

Overcoming Stabilitocracy in South East Europe

Predrag Jureković (Ed.)

Study Group Information



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46th Workshop of the PöfP Consortium Study Group
“Regional Stability in South East Europe”

13/2024

Vienna, August 2024

Imprint:

Copyright, Production, Publisher:

Republic of Austria / Federal Ministry of Defence
Rossauer Lände 1
1090 Vienna, Austria

Edited by:

National Defence Academy
Command
Stiftgasse 2a
1070 Vienna, Austria

In co-operation with:

PfP Consortium of Defense Academies and Security Studies Institutes
Garmisch-Partenkirchen, Germany

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August 2024

ISBN 978-3-903359-98-7

Printing:

ReproZ W 24-3865
Stiftgasse 2a
1070 Vienna, Austria

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Foreword

Predrag Jureković

This volume is composed of articles from the 46th workshop of the Study Group “Regional Stability in South East Europe”. The workshop was conducted in Reichenau, Austria, from 26 to 29 April, 2024. Under the overarching title “Overcoming Stabilitocracy in South East Europe” experts from the South East European region and other parts of Europe, international organizations and major stake holder nations met under the umbrella of the PFP Consortium of Defence Academies and Security Studies Institutes and the Austrian Ministry of Defence, represented through its National Defence Academy and the Directorate General for Defence Policy.

Since the end of the war in the Western Balkans almost 25 years ago, this part of Southeast Europe has been on a long journey of reform. Its most important – at least declaratory – goals were and still are the democratization of the Western Balkan societies and their state institutions, the establishment of the rule of law and the normalization of all regional relations. The EU and NATO integration processes have been regarded as the most important guarantees that this reform process would be successfully completed.

Despite a much better overall security situation in the Western Balkans compared to the 1990s and several integration successes such as the NATO enlargements in 2009, 2017 and 2020 and Croatia’s accession to the EU (2013), the democratic reform process and the commitment to cooperative conflict resolution appear to be at least partially in question again. The increase in geopolitical conflicts and, in particular, authoritarian tendencies in the region itself have favored the emergence of so-called stabilitocratic conditions in parts of Southeast Europe in recent years. This is shown, among other things, by the fact that in individual elections, such as the presidential election in the Bosnian-Herzegovinian entity Republika Srpska (October 2022) and the Belgrade municipal elections (December 2023), not even basic formal democratic criteria for fair elections were met.

Stabilitocracy, as it has become a central term in the Western Balkans discourse in recent years, actually describes a hypocritical state of affairs. On the one hand, it refers to the Western Balkan decision-makers concerned, who pretend to their Western partners that they are fully committed to democracy and the rule of law, but in reality continue to undermine these values and maintain their power through an almost impenetrable patronage and kleptocratic system.

On the other hand, this term also describes the ambivalence in which the EU and US in some cases find themselves in their relationship with the Western Balkan states. Although undemocratic practices are criticized, this is usually done rather “discreetly”, and sanctions are also imposed in individual cases. Overall, however, the idea that political stability is more important than strengthening democratic rights still seems to be of relevance, especially in these geopolitically turbulent times. Semi-authoritarian to authoritarian power players therefore continue to be recognized as indispensable partners for the resolution of long-standing conflicts, such as the normalization of relations between Kosovo and Serbia.

Stabilitocratic conditions in turn enable other influential international players, who at best only partially share the Western consolidation goals in the Western Balkans such as China, Russia and Türkiye, to expand their political and economic influence in the region.

In this geopolitical and regional context, the following questions seem to be of particular relevance:

- Which factors characterize stabilitocratic societies?
- What are the concrete challenges of individual Western Balkan states in terms of stabilitocratic risks?
- How was and is the effectiveness and efficiency of the countermeasures to be assessed?
- What role do international actors play in combating or promoting authoritarian and kleptocratic structures in the Western Balkans?

These are some of the key questions that the authors of this Study Group Information address in their contributions. The first part of this publication looks back on 25 years of the “Regional Stability in South East Europe” Study Group’s existence and ventures a look ahead, detached from the main topic of this volume. This is followed in the second part by a contribution describing the definitional framework of stabilitocracy, in particular the connection between autocratic and kleptocratic structures. In part III, authors based in Bosnia and Herzegovina, Kosovo, Serbia, Albania, Montenegro and North Macedonia analyze the impact of stabilitocratic conditions in the individual Western Balkan states and the political and civil society countermeasures. This is followed in part IV by three contributions containing views on the impact of the role of international actors in combating or promoting kleptocracy and stabilitocracy in South East Europe. The recommendations of the Study Group members are summarized at the end of this publication, in part V.

The editor would like to express his thanks to all authors who contributed papers to this volume of the Study Group Information. He is pleased to present the valued readers the analyses and recommendations and would appreciate if this Study Group Information could contribute to generate positive ideas for supporting the still challenging processes of consolidating peace in South East Europe.

Special thanks go to Julia Dullnig, who supported this publication as facilitating editor.

Abstract

The years of stagnation in the EU integration process and the geopolitical upheavals in Europe have encouraged the development of stabilitocratic power structures with undemocratic tendencies in the Western Balkans. Kleptocracy and authoritarian behavior are also tolerated from the international side because of a supposed political stability. The result of such developments is the deepening of the EU integration crisis in the Western Balkans and the further weakening of democracy, the rule of law and further damage to regional relations in South East Europe. Consequently, against this background, the security situation in the region has generally deteriorated.

As the contributions in this volume show, it is essential to halt the erosion of democracy and the rule of law in the Western Balkans in order to peacefully resolve outstanding conflict issues and strengthen regional cooperation. Achieving this goal among others requires a proactive policy on the part of the EU and the USA, above all with regard to greater support for democratic political and civil society forces.

**PART I: 25 Years of the Study Group
“Regional Stability in South East Europe” in the
Partnership for Peace Consortium**

PfP Consortium Regional Stability in South East Europe Study Group at 25: New Issues to Tackle

Plamen Pantev

The Partnership for Peace Consortium Regional Stability in South East Europe Study Group is at 25. A lot has been achieved during the different stages of the activity of this Study Group. Today, however, the mood is not for romantic recollections. There is much yet to be done.

The beginning was in a very optimistic and promising global strategic environment: the Cold War was over, the dissolved nuclear super-power, the Soviet Union, was tamed enough not to use its devastating arsenal. The third biggest global nuclear power, Ukraine, voluntarily gave up its military nuclear arms in exchange of receiving the solemn promise by Russia, the USA and the UK to guarantee the territorial integrity and security of this country. China was receiving political and technological support by Washington to advance its economy and cope with the issue of poverty.

In the Balkans the Milošević regime after the war in Kosovo was doomed, the former Warsaw Pact countries Romania and Bulgaria have signed their Europe Agreements with the European Union and were actively preparing for their NATO and EU membership with the support of both Greece and Turkey.

On 12 June 1998 the Ministers of Defense of 44 nations, representing the Euro-Atlantic Partnership Council, welcomed the proposal to establish a Consortium of Defense Academies and Security Studies Institutes. The US and German governments offered the George C. Marshall European Center for Security Studies as the interim secretariat for the Consortium. Switzerland offered to help launch this initiative in October 1998. Bulgaria also offered to host a conference of interested nations. The thinking and the efforts of the European and North American countries were to lay a new foundation for European security in the 21st century.

US Secretary of Defense, William Cohen, in preparation for the April 1999 NATO Summit in Washington, D. C., raised several initiatives on 25 September 1998 during an informal meeting of the Alliance Defense Ministers at Vilamoura, Portugal. One of them was to carry out the Euro-Atlantic Partnership Council proposal by building an increased Ally-Partner interoperability for future NATO-Partner contingencies through an enhanced education and training framework by establishing the Consortium of Defense Academies and Security Studies Institutes jointly sponsored by Germany and the USA.

On 20 October 1998 in Zurich, Switzerland, during the 3rd International Security Forum, Workshop 3 in Gartensaal of the Kongresshaus, Dr. Robert Kennedy, the Director of the George C. Marshall European Center for Security Studies, presided the discussion and the effective launch of the PFP Consortium.

The Second Annual Conference and first after the Washington Summit was convened on 8–10 December 1999 in Sofia, Bulgaria. As participants in the conference in Sofia noted, while the Zurich conference was a very successful event, leading to the approval of the concept, it needed to be developed by the initiation of the Consortium activities. This happened during the Sofia Conference. The crucial task was what type of strategic leaders and decision-makers – civilian and military, will define the future of the continent, including the traumatized Balkans. Research, education and training were decisive tools in this aspect.

