the closest Russian partners, Shanghai Cooperation Organization and the members of the Collective Security Treaty Organization, which include some of the closest The Russian allies, such as Belarus, Kazakhstan, Kirgizstan and Armenia, did not follow Russia and did not recognize Abkhazia and South Ossetia. One year after the August events, the independence of those provinces was not officially recognized by any state except Nicaragua, although with uncertain internal consequences for that country.

### **Impact and Consequences**

Despite the announcement from Washington that it wants to “reset” the relationships with Russia and in spite of freezing the prospects for NATO membership for Georgia and Ukraine, the issues of Kosovo, South Ossetia and Abkhazia remain where they are without any perspective for change. In fact, following the principles of realpolitik and intervening in Georgia, Russia drew some “red lines”, prevented the integration of Georgia and Ukraine into NATO and put into question the possibility for alternative routes of supplying energy resources through Georgia. In doing so, it seems that Russia has been following its previously defined doctrine of privileged interests.<sup>40</sup>

On the other hand, the recognition of Kosovo's independence was supported by a significant number of states, although not by the majority of the UN member states. Nevertheless, many countries in whose integration processes Serbia would like to enter, opted to support the separation of Kosovo. The interest of these states in the recognition of Kosovo, even in spite of the USA's obvious desire to develop the best possible relationships with the demographically youngest nation in Europe – Albanians, still lies primarily in the stability of this part of Europe and the need for integrating this part of Europe into the European Union, which is in line with the aspirations of the majority of Serbian citizens.<sup>41</sup> Therefore, the reasons of transatlantic community

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<sup>39</sup> For the information about the situation and conflict in North Caucasus see: <http://www.kavkaz-uzel.ru/articles/139142>, also, *Gregory Shvedov*, Caucasus – Confrontation or Cooperation, First Report within the Project of Monitoring Russia – Serbia Relations, <http://www.isac-fund.org/publishing.php#analysis>

<sup>40</sup> In the interview given to the First Channel on August 31, 2008 President Medvedev said that Russia had regions of privileged interest as well as other states with which Russia had had traditionally friendly and special relations. Those regions do not necessarily border Russia. Available in Russian at: [http://www.kremlin.ru/appears/2008/08/31/1917\\_type63374type63379\\_205991.shtml](http://www.kremlin.ru/appears/2008/08/31/1917_type63374type63379_205991.shtml)

<sup>41</sup> Report of International Crisis Group, Breaking the Kosovo Stalemate: Europe's Responsibility Europe Report N°185 21 August 2007



and Russia to act in connection with the issues related to the status of Kosovo and Georgian provinces Abkhazia and South Ossetia are essentially different. While the Russian reasons for the recognition of Georgian provinces imply Russian interests, the reasons of transatlantic community are based on striving towards common interests – true, with many contradictions.

It can be concluded that Russian policy related to Kosovo has at least two sides of the same coin. One side is a political and diplomatic support to Serbia, traditionally in good relationships with Russia, the country where Russia, and particularly the Russian people are so popular, as a result of traditional and very often mythical ideas about friendship, Pan-Slavism and Orthodoxy. Hence, Russia gets the opportunity to successfully defend its business and political interests in South East Europe, particularly in Serbia, after the whole decade of democratic changes in Serbia.<sup>42</sup> At the same time, if we analyze a range of relationships between Russia and transatlantic community, we shall identify a series of problems and misunderstandings, with the issue of Kosovo and Georgian provinces being only one of them, positioned rather low at the scale of importance. Both Russian and transatlantic community officials are aware that the issues of disarmament, on Conventional Forces in Europe Treaty, energy security and the regulation of Iran and North Korea nuclear programmes, as well as the stabilization of Afghanistan, which all require the cooperation of Russia, are far more important than the issue of these territories.