Twelve Working Groups made their Statements of Purpose/Vision in Sofia. One of them was “Early Warning and Crisis Management in the Southeast European Region”. The location was Sofia, but the proposal was of the Austrian Government, its Bureau for Security Policy of the Ministry of Defense and the National Defense Academy in Vienna. The Statement of Purpose/Vision at the launch of the Working Group was:

To assess the situation in the Southeast European region through enhanced international cooperation, especially with institutions, located in or close to the region of interest. Commence strategic research on an academic level, parallel to the stabilisation pact.

An Agreement was reached on the future development of the working group. Initial collection of potential new members was made. The first discussion on

the name of the Working Group took place. The discussion continued in the following years. In the meantime the first, really unique study of the Working Group has been completed in April 2001 – “Civil-Military Relations in South-East Europe: A Survey of the National Perspectives and of the Adaptation Process to the Partnership for Peace Standards”. The 218 pages book was presented during the Annual Conference of the PfP Consortium in June 2001 in Moscow. In December 2002 it was decided to change the name of the Working Group to “Regional Stability in South East Europe”. The vision statement was edited and currently improved. The present statement/vision is:

Evaluate the situation and factors in the South East European region that promote regional stability through enhanced international cooperation, especially with institutions located in or close to the region of interest. Execute strategic research on an academic level supplementary to and stimulating the practical work done in the region. Provide support for the improvement of networks in the field of security policy and help create a peaceful, strategic and stable community in the South East European region compatible to the broader Partnership for Peace network and beyond.

The first twelve years of existence of the Regional Stability in South East Europe Study Group registered and helped within its capacity the recovery of war-torn countries of the Balkans from past violence and gradually finding their way back into the international community. The next period was of purposeful efforts to stimulate the national endeavours of the Western Balkan countries to join NATO and the European Union. All this has been driven through practically-oriented 46 workshops, 75 academic publications and 28 policy recommendations to national governments and international organizations.

All this would not have been possible without the strong commitment of the leaders and staff of the Bureau for Security Policy, later – Directorate General for Defense Policy at the Ministry of Defense of Austria, the Commandants of the Austrian National Defense Academy and its Institute for Peace Support and Conflict Management. Their responsible decisions and support have been possible thanks to the tremendous work and engagement of Andreas Wanemacher, Gustav Gustenau, Ernst Felberbauer, Benedikt Hensellek and Dr. Predrag Jureković. The atmosphere of friendliness and cooperation they created guaranteed the creative contributions of the other co-chairs of the Study Group, Dr. Filip Ejodus and Dr. Sandro Knezović as well as of our late colleague and friend Dr. Mladen Staničić.

Parallel to the activity of the Austrian administration of the Study Group has been the persistent and overarching functioning of the Senior Advisory Council and the Operational Staff of the PfP Consortium in Garmisch-Partenkirchen as well as the keen support of the George C. Marshall Center. We are grateful for the conceptual support, provided for many years by Dr. Franz-Lothar Altman, Ambassador Michael Schmunk and Dr. Mathew Rhodes.

Our job will not be completed until effective democracy is internalized by all South East European countries and all become NATO and EU members. In the meantime we need to tackle two dangerous and for long underestimated phenomena with political repercussions: 1) The so-called “Russian world” (“Русский мир”) and, 2) The so-called “Serbian world” (“Српски свет”). Both phenomena and concepts are interconnected and mutually reinforce each other. Both have negative effects on the European and South East European security situations.

From the “Serbian world” concept and practice the consequences are: 1) several wars and hundreds of thousands of killed and wounded; 2) still undemocratized Serbian society; 3) continuing destabilizing influence by Belgrade on neighbouring countries; 4) involving the Russian aggressiveness for “Serbian world” purposes in the region of South East Europe.

From the “Russian world” concept and practice the consequences are: 1) the Russian aggression against Ukraine – the biggest war in Europe after the Second World War; 2) hundreds of thousands killed and wounded and millions displaced due to the Russian aggressor; 3) a devastated big European state, economy and society; 4) a totalitarian society, headed by a dictator, bringing memories of the Nazi and fascist period of the recent European history; 5) real dangers of continuing the Russian aggression westwards.

Jubilees are often cause for festivity. As a PfP Consortium Study Group we can be proud. As part of the political reality we must be on the alert: Europe is under hybrid aggression by Russia and potentially on the brink of a broader than Ukraine-only high-intensity war. The negative trends in the European and, yes, the South East European environment, must be in our focus as a PfP Consortium institution and prove that we can continue to be in effective support of our societies and states.

PART II: The Definitional and Theoretical Framework

Kleptocracies and Autocracies in the Western Balkans – the Chicken or the Egg Dilemma

Ivana Korajlić

Kleptocracies cannot thrive in countries where there is rule of law or functioning democratic checks and balances, division of power, accountability. The very definition of a kleptocracy, as the type of “government whose corrupt leaders use political power to expropriate the wealth of the people and land they govern”, entails lack of accountability, as a result of the control the leaders and their cronies have over any oversight bodies, judiciary, or law enforcement. In this sense, kleptocracies at one point inevitably turn into full on authoritarian regimes, and the debate in some regions, could go on forever whether kleptocracy breeds authoritarianism, or vice versa. Namely, kleptocratic regimes rely on authoritarian methods to maintain power and control, while limitless power that authoritarian leaders accumulate brings limitless opportunities for corruption, abuse of power and looting of resources.

The Western Balkans countries are, unfortunately, excellent case studies, as all of them, with some nuanced differences, are not only characterized as hybrid regimes¹ with elements of state capture,² but show increased tendencies of immersion of organized crime within government structures. The characteristics of kleptocracies rely on several common factors, including informal decision-making, erosion of institutions, capture of judiciary and law enforcements, infiltration of organized crime in government structures, patronage networks looting natural and institutional resources, and finally maintenance of status quo through leadership by crisis creation – eventually bringing us to stabilitocracies.

¹ <https://europeanwesternbalkans.com/2024/04/11/freedom-house-democracy-deteriorates-in-the-western-balkans-serbia-faces-the-strongest-decline/>.

² <https://www.transparency.org/en/publications/examining-state-capture>.

Institutions as Empty Shells Echoing Kleptocrats' Decisions

In such regimes the power lies not within the institutions, but in “strong” leaders and political parties, who make decisions outside of the institutional system, with slight differences in the level of centralisation within each country or the nature of political party coalitions. The findings of the most recent National Integrity System assessments undertaken by Transparency International chapters in the region, show the same conclusions relating to political party control over all institutional pillars and lack of separation of powers. Consequently, the legislative and judiciary are dominated by the executive, completely controlled by political parties. Moreover, the assessment across Western Balkan countries show weak role of institutions, including oversight bodies, judiciary, law enforcement, as well as legislative.

The regular, institutional decision-making processes are only feigned, and in some cases, this pretend game is the only proof of democracy left. In this lies one of the differences between the Western Balkans and other openly autocratic and illiberal regimes³ – the charade of democratic processes is maintained within the pretence of dedication to the EU integration process or some other less transparent intentions. Thus, the institutions exist only in the form of resource, and possibilities of their extraction, and as means of verification and replication of decisions made far away from these empty shells. They are completely captured by political control and focus their activities almost entirely on generating corruption. Thus, corruption and power mongering have become the primary reason for the existence of institutions.

The informal decision-making takes place on all levels, starting from the most important constitutional and institutional reforms, down to the issues of appointments and employments across all levels of public sector. Decisions are made by a narrow circle of political party patrons, and are then, using a frequently used expression in the region – “ran through the papers”, meaning that they are institutionally verified and made official through feigned procedures. In this sense, the influence of civil society, citizens in general or even independent expert input in the decision-making process are

³ <https://www.cirsd.org/en/horizons/horizons-winter-2018-issue-no-10/the-rise-and-fall-of-balkan-stabilitocracies>.

made impossible, even when it comes to most important reform processes, and even those under the umbrella of the EU integration process.

The level of commitment of each country to truly implement the democracy and rule of law reforms necessary for their progress or membership in the EU has been analysed extensively, and will not be the topic of this paper. However, what has been shown across the region, and most visible in Bosnia and Herzegovina and Serbia, are the constant attempts to use so called reforms to strengthen the leaders' authoritarian positions or exert even more control over the rule of law. This is further supported by fear mongering, inciting conflict and crisis for the purpose of bargaining, or introducing more veto powers and divisions through so called reforms. And in this sense, one cannot but question the role of the international actors, including EU, even if we only focus on decision-making processes. The same international actors who have for years been preaching about the importance of transparency and inclusivity of decision-making processes, have taken on the patterns of informal deals, bargaining and exclusion of independent criticism. It has never been more visible as in the past years how even the international actors who have previously been crucial in maintaining peace and minimum democratic standards in the region, have turned to using the same undemocratic mechanisms or local leaders' modus operandi. At the end, standards are lowered and red lines almost disappear during this bargaining for the bare minimum of effort or consensus with local leaders, one "side's" interests are bargained against the others' and legitimacy is given not only to disruptive actors, but to uninstitutional decision-making processes. This in the long run has detrimental consequences, in terms of more space for manipulation and blackmail for the sake of stability, but also complete loss of trust and hope in anyone's good intentions.