Therefore, it is possible to talk about Russian “support” to Serbia, but not about “Russia’s defence of Serbia”. That support, although existing, is conditional and relative. It is conditional because Russia advocates for a legal solution to territorial and ethnic conflicts in the Euro-Atlantic territory, except in case when the vital Russian interests are seriously jeopardized, when, as Kremlin showed in Georgia, it is possible to diverge from these principles following the example of transatlantic community in relation to Kosovo. This Russian approach is far from the present Serbia’s position “not to recognize Kosovo ever”. Russia sends a message that the independence of Kosovo from Serbia is possible under appropriate conditions, for example, such as the ones legally defined in a new European Security Treaty, which Russia advocates for.<sup>43</sup> Hence, the insisting of Russia to solve the Kosovo’s status issue by reaching a mutual agreement is only its temporary diplomatic stance, until the moment when these legal conditions are agreed upon, with or without Serbian consent. The Russian support is also *relative* because with its *mirror action* in Georgia, Russia admitted that even without legally binding and defined principles, if certain adequate conditions are met, such as the attack of central authorities the principles of sovereignty and territorial integrity can be made relative and even annulled, and the right of Abkhaz and Ossetian people to self-determination can be prioritized. Namely, immediately after signing a recognition decree, President Medvedev said that Russia respected all the principles of Final Helsinki Act, whereas 3<sup>rd</sup> and 4<sup>th</sup> principles imply territorial integrity of states and 8<sup>th</sup> principle refers to equal rights and self-determination of peoples.<sup>44</sup>

*Tbilisi made its choice during the night of August 8, 2008. Saakashvili opted for genocide to accomplish his political objectives. (...) The peoples of South Ossetia and Abkhazia have several times spoken out at referendums in favor of independence for their republics. (...)*

*A decision needs to be taken based on the situation on the ground. Considering the freely expressed will of the Ossetian and Abkhaz peoples and being guided by the provisions of the UN Charter, the 1970 Declaration on the Principles of International Law Governing Friendly Relations Between States, the CSCE Helsinki Final Act of 1975 and other fundamental international instruments, I signed Decrees on the recognition by the Russian Federation of South Ossetia's and Abkhazia's independence. (...) it represents the only possibility to save human lives.<sup>45</sup>*

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<http://www.crisisgroup.org/home/index.cfm?id=5018&CFID=13514066&CFTOKEN=32288909>

<sup>42</sup> See Pavel Kandelj, «Балканизация» Европы vs «европеизация» Балкан, 15-06-2008, "Россия в глобальной политике". № 3, Май - Июнь 2008, П.Е. Кандель – к. и. н., ведущий научный сотрудник Института Европы РАН.

<sup>43</sup> See President Medvedev’s second principle at the conference of world politics in Evian, France.

[http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159\\_type82912type82914\\_207457.shtml](http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159_type82912type82914_207457.shtml)

<sup>44</sup> Available at: <http://www.osce.org/search/?displayMode=3&lsi=1&q=helsinki+final+act&GO=GO>

<sup>45</sup> Statement by President of Russia Dmitry Medvedev, August 26, 2008, available at:

[http://eng.kremlin.ru/speeches/2008/08/26/1543\\_type82912\\_205752.shtml](http://eng.kremlin.ru/speeches/2008/08/26/1543_type82912_205752.shtml)

Besides, the official Russian policy claimed that the recognition of independence was the only possible way for providing hard security of these Republics, implicitly giving one more argument in the favour of recognition of independence of certain territories in the world.<sup>46</sup>

Hence, using *mutatis mutandis* the same arguments as the members of transatlantic community in relation to the status of Kosovo, President Medvedev gave a reciprocal answer to the recognition of independence of the Serbian province. A recent statement of the Russian Prime Minister Vladimir Putin leads to even more obvious conclusion:

*The international legal subjectivity of Abkhazia and South Ossetia begins from the moment of their recognition by at least one of the actors of international relations (...) and therefore, the recognition of Russia is sufficient (...) from the moral-ethical point of view, the comparison between Kosovo, Kosovo precedent, and Abkhazia and South Ossetia is completely founded. There are no essential differences. In both cases there are ethnic conflicts and in both cases the violation of law occurred.*<sup>47</sup>

It is clear that following its realpolitik interests Russia recognized Abkhazia and South Ossetia. Russia did it by using the same arguments as the states of transatlantic community. However, in doing so, Russia relativized the principles referred to until that in relation to Kosovo. In addition, Russia continued relativizing both the international laws and the principles of Final Helsinki Act, which makes any further discussion related to Kosovo less consistent. And finally, by proposing the conclusion of new European Security Treaty and by including into that proposal the second principle of uniform solution to ethnic conflicts, Russia sent a message that the past should be left behind, the status quo should be kept and the future rules should be defined.

### **Russian Initiative for Concluding a New European Security Treaty**

The Initiative for concluding a new European Security Treaty was launched by President Medvedev in Berlin, on June 5, 2008, and then on the World Policy Conference held in Evian on October 8, 2008. On that occasion, he presented the basic principles of the new Treaty.<sup>48</sup> Originally vague idea assumed its form in October when Medvedev accepted, after the consultations with the French President Sarkozy, to discuss this initiative within the OSCE. Regardless of the principles, “baskets” and the OSCE history,<sup>49</sup> Russia claims that it is necessary to change the guarantees of so-called **hard security** since this is what failed in August 2008.

On the OSCE Forum for Security Cooperation, held in Vienna on February 18, 2009, Russian Deputy Minister of Foreign Affairs Aleksandar Grushko pointed out the significance of adopting a legally binding document that would be prepared by the member states and organizations such as NATO, EU and OSCE, but also Collective Security Treaty Organization (English: CSTO, Russian: ОДКБ) and Commonwealth of Independent States (CIS). This Treaty would, according to Grushko, tackle only “hard” security issues and would not deal with the “human dimension of security” (free election and human rights) or economic and environmental issues, thus excluding other two OSCE “baskets”. In this way Russia formulated its priorities at the international level.

In this initiative Medvedev included also the need for harmonizing the principles for regulating ethnic and territorial conflicts in the Euro-Atlantic region (the second principle from the speech of D. A. Medvedev at the World Policy Conference in Evian, October 8, 2008).<sup>50</sup>

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<sup>46</sup> Press release of the Russian Ministry of Foreign Affairs from August 25, 2009 available in Russian at: [http://www.mid.ru/brp\\_4.nsf/0/4107A0E2642142ABC325761D0022E2AA](http://www.mid.ru/brp_4.nsf/0/4107A0E2642142ABC325761D0022E2AA)

<sup>47</sup> ITAR Tass, the meeting between the Russian Prime Minister Putin and President of South Ossetia Kokoiti, <http://www.itar-tass.com/level2.html?NewsID=14271740&PageNum=0>, also <http://news.mail.ru/politics/2853710> See also the RTS news, <http://www.rts.rs/page/stories/sr/story/9/Srbija/116721/Putin+o+Kosovu+i+Abhaziji.html>

<sup>48</sup> Medvedev's speech at the World Policy Conference in Evian, France [http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159\\_type82912type82914\\_207457.shtml](http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159_type82912type82914_207457.shtml)

<sup>49</sup> The three OSCE “baskets” are: the first is a politico-military dimension of security, the second is an economic and environmental dimension of security and the third one is a human dimension of security.

<sup>50</sup> Firstly: affirm the basic principles of security in the Euro-Atlantic area, observing of international law, sovereignty, territorial integrity and political independence of the states as well as respecting all other principles deriving from the Statute of the UN; secondly: guarantee for uniform interpretation and observance of the principle, clearly defined in the

At the Ministerial Council in December 2008, during the informal lunch, Minister Lavrov presented the need for a new European Security Treaty and reiterated the principles pointed out by President Medvedev in Evian. On the eve of the Informal Ministerial Summit on the Greek island Corfu, he spoke at the annual OSCE conference in Vienna: Overview of Challenges in the Field of Security on June 23, 2009.<sup>51</sup> Speaking about the atmosphere that requires changes of hard security system, Lavrov said that after the end of the *cold war*, the reason for divided Euro-Atlantic territory also ceased to exist; in his opinion this territory was created by gradually tearing off the parts of the former Warsaw Pact and approaching to Russian borders. Speaking about the principles that should be included in the new Treaty, Lavrov repeated the principles emphasized by President Medvedev in Evian, but he also broadened some of them. To the first principle that involved, *inter alia*, conscientious fulfilment of international obligations respecting the "political independence of states", Lavrov added non-intervention in internal affairs of the states. Thus, Lavrov pointed out dissatisfaction with the EU initiative for establishing "Eastern Partnership"<sup>52</sup>, or spreading of EU influence, according to Russia, to the Russian neighbouring countries and the states which Russia considers to be in its region of privileged interests. In addition, Lavrov also mentioned the necessity of respecting the right of every state to remain neutral, which may also refer to Serbia and its proclaimed military neutrality.<sup>53</sup> And finally, Lavrov pointed out the fourth principle according to which none of the military alliances can have an exclusive right to maintain peace and stability in the Euro-Atlantic region – a clear reference to NATO. Like his Deputy Grushko in Vienna, Lavrov emphasized the need for the uniform approach in solving conflicts, indirectly comparing Kosovo with Abkhazia and South Ossetia. At the end of his speech, Lavrov made it clear. If this vision of security cooperation in the Euro-Atlantic region is not achieved, we shall face a threatening "perspective of full re-nationalization or privatization of military-political security with all unwanted consequences deriving thereof". This point of view clearly reflects Russian position as well as long-term perspectives of the OSCE and consequently a Russian vision of security in the Euro-Atlantic region, which is, politically speaking, closely connected with the OSCE process.