Patronage Networks

On the level of resources, the informal decision making is focused solely on distribution of power of institutional, financial and natural resources, through setting up and maintaining patronage networks, functioning as a well-oiled machinery for enabling the inflow of political party apparatchiks from top to bottom (government, public administration, local governance, education, health, state-owned enterprises, etc.) and outflow, i.e. extraction

of resources by those few operating the system, and their cronies and side-kicks. The patronage networks serve not only for looting the resources, but more importantly to enable obedience within the system and control over the electorate, where all those who get an “opportunity” for employment in public sector, become a part of the system and are forced to return the favor by collecting votes, supporting the ruling party or take part in some other form of support to the regime. In the countries with heavy public sector, and strong influence of the state on the economy, this is a deciding factor for ensuring election support, both when it comes to votes, and financial support to political party.

Law Enforcement

Siphoning off resources needed by security agencies leaves states unable to protect the public and uphold the rule of law. At the same time political capture of law enforcement agencies leave them incapacitated, unwilling to perform their duties in the interests of their citizens, but also lead to law enforcement agencies being used against those going against the ruling elite, and is instrumental to applying repressive measures against citizens. Consequently, countries with higher levels of corruption are more likely to also exhibit higher levels of organised crime and increased security threats.

More importantly, the desire to control intelligence, security and law enforcement bodies, often leads to appointments of their management through non-transparent, unlawful procedures, with those appointed being already compromised and connected even to organised crime networks, as seen in several cases in the region. In Bosnia and Herzegovina, not only there were cases of convicted felons being appointed to key law enforcement positions, while Bosnia and Herzegovina (BiH) citizens will probably never find out how many top officials from the security sector, as well as officers, have been compromised through the use of organized crime applications such as Sky and Anom, which would not have even been investigated if it was not for international investigations and law enforcement agencies. Where else can one see such a transparent interparty distribution of key security seats, despite the law emphasizing their independence, where political parties openly announce which party gets which agency? And who will expect then that these agencies will truly act with the purpose of protecting citizens instead of their political party or organised crime (those two often being merged) overlords?

The connections of organized crime with government structures can be seen all over the region, where organized crime not only ensures its impunity but influences the political scene by financing parties and candidates, compromising judiciary and law enforcement, and often outlives the changing governments, becoming a state in itself. Moreover, it is often stated that political parties function on the principle of cartels and organized crime groups, thus making it the *modus operandi* of the whole governments system.

Leadership by Crisis Creation

The sole mission of kleptocrats/autocrats is staying in power and accumulating more power in order to further ensure impunity and continue to feed and nourish their patronage networks from whom they draw the position and power. It is in their nature to block any progress, reforms and actively seek to undermine democratic values or normalization of relations within the region. Thus, status quo always has precedence over change, especially when that change entails any reforms that would strengthen institutions and disturb the power of the leader. Dissent must be suppressed at any cost – either through the use of law enforcement structures, or through adoption of laws suppressing freedom of speech, media, civic space, opposition.

When dissent happens, or when there is internal or external pressure to deliver the promised reforms or normalize relations within the country or the region, one must turn to more extreme measures, i.e. incitement and creation of conflict – real or invented – against an internal or external enemy. These crises have multiple benefits for a kleptocrat leader – they shift the focus from real internal issues, including economy, corruption, human rights, to the new crises and threat, creating fear and uncertainty, with the leader showing up as the only true defendant of their people and country. These crises are created for very pragmatic reasons and often serve the purpose of leveraging the international community or internal actors and pressuring them towards achieving very practical goals, sometimes in the form of direct financial or election gain. One should not forget the referendums, armed incidents, calls for war, all happening for the purpose of election wins. However, even if only empty threats, they still cause uncertainty and instability, often spilling across country borders and spreading over the whole region. In order to be taken seriously, every new crisis and threat has to go further than the previous one, constantly moving the red line and keeping the international community on their toes. This has

proven to be a very successful tactic, as too many times this led to appeasement of autocratic kleptocrats, out of fear of new conflicts or other recognized interests to support those who are perceived as the most problematic. The international actors thus directly contribute to the status quo and creation and support of stabilitocracies.

Even with the recognized rise of the “malign foreign influences” in the region and the alert and focus of the western powers on the influence of Russia, and then China on the region, the same approach towards kleptocrats has been continued. They are still praised for their dedication towards EU integration, despite doing everything they can to sabotage the reforms, while at the same time several of the leaders have very open relationships and support from Russia and China, and their proxies. At the same time, faced with financial crises and the necessity to find sources of funding, while on the other hand they do not see any personal benefit from aligning with the “good boys”, the turn to “dark side”, and their money should not be surprising. The money comes with no requests for reforms or accountability, while at the same time it ensures power, feeds their patronage networks, enables social peace and obedience, and buys election support.

Running in Circles

Therefore, the described approach from the kleptocrats’ point of view should serve when rethinking the perspectives of Western Balkans countries when it comes to EU integration, as well as democratic reforms in general. The issues of incentives and motivations are too often neglected, with the belief that the same people who have done everything to disrupt the region or destroy their countries internally would suddenly find the voice of reason and do what is right for their citizens. At the same time the expectations towards citizens to influence their leaders and exert meaningful pressure in captured societies with limited freedoms is also unrealistic. True, we have seen change, revolutions, overthrown governments across the region. But, the long-term change did not happen – there were new faces in power, but with old patronage and power networks behind the scenes, and without strong institutions to uphold and maintain change.

PART III: Affectedness and Countermeasures in Individual South East European States

Stabilitocracy in Bosnia and Herzegovina: An Examination of Recent Political Developments and Implications

Denisa Sarajlić

Introduction

Bosnia and Herzegovina (BiH) has been navigating a complex political landscape since the signing of the Dayton Peace Agreement in 1995. This peace accord ended the Bosnian War but left the country with a convoluted political structure designed to maintain peace. In recent months, BiH has experienced several significant political developments that have intensified discussions around the concept of “stabilitocracy.” This paper aims to explore stabilitocracy in BiH, examining the impact of recent events on the country’s political stability and democratic processes.

Recent Political Developments in BiH

Several major political developments have marked the past few months and sent shockwaves to the stability in BiH.

- I. **Opening of the EU accession with BiH in March.** In March, the European Union (EU) opened accession talks with BiH, a move seen as a significant step towards integrating the country into the European fold. This development was intended to bolster democratic reforms and stability in BiH. However, it has also heightened political tensions, as various factions within the country have differing views on EU integration.
- II. **US sanctions against RS officials.** The United States imposed sanctions on officials from Republika Srpska (RS), one of BiH’s two entities, citing corruption and destabilizing activities. These sanctions have further strained relations between RS and the central government, with RS officials decrying the measures as interference in BiH’s internal affairs.

- III. **High Representative decision imposing technical changes to the Election Law.** The High Representative for BiH, tasked with overseeing the implementation of the Dayton Agreement, imposed technical changes to the Election Law. These changes aim to address issues of electoral fraud and enhance transparency. However, they have been met with resistance from certain political factions who view them as undermining their influence.
- IV. **Procedure to adopt a Resolution condemning genocide in Srebrenica in the UN General Assembly.** The UN General Assembly adopted a resolution condemning the genocide in Srebrenica and designating July 11 as the International Day of Remembrance for the victims. This resolution, spearheaded by Germany and Rwanda, has faced opposition from Serbia and RS, highlighting the persistent ethnic tensions and differing narratives about the past.
- V. **Voting for Kosovo's accession to the Council of Europe.** The vote on Kosovo's accession to the Council of Europe has added another layer of complexity to BiH's political situation. Serbia's strong opposition to Kosovo's membership reflects broader regional dynamics and has implications for BiH's internal politics, particularly in relation to the Serb population in RS.

As a result of tensions created by political leaders, primarily from Republika Srpska, who have used those different developments to create or renew ethnic and political tensions, today we are facing the most serious crisis since Dayton was signed. It is evident in stronger than ever, very deliberate calls for secession of Republika Srpska. Dodik is now openly planning a secession and working on it. Supported by Serbian President Aleksandar Vučić, Dodik's actions have revived fears of a "Greater Serbia" and increased instability in the region, while from politicians Serbia and Republika Srpska are openly reviving Milošević's "dream". This revival of nationalist ambitions threatens to undo years of peacebuilding and democratic progress in BiH.