OSCE Greek Chairmanship accepted to convene an informal Ministerial Council, the first of its kind, on the Greek island Corfu, on June 27-28, 2009. This event, which gathered the Ministers of Foreign Affairs of almost all OSCE member states, provided Russia with the opportunity to further elaborate its initiative. The reactions from this meeting were abstained. If we take into consideration that The Final Helsinki Act was drafted several years after Brezhnev's initiative and numerous meetings, different forums and formats, it is not surprising that for the time being the situation is still unclear. The Greek Minister of Foreign Affairs Dora Bakoyannis said in her opening remarks that the participants should yet agree about the "goal, content and framework of dialogue",

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Treaty, of inadmissibility of using force or threatening to use force in the international relations; provide a single approach to the prevention and peaceful conflict settlement in the Euro-Atlantic region, that take into account the different sides' positions and strictly respect peacekeeping mechanisms; thirdly: equal security explained with three "No's" no ensuring one's own security at the expense of others. No allowing acts (by military alliances or coalitions) that undermine the unity of the common security space. And finally, no development of military alliances that would threaten the security of other parties to the Treaty Besides, according to President Medvedev, it is necessary to focus on military-political issues today, given that nowadays the so-called hard security issues play a key role and taking into consideration that exactly in that field there is presently a lack of control mechanisms; fourthly: no state or international organization can have exclusive rights to maintaining peace and stability in Europe; fifthly establish basic arms control parameters and reasonable limits on military construction. Also needed are new cooperation procedures and mechanisms in areas such as WMD proliferation, terrorism and drug trafficking. Besides, it would be necessary to evaluate to which extent the previously established structures have been adequate. President Medvedev underlined that he did not suggest at all destroying or weakening what had been previously built, but more harmonized work based on uniform rules.

[http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159\\_type82912type82914\\_207457.shtml](http://www.kremlin.ru/eng/text/speeches/2008/10/08/2159_type82912type82914_207457.shtml)

<sup>51</sup> The full text of the speech in Russian language: challenges for hard security in the Euro-Atlantic territory: the OSCE role in creating reliable and efficient security system. (вызовы жесткой безопасности в евро-атлантике роль обсе в создании устойчивой и эффективной системы безопасности)

[http://www.mid.ru/brp\\_4.nsf/0/adad9c34ee795d2bc32575de003decd1](http://www.mid.ru/brp_4.nsf/0/adad9c34ee795d2bc32575de003decd1)

<sup>52</sup> Russia's Lavrov Lashes EU Over New 'Eastern Partnership' 22 March 2009, <http://www.eubusiness.com/news-eu/1237635122.1/>

<sup>53</sup> Paragraph 6 of the Resolution of the National Assembly of the Republic of Serbia on the Protection of Sovereignty, Territorial Integrity and Constitutional Order of the Republic of Serbia, (Rezolucija Narodne skupštine Republike Srbije o zaštiti suvereniteta, teritorijalnog integriteta i ustavnog poretka Republike Srbije (Official Gazette of the Republic of Serbia - "Sl. glasnik RS", br. 125/2007);

which evidently means that this process is still in its initial phase.<sup>54</sup> The expert comments agree that this initiative is directed primarily at stopping the enlargement of NATO and strengthening the role of Russia in the European security matters.<sup>55</sup>

### Serbia and Russian Initiative

As soon as in August 2008, in the interview for *Rossijskaja gazeta* (only two and a half months after the first mentioning of this initiative), the acting Russian representative in OSCE Vladimir Voronkov, said that Serbia, together with the members of Collective Security Treaty Organization (Russia, Belarus, Armenia, Kazakhstan, Kirgizstan, Tajikistan and Uzbekistan) *showed sympathies towards the initiative*.<sup>56</sup> This Treaty was also mentioned on the occasion of Minister Jeremic's visit to Moscow, when Lavrov expressed his gratitude for indeed in that moment only *interested* approach of Serbia to that initiative.<sup>57</sup>

This initiative has dual importance for Serbia. First of all, the security issues addressed by this initiative are important for Serbia, as a member of international community and a state with the EU membership perspective. In the present situation, however, President Medvedev's *second principle* of the initiative is the one which has extraordinary importance for Serbia. It says:

*Treaty should guarantee the inadmissibility of the use of force or [and] the threat of its use in international relations should be clearly affirmed. It is fundamental for the Treaty to guarantee uniform interpretation and implementation of those principles. The treaty could also cement a unified approach to the prevention and peaceful settlement of conflicts in the Euro-Atlantic space. The emphasis should be on negotiated settlements that take into account the different sides' positions and strictly respect peacekeeping mechanisms;*

The sympathies of Serbia for this Treaty and seemingly copied Serbian position on Kosovo issue in President Medvedev's principle number two could be easily understood as a support for Serbia in its striving to solve the final status of Kosovo through negotiations. However, this initiative must be seen in the context of other – similar Russian actions in the international sphere.