Dodik's push for RS to secede from BiH and join Serbia represents a direct challenge to the integrity of the Bosnian state. His rhetoric and actions have escalated tensions, with the potential to destabilize the entire region. Serbian

President Vučić has provided strong backing for Dodik, thereby, complicating international efforts to maintain stability in BiH. This alliance has reinforced Dodik's position and emboldened other RS politicians to adopt more extreme stances.

The Dichotomy of Stability and Democracy

The international community's approach to BiH has often been characterized by a perceived dichotomy between stability and democracy. This often means accepting autocratic or semi-autocratic politicians as partners and making painful compromises with them. Some authors have argued that the international community in BiH has put stability before democracy and thus compromised some of the basic elements of democracy, which have been missing in the country in order to preserve stability. They argue that prioritizing stability has compromised democratic principles, while others contend that these two goals are not mutually exclusive and should have been pursued in tandem. Critics argue that the international community has accepted autocratic or semi-autocratic leaders as partners to maintain stability, thereby undermining democratic processes. However, this paper posits that stability and democracy should have been interwoven from the start, as both are crucial for lasting peace and development. Therefore, we could say that this is a false dichotomy, because it is not about whether stability or democracy should come first. This paper argues that the two processes are not as distinct or separated as it may seem in those arguments.

In BiH, efforts to build democracy and peace have often been clumsy, incomplete, and superficial. Nonetheless, elements of both have been integral to international agendas over the past three decades. Processes such as EU and NATO accession, the consolidation of autocratic practices, and democratization through civil society have all run in parallel, and elements of both have been an integral part of international agendas and policies of the past almost 30 years.

This paper suggests that we should not fall into the trap of discussing which should come first – stability or democracy. They should have gone hand in hand from the beginning and been supportive of each other. In fact, we can observe several processes running in parallel:

- EU accession
- NATO accession
- Stabilitocracy and consolidation of autocratic practices
- Dealing with the past (DwP)
- Democratisation through civil society

However, given the current security situation in BiH and the broader region, stability must now take precedence. The immediate political context demands a high degree of alertness and preparedness to prevent further escalation. The situation in BiH provides ample evidence of a need to focus more on stability.

Opening of the EU Accession with BiH in March – a Positive Step towards More Stability and Democracy

The opening of the European Union (EU) accession negotiations with BiH in March 2024 marks a significant milestone in the country's post-war journey towards integration into the European community. This development is seen as a pivotal step in fostering political stability, economic development, and social cohesion within BiH, a nation still grappling with the legacies of its turbulent past.

Firstly, the initiation of EU accession talks represents a strong endorsement of BiH's reform efforts and commitment to European values. For many citizens and political leaders in BiH, this move is a validation of years of effort to align the country's institutions, laws, and policies with EU standards. The prospect of EU membership is expected to galvanize further reforms, particularly in areas such as rule of law, democratic governance, and human rights. These reforms are crucial not only for meeting EU accession criteria but also for fostering a more transparent and accountable political system within BiH.

Economically, the promise of EU membership brings with it the potential for significant investment and development aid. Accession talks often lead to increased foreign direct investment as international investors gain confidence in the country's stability and economic prospects. Additionally, access to EU funds for infrastructure, education, and social programs can help address some of the structural challenges that BiH faces, such as high

unemployment and underdeveloped infrastructure. These economic benefits are expected to improve living standards and reduce poverty, thereby contributing to greater social stability.

The opening of EU accession negotiations also has important implications for regional stability and cooperation. BiH's progress towards EU membership is likely to encourage other Western Balkan countries to intensify their own reform efforts, fostering a sense of shared destiny and mutual support in the region. Furthermore, the EU's engagement with BiH can serve as a counterbalance to other geopolitical influences in the region, promoting a stable and democratic Western Balkans aligned with European values and norms.

However, the path to EU membership is fraught with challenges. BiH's complex political system, characterized by ethnic divisions and a decentralised governance structure, poses significant obstacles to the implementation of necessary reforms. The country's leaders must navigate these challenges while maintaining the delicate balance of power among its constituent ethnic groups. The EU accession process itself is rigorous and demanding, requiring sustained commitment and effort from both political leaders and civil society.

In conclusion, the opening of EU accession negotiations with Bosnia and Herzegovina in March 2024 is a landmark event with profound implications for the country's future. It offers a pathway towards greater political stability, economic development, and regional cooperation. However, realizing the full benefits of this opportunity will require overcoming significant internal challenges and maintaining a steadfast commitment to the democratic values and standards that underpin the European Union. If successful, BiH's journey towards EU membership can serve as a powerful example of transformation and integration in a region that has long been marked by conflict and division.

The Effect of US Sanctions on Stabilitocracy in Republika Srpska

The imposition of US sanctions against officials from RS has had a profound impact on the political and economic landscape. These sanctions, aimed at curbing corruption and destabilising activities, have targeted key figures accused of undermining the country's sovereignty and territorial integrity. While intended to promote stability and uphold democratic principles, the sanctions have also triggered a complex set of responses from both domestic and international actors.

Politically, the sanctions have significantly isolated RS leadership on the international stage. Milorad Dodik and his close associates have found themselves cut off from financial networks and diplomatic channels that are crucial for political maneuvering. This isolation has pressured the RS leadership to either recalibrate their political strategies or double down on their defiant stance against the central government and international community. Dodik's rhetoric has notably escalated, with increased calls for secession and a hard-line stance against perceived foreign interference. This defiance has rallied nationalist support within RS, but it has also alienated moderate voices and potential allies who are wary of the economic and political fallout from prolonged sanctions.

Economically, the sanctions have had a direct impact on the financial dealings of sanctioned individuals and their associated networks. Restrictions on banking transactions and asset freezes have hindered the ability of these officials to conduct business as usual, leading to a tightening of financial resources. This economic strain is not confined to the political elite but trickles down to affect broader economic stability in RS, impacting public services and investment. The economic hardships reinforce the political narrative of victimhood and external aggression propagated by RS leaders, thereby intensifying local support for their hardline positions.

The sanctions have also had a ripple effect on the coalition at state level, leading to a political impasse, where cooperation between coalition parties has become increasingly strained. The international community, particularly the European Union, finds itself in a challenging position, but has not had an internal consensus to join its Atlantic partners.

Furthermore, the sanctions have underscored the influence of external actors in BiH politics. Russia, a traditional ally of RS, has capitalised on the situation by offering political and economic support to sanctioned officials, thereby deepening its foothold in the region. This geopolitical tug-of-war complicates the international community's efforts to stabilise BiH and promote a cohesive state structure.

In conclusion, US sanctions against officials from RS have had significant political and economic repercussions. The path forward requires a delicate balance of pressure and engagement to ensure that the ultimate goals of stability, democracy, and reconciliation in Bosnia and Herzegovina are achieved.

Procedure to Adopt a Resolution Condemning Genocide in Srebrenica in the UN General Assembly

The UN General Assembly adopted the Resolution condemning the act of genocide in Srebrenica. This resolution, which aims to globally condemn the genocide in Srebrenica and designate July 11 as a day of remembrance, faces significant opposition from Serbia and RS. In December 2003, The United Nations General Assembly adopted a resolution designating 7 April as the International Day of Reflection on the Genocide in Rwanda, and the resolution on Genocide in Srebrenica comes nearly 30 years after it took place. According to Manuel Sarrazin, German Federal Government Special Representative for the Western Balkans: "It is of great importance for us to maintain the memory of the horrors of the Holocaust. That is why we are also committed to sharpening the memory of other internationally recognized genocides in recent history". Germany and Rwanda have therefore spearheaded the resolution, drawing parallels with their commitment to Holocaust remembrance and the international recognition of the Rwandan genocide. Their support underscores the importance of acknowledging historical atrocities to prevent future tragedies, and many other countries joined them as co-sponsors of the Resolution.

Resolutions for commemorating the Holocaust as well as the genocide in Rwanda have existed for many years. It is only in the case of BiH that those who represent perpetrators have a say in this and are trying to prevent it. However, Serbian and RS officials, including President Vučić and RS President Dodik, backed by the Russian ambassadors to the UN have lobbied

against the resolution. They argue that it unfairly targets the Serb people, despite the resolution not naming any specific state or group.

Contrary to that, the adopted UN resolution is not targeting any specific peoples or nations. Also, its purpose was not to recognise the event as an act of genocide, as some media have suggested, because the act of genocide was recognised by the International Court of Justice which declared that:

The Court concludes that the acts committed at Srebrenica falling within Article II (a) and (b) of the Convention were committed with the specific intent to destroy in part the group of the Muslims of Bosnia and Herzegovina as such; and accordingly that these were acts of genocide, committed by members of the VRS in and around Srebrenica from about 13 July 1995.