Russia does not emphasize the cases of Kosovo, Abkhazia and South Ossetia at the international level, but the matter of principles emerging from the efforts to solve each of these cases. Dealing with these issues at the level of principle, Russia points out the inconsistency of the transatlantic community which applies one type of standards in the case of Kosovo and completely different one in the case of Georgian provinces. However, although Russia reiterates its support to the principled position of Serbia, the issue of Kosovo, for example, did not find its place in Medvedev's speech after the meeting with US President Barack Obama, while the latter very clearly expressed the US support for the territorial integrity of Georgia.<sup>58</sup> Russia repeated many times that the issue of Georgian provinces was solved. Therefore, we can conclude that the second principle of the initiative for concluding a new European Security Treaty is more an attempt to find a way of treating other territorial conflicts, Transdniestria and Nagorno-Karabakh (but not Chechnya), in the post-Soviet area, than the attempt to turn back the clock and reopen the issue of status of Kosovo and Georgian provinces on the basis of these principles.

Serbian foreign policy does not have a great number of available options related to this initiative. As a candidate for EU membership, Serbia will not have the possibility to choose, at its own discretion, which EU requests in the field of Foreign and Security Policy it is going to accept

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<sup>54</sup> Sunday 28th June 2009 - Plenary Session\_Minister Bakoyannis Opening Remarks, [http://www.osce.org/cio/item\\_1\\_38493.html](http://www.osce.org/cio/item_1_38493.html)

<sup>55</sup> See for example Michael Emerson, *The Struggle for a Civilised Wider European Order, Elements for European Security Strategy*, CEPS Working Document No. 307/October 2008, available at [http://shop.ceps.eu/BookDetail.php?item\\_id=1752](http://shop.ceps.eu/BookDetail.php?item_id=1752)

<sup>56</sup> Permanent Representative of Russia in OSCE, V. I. Voronkov, *Rossiyskaya gazeta*, 20 августа 2008 года [http://www.mid.ru/Brp\\_4.nsf/arh/62547841B1A28DDCC32574AB0055AC1B?OpenDocument](http://www.mid.ru/Brp_4.nsf/arh/62547841B1A28DDCC32574AB0055AC1B?OpenDocument)

<sup>57</sup> About the working visit of the Serbian Minister of Foreign Affairs Jeremic to Russia available in Russian at: [http://www.mid.ru/brp\\_4.nsf/0/CACB23E641F8901CC325756300440DA7](http://www.mid.ru/brp_4.nsf/0/CACB23E641F8901CC325756300440DA7)

<sup>58</sup> Joint press conference with the President of USA Barack Obama about the outcome of Russian-American negotiations on July 6, 2009 available in Russian at: <http://www.kremlin.ru/transcripts/4733>

and about which it is going to have its own view. The candidate states are expected to follow the Union in the mentioned field. Even if EU does not have a single policy related to this initiative, it is unrealistic to expect too much difference in the standpoints. The progress of Serbia towards EU membership, as shown in the case of Dutch refusal to ratify the Stability and Association Agreement, depends on all EU member states, including those that expressed the most radical views towards this initiative. Therefore, Serbia should act very cautiously on this front.

The proposal for the new European Security Treaty is still debatable and its future is uncertain. Nevertheless, it is clear that it reflects a great part of the present dispute between Russia and transatlantic community, primarily related to the enlargement of NATO. Although the West is in principle disposed to meet certain Russian requests, the issue arises to which extent. If this proposal puts Serbia in the situation to support actively such Russian proposals and initiatives for the strategic partnership with Russia, it can affect adversely the European perspective of Serbia. The support to such initiatives does not have to create a problem for Serbia if this initiative does not become a problem in the relationships between Russia and the EU. However, if the EU countries have a common stance, which is different from or opposite to Russian, as it often happens within the OSCE, Serbia does not have any space for independent and neutral position.