The purpose of the Resolution was to condemn the 1995 genocide in Srebrenica globally, to show support for victims, and to point to a need to ban the denial of genocide and glorification of war criminals in order to prevent future similar tragedies. The Resolution calls for the respect of international law, it stresses the importance of building a future based on peace and justice. Finally, the resolution would declare July 11 as the International Day of Remembrance for the Genocide in Srebrenica, and it would teach many future generations worldwide about the atrocities and why events like should never happen again.

Nonetheless, it is important to stress what the resolution does not do:

- It does not call or create conditions for the abolition of Republika Srpska.
- It does not call for any war reparations.
- The resolution is not against Serbia, Republika Srpska or any other state.
- The resolution is not against Serbs, it does not put the blame on Serb people.
- The resolution does not mention any state or any group in particular.
- The resolution does not declare Serb people as genocidal – as claimed by Dodik and Vučić.

The Resolution was therefore used as an excuse for the political elites in Serbia and Republika Srpska to stir new political crises and create tensions

across the region, which they coordinated very closely. President Vučić was openly lobbying against the international condemnation of the act of genocide for days at the UN. The Chairwoman of the Serbian Assembly Ana Brnabic attended the “Srpska is calling you” event in Banja Luka and was calling for all Serbs to stick together. Aleksander Vulin, the former minister of defence of Serbia, a founder of the Socialist Movement in Serbia, and a member of the Senate of Republika Srpska, a well know Russian proxy in the region was also attending the gathering in Banja Luka. The BiH Minister of Security Nenad Nesić publicly declared that his dream and vision will forever be for all Serbs to live in the same state. Following the adoption of the Resolution in the UN General Assembly, the RS President Dodik openly declared his intention for Republika Srpska to secede from BiH, and to join Serbia. Dodik scheduled a gathering of all Serb political representatives in Srebrenica on the day when the resolution is to be adopted, and days after he called for a change of the name Srebrenica.

Evidence of Threats to Stability from RS, Serbia and Russia

Meanwhile, the RS National Assembly adopted a report from a group commissioned by them to deny the genocide in Srebrenica, and adopted a set of laws which take away competencies from the state, including the organisation of elections.

The Russian meddling in the action of the RS authorities is quite prominent as well, with Dodik and Nesić travelling to Sankt Petersburg days after the assembly in Banja Luka and repeating messages on secession, and seeking Russian protection and support. For Dodik, being a Russian proxy is no longer a covert activity, but rather a part of his tactic to portray strong support to RS from Russia. The purpose of his frequent travel to Russia is not only to portray the alleged support of Russia, but also to disrupt the EU and US, using BiH as a training ground, or playing field where they test their own influence on each other.

From the point of view of the argument about stabilitocracy in BiH, the recent political developments have severely destabilised the country’s already fragile political landscape. Milorad Dodik’s threats to withdraw from the state-level coalition and his call for RS representatives to boycott state insti-

tutions have exacerbated existing ethnic divisions and undermined the functionality of national governance. This political maneuvering has intensified fears of secessionist movements and has driven a further wedge between ethnic groups. One such example is the stance taken by one of the BiH ambassadors, from RS, urging ethnic Serb ambassadors to operate outside the institutional framework, which has added another layer of complexity, challenging the integrity and unity of the country's diplomatic efforts.

The increased visibility of EUFOR soldiers and the spread of misinformation, such as a falsified letter urging Federation citizens to protect the inter-entity boundary line, have further heightened the fear among people. The dissemination of fake news has created a climate of mistrust and insecurity, which is particularly dangerous in a country with a history of ethnic conflict.

Overall, these events have not only destabilised the political environment but have also threatened the fragile peace and coexistence among BiH's ethnic communities. The international community, particularly the EU and NATO, must navigate these developments with heightened sensitivity and urgency to prevent further deterioration of stability in the region. Citizens increasingly feel insecure and are afraid of violence and/or conflict, especially in the returnee-populated areas in RS.

With all this in mind, there have been some voices questioning the timing or a need for such resolution only weeks after the EU has decided to open membership negotiations with BiH. They claim that there was some reform momentum at the state level and in parts of the country where coalition partners are in government. Furthermore, there is a narrative being constructed and promoted by the political representatives of RS and Serbia that the resolution and its proponents are to blame for the worsening political and security situation in the country. It is a classical spin in which a bully blames the victim for provoking the bully, which should not be acceptable. The fact is that representatives of RS and Serbia would have responded to such an initiative in the same fashion at any point in time over the past 30 years. A very similar resolution on Rwanda was adopted 20 years ago, and it was widely accepted internally. As such, it has helped the internal dialogue on reconciliation, which has been far more successful than efforts to deal with the past in BiH. There is no need for the genocide in Srebrenica to be treated

any differently on international stage. Victims need moral justice sooner or later, and that should not be conditioned by those whose representatives ordered, organised and executed war crimes. Nor should it be delayed because we have a momentum in other reform areas. Justice should have come before anything else. Dealing with the past, reconciliation, peace should be the building block of the European Union and built into the architecture of Europe since World War II. As such, it should not be a bargaining chip on the table where membership negotiations are offered.

Influence on (In)stability from Croatia

On the other side of BiH, there is a very unusual coalition partnering in Croatia after the elections. Croatian social-democratic SDP under Peđa Grbin has never taken a firm ground on the situation in Bosnia and Herzegovina and has to some degree bought into the Croatian Democratic Union (HDZ) BiH narrative on the status of Croats within BiH. Croatian President Zoran Milanović remains an ally of Dodik, while also promoting HDZ BiH narrative on Croats in BiH. Domovinski pokret has its own right-wing agenda, while Most remains unpredictable.

This is contributing to the sense of insecurity and heightened tensions in its own right, with a right-wing Domovinski pokret entering the governing coalition. Such a coalition may mean a negative influence on BiH. It may mean even stronger support for greater autonomy of Croats in BiH, and more support for Dodik and his secessionist policies. Such a coalition would thus strengthen the axis between Dodik and HDZ BiH leader Dragan Čović which has persevered for nearly 20 years now, and which has been at the bottom of many political crises, blockages and internal tensions.

High Representative Decision Imposing Technical Changes to the Election Law

The decision by the High Representative to BiH to impose technical changes to the Election Law has profound implications for the country and its democratic processes. This intervention, aimed at ensuring the integrity and functionality of the electoral system, addresses long-standing issues that have hindered fair and transparent elections in BiH.

Firstly, the High Representative's decision highlights the ongoing challenges in BiH's electoral framework. The complex political structure of BiH, resulting from the Dayton Agreement, has often led to deadlocks and inefficiencies in the election process. The technical changes imposed are designed to streamline electoral procedures, enhance transparency, and ensure that elections are conducted in a manner that reflects the will of the people. This includes measures to prevent electoral fraud, improve voter registration processes, and ensure that electoral commissions operate impartially and effectively.

The decision also underscores the critical role of the international community in supporting BiH's democratic development. The High Representative, an international authority established to oversee the implementation of the Dayton Peace Agreement, has the mandate to intervene when necessary to maintain peace and stability. By imposing these changes, the High Representative is acting to safeguard the democratic process and ensure that elections in BiH are free, fair, and credible. This intervention is particularly important given the ongoing political tensions and ethnic divisions within the country.

Moreover, these technical changes have significant implications for the political dynamics within BiH. By enhancing the fairness and transparency of elections, the decision aims to level the playing field for all political actors, reducing the potential for manipulation and ensuring that election outcomes genuinely reflect the electorate's preferences. This can help to build trust in the electoral process among citizens and contribute to greater political stability. A credible election system is essential for fostering democratic governance and enabling BiH to move forward on its path towards European integration.

However, the decision by the High Representative has also sparked debate and controversy. Some political actors view the intervention as an infringement on BiH's sovereignty, arguing that electoral reforms should be driven by domestic consensus rather than imposed by an external authority. Others welcome the changes as necessary to break the cycle of electoral irregularities and political stalemates that have plagued the country for years. This divergence of views reflects the broader tensions and divisions within BiH's political landscape.

In conclusion, the decision by the High Representative to impose technical changes to BiH's Election Law is a significant step that could lead to more democracy and stability in the long run, and that could be a significant challenge to stabilitocracy. While it highlights the challenges and complexities of BiH's political environment, it also underscores the importance of international support in promoting democratic governance. The success of these reforms will depend on their effective implementation and the willingness of domestic political actors to embrace changes that enhance electoral fairness and transparency. Ultimately, a credible and functional electoral system is crucial for BiH's democratic development and its aspirations for European integration.

Conclusions and Recommendations

- A provocation should not be responded with further provocation, violence, or growing tensions. Dodik is facing the most realistic political decline so far, brought forward mainly by the US and UK sanctions – primarily the financial sanctions that have barred them from receiving payments and holding accounts in banks. Vučić and Dodik are suffering politically on the international scene, and they are currently behaving as wounded animals. This may go several ways:
 1. They continue to raise tensions and even go as far as actually separating the RS from BiH, but they are fully aware the financial, political and security price that this course may entail, including a complete international isolation. However vulnerable right now, they may be calculating more carefully.
 2. The second option is that they admit what they may perceive as political losses, give themselves some time to accept, and then come back to the negotiating table and continue down the road of EU accession and slowly begin to reap some benefits from that process (including access to the EU's GROWTH package).
 3. They freeze all processes until the local elections in BiH in October and general elections in Serbia. They buy themselves some time politically, but financially it is not certain how they manage. The EU could speed up this process, by not allowing them access to the GROWTH package as long as negotiations with the EU are stalled.

- The media need to stop promoting harmful narratives which contribute to raising tensions. There need to be measures to counteract the spread of fake news and misinformation.
- The EU needs to make it clear to Dodik and Vučić that the processes of adopting the Srebrenica genocide resolution are separate from the EU accession negotiations and should not be used as a bargaining chip or for blackmailing the EU accession process. They need to return to the negotiating table.
- The EU also needs to join the US and UK sanctions in order to make their own act more credible and to strengthen the Euro-Atlantic partnerships. However, sanctions are showing results even without the EU.
- Stabilitocracy in BiH has resulted already in a worsening political and security situation. BiH is beyond stabilitocracy and is currently heading towards instability. This revealed several implications:
 - There cannot be long-term stability with stabilitocracy.
 - Stabilitocracy brings insecurity.
 - Stability does not mean security or prosperity.
 - Stability is not enough for EU accession.
 - EU accession cannot proceed in a stabilitocracy.
- Autocracy which was emerging in the RS, is no longer only a threat to democracy, but a threat to stability and security in the country as a whole.
- The democracy/autocracy dichotomy was over-simplistic for BiH, there have been many layers of formal and informal democratic practices, corruption, informal and formal political elites, corruption, lack of accountability and transparency. So, it has been a wide and complex spectrum between these two categories.
- The EU did not help, because it negotiated with autocratic leaders, it turned a blind eye to electoral fraud and threats of secession, and it did not join its partners in sanctioning those who led to this worsening of the situation.

- The role of the US and their action with the use of sanctions has achieved a lot in 2–3 years. However, with the US elections coming up and quite a possibility of Trump returning to the White House, there is a serious fear of a reversal of those gains. Dodik and Vučić know this and are currently buying time with the generation of tension and new crises. Trump’s position on Ukraine, his more lenient position towards Russia, and his criticism of NATO are all ingredients which raise concerns for the future of the region, and BiH in particular.
- Russia’s policy of heating “frozen conflicts” is already visible everywhere in Europe and Central Asia, and is only going to intensify if Dodik and Vučić remain strong on the regional political scene.
- This is why the EU integration prospects remain hugely important, even more important than before. The EU can no longer afford to feed into the disillusion with the EU accession – it needs to keep its promises, keep the process dynamic, and start to offer rewards very quickly. Otherwise, the problems in its backyard are going to be bigger than they are capable to swallow.
- The civil society has played an important role in mobilising citizens, but the social media are proving more influential than formal civil society organisations. The EU and other partners, especially NATO, thus need to account for the power of social media in shaping the political realities on the ground.
- Transparent elections, stronger judiciary, and fight against corruption remain key to any future engagement and crucial to a return to democratic consolidation.

Kleptocratic and Stabilitocratic States: Affectedness and Countermeasures in Kosovo

Lulzim Peci

Introduction

In the realm of governance and statecraft, the concepts of kleptocracy and stability hold profound implications for nations striving to forge a path towards prosperity and democratic legitimacy. Within this context, Kosovo emerges as a compelling case study, grappling with the dual challenges of internal developments and the imperative of fostering stability in a volatile region.

This analysis endeavours to dissect the multifaceted dimensions of Kosovo's political landscape, offering insights into the interplay of domestic dynamics and external influences. Within this context, Kosovo's trajectory towards stability and democratic governance is often entangled with the dynamics of its relationship with neighbouring Serbia, as well as the broader involvement of international actors, notably the European Union (EU) and the United States (US). This analysis delves into the challenges of autocratic tendencies in Kosovo, examining the nuanced interplay of internal and external factors shaping its political landscape.

Democratic Governance vs. Autocratic Tendencies

Since the end of 2014, following Hashim Thaci's seven-year tenure as Prime Minister from the Democratic Party of Kosovo, Kosovo experienced a period of political instability that persisted until February 2021, when Albin Kurti assumed the role of the Prime Minister. During this time, Kosovo underwent five changes in government, largely due to the complex negotiation process with Serbia. Although these frequent shifts in government led to political instability, they prevented the consolidation of a stabilitocratic regime and the entrenchment of autocratic rule.

During this period of political instability, Kosovo made minimal progress in combating corruption, as indicated by its Corruption Perceptions Index, which remained relatively stagnant between 33 and 36. However, under Kurti's prime-ministership, the index improved from 39 in 2021 to 41 in 2023, leading to Kosovo being ranked 83rd globally by Transparency International, and third in the Western Balkans, after Montenegro (63rd) and North Macedonia (76th), leaving behind Albania (98th), Serbia (104th), and Bosnia and Herzegovina (108th).¹

Nevertheless, the latest US State Department Human Rights Report on Kosovo emphasised that there is a serious government corruption.² Additionally, in the past three years, the Kosovo government has granted 781 single-source tenders worth a total of 245 million euros. These actions have drawn accusations of fostering monopolies.³

Although Prime Minister Kurti frequently asserts that Kosovo is the most democratic country in the region, the reality presents a slightly different picture.⁴ According to the 2024 Freedom House report "Freedom in the World," there has been no progress in Kosovo's state of democracy over the past year. The country, as the others in the region, remains classified as partially free, with a score of 60 out of 100. Similarly, the 2024 Freedom House report "Nations in Transit" categorizes Kosovo as a hybrid regime with a score of 38 out of 100. In terms of the Western Balkans rankings, Kosovo is behind Montenegro (Freedom in the World score of 69/100 and Nations in Transit score of 46/100), Albania (Freedom in the World score of 68/100 and Nations in Transit score of 46/100), and North Macedonia (Freedom in

¹ Transparency International, Corruption Perception Index, 2016–2023, <https://www.transparency.org/en/cpi>.

² State Department, 2024, Kosovo 2023 Human Rights Report, https://www.state.gov/wp-content/uploads/2024/02/528267_KOSOVO-2023-HUMAN-RIGHTS-REPORT.pdf.

³ Prestreshi, Kjo qeveri po i mbyl bizneset, po krijon monopole, e vepra penale me tenderë një burimor, Gazeta Blic, May 9, 2024, <https://gazetablic.com/prestreshi-kjo-qeveri-po-i-mbyl-bizneset-po-krijon-monopole-e-vepra-penale-me-tendere-nje-burimor/>.

⁴ See for example: Office of the Prime Minister of Kosovo, Kryeministri Kurti takoi ambasadorët e shteteve të QUINT-it dhe Shefin e Zyrës së Bashkimit Evropian në Kosovë, May 6, 2024, <https://kryeministri.rks-gov.net/blog/kryeministri-kurti-takoi-ambasadoret-e-shteteve-te-quint-it-dhe-shefin-e-zyres-se-bashkimit-evropian-ne-kosove-3/>.

the World score of 67/100 and Nations in Transit score of 46/100). However, Kosovo is ahead of Serbia (Freedom in the World score of 57/100 and Nations in Transit score of 43/100) and Bosnia and Herzegovina (Freedom in the World score of 51/100 and Nations in Transit score of 36/100).⁵

On the other hand, given the dominance of Vetëvendosje in the Kosovo Assembly and the lack of significant opposition challenges, political power at the national level in Kosovo is largely concentrated in the hands of Prime Minister Kurti. This centralization of power is paired with a very limited public accountability. Since the beginning of 2024, Kurti has granted only one interview to the national media, opting for Kosovo's public broadcaster, Radio Television of Kosovo.⁶ This approach is mirrored by Vetëvendosje ministers in Kurti's government. Moreover, there is a significant absence of dialogue and cooperation between the government and the opposition, critical civil society voices, and the Serb community. As a result, the relationship between the national government and the public is often characterized by patronage and a lack of transparency in policy and decision-making processes, which undermines the principles of democratic governance.