Finally, there is a question as to whether Russia launched this initiative because the security in the European continent is really at risk or to stop the expansion of NATO and US influence in the East Europe and to obtain some sort of recognition, even tacitly, from the European partners that Russia had *privileged interests* in the *near abroad*. Russia did not include in the proposed principles of a new European Security Treaty the issue of solving frozen ethnic conflicts because it really encounters problems with them, but in order to legalize its recognition of Abkhazia and South Ossetia and prevent possible unwanted actions of the transatlantic community in other frozen conflicts in Transdnistria (between the official authorities in Moldavia and Russian-Ukrainian minority) and in Nagorno-Karabakh (between Azerbaijan and Armenia). Therefore, this initiative does not have much prospects of bringing anything new in connection with the issue of Kosovo status.

Serbia has to view its support to Russian diplomatic initiatives, including the most famous one about the conclusion of a new European Security Treaty, in the context of priority of its European integrations. In that context, Serbia does not have the freedom of action, which Russia in principle expects from Serbia, in the same way it expects from the member states of Russia – NATO Council to act within that Council in the capacity of states and not in the capacity of the NATO members. In that context, the strategic partnership with Russia that includes Serbian support to such initiatives is unlikely to succeed if Serbia maintains that the accession to the European Union is its top priority.

### **Unhindered Implementation of Strategic Economic Projects**

The Russian side was rather surprised with the delays in ratification of oil-gas arrangement in 2008. Since in December 2008 there were no more doubts about whether Serbia was going to fulfil its obligations from the bilateral Treaty from January 25, 2008, this part of the agreement was considered fulfilled.<sup>59</sup>

The frictions between Russia and Serbia related to many economic agreements are not a novelty. The Lukoil's purchase of Beopetrol in 2000 was not without problems either.<sup>60</sup> In addition, the overhaul of Djerdap I, which is the part of Russian clearing debt to Serbia from the Soviet Union period, has been overdue for several years, both due to Serbian and Russian faults, with the hope that it will finally begin in 2009.<sup>61</sup> The problems of Russian companies and investors related to business operations in Serbia have recently been mentioned by the ambassador Konuzin

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<sup>59</sup> Oil-Gas Agreement – signed documents, <http://www.srbija.gov.rs./vesti/specijal.php?id=100983>

<sup>60</sup> Serbian Energy Sector – Situation and Russian-Serbian Energy Relations Today  
Zorana Mihajlović Milanović, Ph. D. – First report within the Project “Monitoring Russia-Serbia Relationships”, page 39.  
<http://www.isac-fund.org/lat/publishing.php#analize>

<sup>61</sup> B92 Overhaul of Hydroelectric Power Plant Djerdap has been late for eight years, August 14, 2008.  
[http://www.b92.net/info/komentari.php?nav\\_id=313438](http://www.b92.net/info/komentari.php?nav_id=313438)

himself, though in the constructive manner.<sup>62</sup> It would be wrong to accuse only one party for all these problems. There has been some ill-faith actions on the Serbian side, but there have been also as many hasty moves on the part of Russia that does not act with due diligence when buying Serbian companies, does not perform legal and financial evaluation of standing and business activities of the company in the way it is done by the western companies.<sup>63</sup>

The question emerges how the economic problems between the two countries should be solved. This particularly refers to the huge infrastructural project deals, such as the South Stream. From the economic point of view, the commissioning of the South Stream gas pipeline, with the planned 63 billion m<sup>3</sup> of gas, out of which at least 20 billion m<sup>3</sup> should be transported through Serbia. In economic terms, this pipeline would bring a great economic advantage to Serbia. The Russian side always points out the importance and development of oil-gas arrangements. In other words, the entire Russian state supports this complete arrangement and Serbian side should allow for any problems in its implementation. However, the emerging issues, beginning with legal problems that may occur regarding the expropriation of land, labour disputes and generally, all matters that are not connected with the Serbian government, but with third parties that would participate in the project of building South Stream, are not negligible. They could emerge along with other economic and environmental issues. By signing the Memorandum On Construction Of The South Stream Gas Pipeline in Sochi<sup>64</sup>, The Russian Federation clearly set deadlines for commissioning South Stream – end of 2015. Therefore, the delays caused by the problems in Serbia are unacceptable. Serbia is expected to solve all issues in the internal system in the way that does not jeopardize the progress of this project in any way. For example, Article 9 of the Memorandum of Understanding signed between Gazprom eksport doo and Srbijagas implies to *get the exemption to the rule of having 100% regulated access of third parties to the capacities of Banatski dvor, and also obtained all other necessary permits in order to provide Gazprom eksport with unhindered right to use all capacities*. It is clear that Serbian party should obtain all these permits. Srbijagas also guarantees that there is nothing that could obstruct, render difficult or complicate the possibility of implementation of Banatski dvor project.