Kosovo's judicial system continues to exhibit weaknesses and vulnerability to political influence. The constitutional court⁷ and prosecution⁸ occasionally

⁵ Freedom House, Freedom in the World scores 2024, Countries and Territories, <https://freedomhouse.org/countries/freedom-world/scores>, Freedom House, Nations in Transit scores 2024, Countries and Territories, <https://freedomhouse.org/countries/nations-transit/scores>.

⁶ Radio Television of Kosovo, Intervistë me Kryeministrin Kurti, March 21, 2024, https://www.youtube.com/watch?v=yKtB4tKskS8&ab_channel=RTK.

⁷ See for example: Betimi për drejtësi, Kurti sërish sulmon Gjykatën Kushtetuese, thotë se ndërhyri në pushtetin ekzekutiv, March 22, 2024, <https://betimiperdrejtesi.com/kurti-serish-sulmon-gjykatën-kushtetuese-thotë-se-nderhyri-ne-pushtetin-ekzekutiv/>, Xhezair Dashi, Bislmi sulmon ashpër Gjykatën Kushtetuese, “Mjedis i korruptuar, jokompetentë, jo kredibil”, Nacionale, January 3, 2024, <https://nacionale.com/politike/bislmi-e-sulmon-brutalisht-gjykat%C3%ABn-kushtetuese-mjedis-i-korruptuar-jokompetent%C3%AB-jo-kredibil%C3%AB>.

⁸ See for example: Marigona Brahimi, Kurti mbron Krasniqin para deputetëve, sulmon Prokurorinë, Koha Ditore, April 21, 2024, <https://www.koha.net/lajmet-e-mbremjes-ktv/374536/kurti-mbron-krasniqin-para-deputeteve-sulmon-prokurorine>.

come under attack by the government, prompting the international community to intervene in defence of judicial independence.⁹ Media outlets face occasional targeting by the government and its supporters. There have been instances where the government attempted to unlawfully shut down the national broadcaster TV Klan,¹⁰ and accusing Kosovo media outlets in Albanian language for being financed by Serbia.¹¹ Additionally, numerous inspections by the tax administration have been conducted, yielding no substantive results.¹² In addition, civil society activists who are critical of the government encounter attacks from its supporters, including character assassination and various forms of intimidation.¹³

As per the 2024 “Freedom in the World” Freedom House Country Report on Kosovo, credible accounts continue to emerge of public officials, politicians, businesses, criminal entities, and religious factions attempting to intimidate media professionals, often resorting to violence or threats against journalists. In this vein, in May and June, 2023 the Association of Journalists of Kosovo documented 30 attacks against journalists reporting on political tensions in the northern region. These attacks included vandalism of equipment, destruction of vehicles by fire, and physical assaults on media teams.¹⁴

⁹ See for example: Gazeta Metro, SHBA pas sulmeve të qeverisë ndaj Kushtetueses: Pavarësia e gjyqësorit është themeli i demokracisë, January 12, 2024, <https://gazetametro.net/shba-pas-sulmeve-te-qeverise-ndaj-kushtetueses-pavaresia-e-gjyqesorit-eshte-themeli-i-demokracise/>.

¹⁰ Klan Kosova, Rexha: Qeveria e Kosovës po bën përpjekje për ta mbyllur Klan Kosovën, June 22, 2023, <https://klankosova.tv/rexha-qeveria-e-kosoves-po-ben-perpjekje-per-ta-mbyllur-klan-kosoven-video/>.

¹¹ Lajmi, Bislimi i akuzoi mediat se “financohen nga Serbia”, reagon AGK: Kjo gjuhë vë në rrezik fizik gazetaret, September 18, 2023, <https://lajmi.net/bislimi-i-akuzoi-mediat-se-financohen-nga-serbia-reagon-agk-kjo-gjuhe-ve-ne-rrezik-fizik-gazetaret/>.

¹² See for example: Demokracia, Gjykata refuzon ankesën e ATK-së kundër gazetarit Buzhala, July 24, 2023, <https://demokracia.com/gjykata-refuzon-ankesen-e-atk-se-kunder-gazetarit-buzhala/>.

¹³ See for example: Gazeta Metro, “Rastësisht” nga ata që janë në një linjë me qeverinë – Sulme në X ndaj studiuesit Agon Maliqi, March 11, 2024, <https://gazetametro.net/rastesisht-nga-ata-qe-jane-ne-nje-linje-me-qeverine-sulme-ne-x-ndaj-studiues-it-agon-maliqi/>.

¹⁴ Freedom House, Freedom in the World 2024, Kosovo, <https://freedomhouse.org/country/kosovo/freedom-world/2024>.

Kosovo – Serbia Tensions and the North of Kosovo

In the northern part of Kosovo inhabited mainly by Serb community, a volatile situation unfolds, wherein the local population finds itself embroiled in the ongoing tensions between Kosovo and Serbia. President Aleksandar Vučić of Serbia wants for the partition of Kosovo, while Prime Minister Kurti of Kosovo demonstrates persistent reluctance to implement the Association/Community of Serb Majority Municipalities (ASMM).

Against this backdrop, Serbia intensified its efforts to portray the north of Kosovo as an ungoverned territory lacking the approval of Belgrade. This narrative gained traction following a shift in the Kosovo government's stance, triggered by disagreements with the West over the presence of illegal Serbian license plates in the north in the autumn of 2022.¹⁵ The situation deteriorated following the resignation of all local Serbs from their positions in early November 2022, including four mayors, police officers, judges, prosecutors of the Mitrovica court, and administrative support staff. Furthermore, the ten members of the Serbian List in the Kosovo Assembly resigned, relinquishing also their positions within the government of Kosovo.¹⁶ Subsequent to the resignation of Kosovo Serbs from municipal administrations and law enforcement institutions in the north, the Kosovo government was forced to deploy police officers primarily of ethnic Albanian background. Nevertheless, the deployment of police forces lacked the concurrent introduction of essential political measures aimed at fostering confidence among the local population.

Against this background, the upcoming local elections, as envisaged by law, were originally slated for December 2022. However, the Kosovo government opted to delay the by-elections until April 2023, with the explicit aim of facilitating the negotiation of a new dialogue agreement and fostering conditions conducive to Serb community engagement. Despite this intention, Serb political parties and the majority population in northern Kosovo municipalities chose to boycott the local by-elections of April 23, 2023. Consequently, the

¹⁵ Periskopi, Reagon edhe Blniken për target, shprehet i zhgenjyer me Qeverinë Kurti, October 28, 2023, <https://www.periskopi.com/reagon-edhe-blinken-per-targat-shprehet-i-zhgenjyer-me-qeverine-kurti/>.

¹⁶ Xhorxhina Barni and Milica Stojanovic, Serbs Stage Mass Resignation from Kosovo Institutions, Balkan Insight, November 5, 2022, <https://balkaninsight.com/2022/11/05/serbs-stage-mass-resignation-from-kosovo-state-institutions/>.

by-elections proceeded, resulting in the election of Kosovo Albanian mayors, albeit with an overall turnout of only around 3.5%.¹⁷

On May 26, 2023, the Kosovo government deployed special police to municipal buildings in the north without prior notification or coordination with international partners. This action, according to the Kosovo government, aimed to secure access for the newly elected mayors.¹⁸ Local extremist Serb protesters responded by attacking Kosovo Force (KFOR) soldiers dispatched as a security buffer, which resulted with over 90 soldiers sustained injuries, some severe.¹⁹ It is widely recognized that KFOR's decision to establish a buffer was instrumental in averting a potentially far more serious incident, which could have easily escalated into an uncontrolled and widespread confrontation. Consequently, the Kosovo government faced heavy criticism from the West.²⁰ Amidst this backdrop, tensions between the Kosovo government and Western allies reached a crescendo as Prime Minister Kurti openly criticized the US State Secretary, dubbing his approach “naïve”.²¹ Subsequently, Kosovo was dismissed from the US-led Defender Europe 2023 military exercise,²² while the European Union introduced “temporary measures”²³ in response to the escalating discord.

¹⁷ Liridona Gashi, Si shkuan zgjedhjet me 3.4% pjesëmarrje në veri?, Klan Kosova, April 24, 2023, <https://klankosova.tv/si-shkuan-zgjedhjet-me-3-4-pjesemarrje-ne-veri/>.

¹⁸ Koha Ditore, Policia po i asiston kryetarët e rinj të futen në objektet e komunave veriore, May 26, 2023, <https://www.koha.net/arberi/379160/policia-po-i-asiston-kryetaret-te-futen-ne-objektet-e-komunave-te-zvecanit-leposaviqit-e-zubin-potokut/>.

¹⁹ Reuters, Kosovo still “highly volatile” after May clashes, NATO commander says, September 6, 2023, <https://www.reuters.com/world/europe/kosovo-still-highly-volatile-after-may-clashes-nato-commander-2023-09-06/>.