There are also problems related to EU rules that should be observed by Serbia, more precisely the provisions of the Energy Community Treaty.<sup>65</sup> This Treaty clearly implies transparent relations, market unification, development of competition and enhancement of environmental protection. The Serbia Progress Report clearly indicated that Europe does observe carefully the agreements signed by Serbia; the European Commission pointed out that Serbia had to ensure that the Oil-Gas Agreement was in accordance with Energy Community Treaty.<sup>66</sup> Although many EU countries participate in the South Stream project, the situation, power and political influence of a country that is already an EU member and Serbia that is not yet a membership candidate are incomparable. However, Russia has made it clear that the unhindered implementation of strategic infrastructural projects is a part of strategic partnership between Russia and Serbia. Therefore, it is up to Serbia to find a way how to do it, but the project has to be implemented and gas must flow in the South Stream, naturally if it is constructed, which is still an uncertain fact.

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<sup>62</sup> Konuzin: A great progress in cooperation, available at:

[http://www.b92.net/biz/vesti/srbija.php?yyyy=2009&mm=08&dd=05&nav\\_id=374922](http://www.b92.net/biz/vesti/srbija.php?yyyy=2009&mm=08&dd=05&nav_id=374922)

<sup>63</sup> The author's conversation with one of the Russian officers in the Serbian company bought by the Russian partner.

<sup>64</sup> Signed in the Russian city Sochi on May 15, 2009 between Gazprom and the partner of Italian company ENI, Srbijagas, the Greek company DESFA Corporation and the Bulgarian company Bulgarian Energy Holding. See Vladimir Socor, Jamestown Foundation, Eurasia Daily Monitor,

[http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews\[tt\\_news\]=35043](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=35043)

<sup>65</sup> Energy Community Treaty was signed in Athens on October 25, 2005. It entered into force on June 1, 2006. Serbia ratified it on July 19, 2006. This is the first binding document in the field of energetics signed between the countries of South East Europe and EU.

<sup>66</sup> Brussels, 05/11/2008, SEC(2008) 2698 final, available at:

[http://ec.europa.eu/enlargement/pdf/press\\_corner/key-documents/reports\\_nov\\_2008/serbia\\_progress\\_report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/serbia_progress_report_en.pdf)

## Conclusions

*The crucial problem of Russia is its increasing isolation.*<sup>67</sup>

The strategic partnership between The Russian Federation and the Republic of Serbia has three determinants: Russian support to Serbian policy related to the status of Kosovo; coordination of standpoints of the two countries in relation to other international issues; unhindered implementation of strategic economic projects, such as *South Stream* and entire oil-gas arrangement between Russia and Serbia, and also other projects that are ongoing or that can be agreed upon.

The integration of Serbia into EU is enjoys huge support of its citizens.<sup>68</sup> Therefore, it should have a central place in Serbian foreign policy. The cooperation with Russia is a bilateral issue that should not get in the way of the integration. The right measure of cooperation between Serbia and Russia is a practical – bilateral cooperation in matters which cannot harm the European perspective of Serbia. Those matters do not include the Russian support to Serbian policy related to the status of Kosovo or the Serbian support to Russian diplomatic initiatives, such as the initiative for concluding the European Security Treaty, because both of these issues can be detrimental for Serbia's EU integrations.

In Moscow on February 20, 2009, Minister Jeremic announced another big strategic infrastructural project.<sup>69</sup> It is still unclear what Minister Jeremic had in mind. The expert public speculates that he referred to the sale of Electricity Company – Elektroprivreda Srbije (EPS) and/or the construction of metro in Belgrade. The content of the announced visit of President Medvedev is important for Serbia. The Ministries and departments that are arranging the visit have already been informed and given practical instructions.<sup>70</sup> The President is not coming to Serbia only to mark October 20, 1944, the day when the Red Army, together with the partisan units, forced out the Nazi occupants from Belgrade, but that visit is going to have a very tangible content. Taking into consideration that in Russia the President is responsible for foreign policy, it is important for Medvedev to add to the symbolic celebration of a famous date from the history of Red Army, another, tangible momentum to Russia-Serbia relations, thus gaining an additional, foreign policy points for himself in the Russian internal policy.<sup>71</sup>

In preparing the visit to Serbia, as well as in developing cooperation, even if it is a strategic partnership with Russia, it is necessary to keep in mind the Russian view of this strategic partnership. The Russian Ambassador Konuzin, in his speech at the Roundtable of ISAC Fund in Belgrade already on April 21, 2009 pointed out that for Russia, Serbia, as a strategic partner, had a “relative character” and “according to the opinion of many Serbs, Russia was a Serbian strategic partner, although the significance of Russia as a strategic partner was not the same for all of them”.<sup>72</sup> In other words, Russia is much more important to Serbia than vice versa and it is necessary, first of all, that Serbs understand the meaning of strategic partnership with Russia. It would be difficult to disagree with this view of Ambassador Konuzin. The citizens of Serbia and Serbian elite need to understand the meaning and the price of strategic partnership with Russia. Choosing Russia as a strategic partner is a legitimate political choice, but only if it is based on the informed census in the Serbian society.

Consequently, the strategic partnership with Russia, as it stands now, is not advantageous for the position of Serbia in a long run because it can harm its European integrations. However, in the implementation of joint projects, i. e. in the development of practical – bilateral cooperation,

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<sup>67</sup> Dmitri Trenin, the Russian edition of magazine *Foreign Policy* <http://www.globalaffairs.ru/articles/0/9044.html>

<sup>68</sup> On the referendum 79 percent of voters would support the EU membership, June 18, 2009

<http://www.seio.sr.gov.yu/code/navigate.asp?Id=104>

<sup>69</sup> Video press conferences of the Ministers Lavrov and Jeremic

[http://www.mid.ru/brp\\_4.nsf/cIndr?OpenView&query=21.2.2009&Lang=%D0%D3%D1%D1%CA%C8%C9](http://www.mid.ru/brp_4.nsf/cIndr?OpenView&query=21.2.2009&Lang=%D0%D3%D1%D1%CA%C8%C9)

<sup>70</sup> A phone conversation between Dmitri Medvedev and Serbian President Boris Tadic

[http://www.kremlin.ru/sdocs/news.shtml?day=5&month=08&year=2009&Submit.x=3&Submit.y=6&value\\_from=&value\\_to=&date=&stype=&dayRequired=no&day\\_enable=true#](http://www.kremlin.ru/sdocs/news.shtml?day=5&month=08&year=2009&Submit.x=3&Submit.y=6&value_from=&value_to=&date=&stype=&dayRequired=no&day_enable=true#)

<sup>71</sup> Mihail Vinogradov, Russian Authorities: the Decision-Making System and the Social Context, the Third Report of the *Monitoring Russia-Serbia Relations* Project, page 15 available at: <http://www.isac-fund.org/publishing.php#analysis>

<sup>72</sup> See about the unique Russian policy towards the Balkans or about the phases of this policy since 1992 at <http://www.isac-fund.org/video/007.html>

Serbia can develop mutually beneficial relations, if constantly bears in mind the priorities of its European integrations. In such case, the economic cooperation based on transparent legal rules, both internal Serbian and European, can contribute both to the benefit of Serbia and to the development of good quality and sustainable relations between Serbia and Russia.

### **Recommendations**

1. The Russian support related to the status of Kosovo does not have a decisive influence on solving that issue, both due to the realistic position of Russia in the international relations and its policy related to the Georgian provinces Abkhazia and South Ossetia. Therefore, the importance of Russian support related to this issue should be reduced in Serbian internal policy, thus preventing the creation of image that the Russian support plays more important role in the solution of this issue. This support should not be taken into consideration when making bilateral economic and other arrangements at the national level between Russia and Serbia.

2. Serbia cannot act freely in the field of foreign and security policy in the international relations, if it is aspiring towards EU integration. Therefore, the support of Serbia to the policy or initiatives such as the initiative for concluding a new European Security Treaty should not be offered in isolation, diverging from the majority of EU countries, because such policy could easily lead Serbia into the conflict with the common EU foreign and security policy.

3. Regardless of the importance of strategic economic projects, such as the construction of South Stream, Serbia has to take care about its legal and political obligations, and in particular the obligations highlighted by the European Commission – the obligation to observe the provisions of the European Security Treaty! The policies and interstate treaties contravening these provisions can in perspective, regardless of the participation of other countries that are already EU members, bring Serbia in the position to choose between energy security that would be provided by Russia and EU integrations. The policy aimed at providing energy security for Serbia cannot be led in isolation, independently from other policies and political priorities, such as the priority of EU integrations.