²⁰ Reuters, NATO urges Kosovo to de-escalate tensions with Serbia, March 27, 2023, <https://www.reuters.com/world/europe/nato-urges-kosovo-de-escalate-tension-with-serbia-2023-05-27/>.

²¹ Shown Walker and Lorenzo Tondo, Kosovo: “fascist mobs” guided by Serbia causing violence, says country's PM, The Guardian, May 30, 2023, <https://www.theguardian.com/world/2023/may/30/kosovo-fascist-mobs-guided-by-serbia-causing-violence-says-countrys-pm>.

²² A2CNN, Kosova përjashtohet nga “Defendr Europe 2023”, Haradinaj kërkon dorëheqjen e Kurtit, May 30, 2023, <https://a2news.com/haradinaj-kerkon-doreheqjen-e-kurtit>.

²³ Xhorxhina Barni, EU Announces Measures Against Kosovo Over Unrest in North, Balkan Insight, June 14, 2023, <https://balkaninsight.com/2023/06/14/eu-announces-measures-against-kosovo-over-unrest-in-north/>.

However, at that time, it was clear that this game would not end only with the withdrawal of local Serbs from political and law enforcement institutions in this part of Kosovo. This Belgrade's strategy led to the incident in Banjska,²⁴ for which US investigation results hold Serbia responsible for organizational and financial connections with the terrorist act in northern Kosovo.²⁵ However, despite the fact that leader of the terrorist group and vice-chairman of Srpska lista, Milan Radoičić, took the responsibility for the Banjska terrorist attack, Serbian authorities have not apprehended him or held him accountable through legal proceedings. Additionally, Serbia declared an official day of mourning and hailed the three gunmen killed by the Kosovo Police as martyrs.²⁶

If the Kosovo Police had failed, and the West had shown weakness again, as it did when KFOR soldiers were attacked by extremists in Zvečan in May 2023, the NATO peace-enforcement mission could have easily become similar to UNPROFOR, essentially a peacekeeping force with a dividing line along the Ibar River. This dividing line could easily evolve into the border between Kosovo and Serbia if the dire scenarios of the war in Ukraine were to materialize, which is also Belgrade's ultimate goal.

Another implication is a security dilemma-induced arms race in the region. In 2023 and 2024, Kosovo made an effort in this arms race, by buying five Bayraktar TB92 drones from Turkey²⁷ and started the procedure of purchasing 246 Javelin FGM-148F missiles from US,²⁸ while Serbia, among others,

²⁴ Hanne Cokelaere and Seb Starcevic, Gunmen storm village in northern Kosovo in attack blamed on Serbia, Politiko, September 23, 2023, <https://www.politico.eu/article/kosovo-serbia-police-attack-albin-kurti-banjska-vjosa-osmani/>.

²⁵ Politiko, Escobar: We are investigating Serbia's involvement in the attack in Banjska, March 15, 2024, <https://politiko.al/english/kosova/escobar-po-hetojme-perfshirjen-eseerbise-me-in-ne-banjske-i503438>.

²⁶ France 24, Serbia observes national day of mourning after clashes in Kosovo, September 28, 2023, <https://www.france24.com/en/europe/20230928-serbia-observes-national-day-of-mourning-after-clashes-in-kosovo>.

²⁷ Reuters, Kosovo buys Turkish Bayraktar drones, July 16, 2023, [https://www.reuters.com/business/aerospace-defense/kosovo-buys-turkish-bayraktar-drones-2023-07-16/#:~:text=PRISTINA%2C%20July%2016%20\(Reuters\),refuse%20to%20recognise%20Pristina%20authorities](https://www.reuters.com/business/aerospace-defense/kosovo-buys-turkish-bayraktar-drones-2023-07-16/#:~:text=PRISTINA%2C%20July%2016%20(Reuters),refuse%20to%20recognise%20Pristina%20authorities).

²⁸ Elisabeth Gosselin-Malo, Us approves possible Javelin sale to Kosovo amid tensions with Serbia, Defense News, January 12, 2024, <https://www.defensenews.com/global/europe/>

bought eleven Russian helicopters MI-35 from Cyprus,²⁹ ordered 20,000 Shahed-136 kamikaze drones from Iran³⁰ and offered to buy twelve Rafael fighter jets.³¹ Nevertheless, the main issue here is that Serbia possesses offensive weapons, while other countries in the region, including Kosovo, are restricted to using deterrence and defensive armaments.

However, notwithstanding, the local Serbs from the north of Kosovo commenced the process for the recall of mayors in January 2024, invoking the Administrative Instruction of the Kosovo Government (AI 02/2023) concerning “the citizens’ initiative for recalling election on the local level”. Remarkably, within a mere 48-hour period, they amassed over 20% of the signatures required for the mayors’ recall. The referendum slated for April 21, 2024, ended in failure, as voter turnout ranged from 0% to 0.91%.³² On April 22, the Central Election Commission (CEC) declared that the conditions for the mayors’ have not been met.³³

2024/01/12/us-approves-possible-javelin-sale-to-kosovo-amid-tensions-with-serbia/
#:~:text=MILAN%20%E2%80%94%20The%20U.S.%20government%20approved,
a%20bitter%20taste%20for%20Serbia.

²⁹ Reuters, Serbia buys Cypriot helicopter gunships to bolster air force, November 23, 2023, [https://www.reuters.com/business/aerospace-defense/serbia-buys-cypriot-helicopter-gunships-bolster-air-force-2023-11-23/#:~:text=BELGRADE%2C%20Nov%2023%20\(Reuters\),Aleksandar%20Vucic%20said%20on%20Thursday](https://www.reuters.com/business/aerospace-defense/serbia-buys-cypriot-helicopter-gunships-bolster-air-force-2023-11-23/#:~:text=BELGRADE%2C%20Nov%2023%20(Reuters),Aleksandar%20Vucic%20said%20on%20Thursday).

³⁰ Sky Over Ukraine, Serbia has ordered 20 thousand “Shaheds” from Iran, August 15, 2023, <https://clotheskyoverukraine.com/latest-news/serbia-has-ordered-20-thousand-shaheds-from-iran>.

³¹ Katarina Baletic, Serbia Agrees Deal to Buy French Rafale Fighter Jets, Balkan Insight, April 9, 2024, <https://balkaninsight.com/2024/04/09/serbia-agrees-deal-to-buy-french-rafale-fighterjets/#:~:text=Vucic%20in%20April%202022%20said,a%20switch%20to%20Western%20technology>.

³² Radio Evropa e Lirë, Dështon iniciativa për largim të kryetarëve në veri, April 21, 2024, <https://www.evropaelire.org/a/votime-veri-shkarkim-kryetare-komuna-/32913778.html>.

³³ Këshilli Qendror Zgjedhor, Iniciativa qytetare per largimin e kryetareve te komunave Leposaviq. Zubin-Potok, Zvecan dhe Mitrovice e veriut ka deshtuar, April 22, 2024, <https://kqz-ks.org/konferenca-e-katert-kqz-iniciativa-qytetare-per-largimin-e-kryetareve-te-komunave-leposaviq-zubin-potok-zvecan-dhe-mitrovice-e-veriut-ka-deshtuar/>.

Against this backdrop, President Vjosa Osmani urged for the immediate lifting of EU measures against Kosovo,³⁴ while both the US and EU expressed regret over the Serb boycott of the referendum for recalling mayors in northern Kosovo.³⁵ On the other hand, the temporary measures enforced by the European Union failed to yield the intended results and, instead, they have not diminished significantly support for Kurti among Kosovo Albanians.³⁶ Furthermore, following the Banjska incident, many among Kosovars perceived these measures as biased, particularly considering Serbia's alleged involvement in this terrorist attack and its failure to arrest and bring to justice the leader of the terrorist group, Radoičić.

Conclusion and Recommendations

Kosovo is grappling with substantial hurdles concerning democratic governance, marked by noticeable autocratic inclinations; however, it has yet to evolve into a stabilitocracy. The concentration of power in the hands of Prime Minister Kurti, coupled with the weak rule of law, and instances of attack on media and civil society, suggest autocratic tendencies within the country. Furthermore, the tensions between Kosovo and Serbia, exacerbated by ethnic divisions and geopolitical complexities, contribute to a precarious political landscape. These factors collectively indicate a need for concerted efforts to strengthen democratic institutions, uphold the rule of law, and promote inclusive governance in Kosovo. Failure to address these challenges could further entrench autocratic tendencies and undermine the country's democratic progress.

Drawing from the challenges elucidated in the preceding analyses, the following recommendations are delineated for tackling autocratic inclinations in Kosovo by the European Union and the United States:

³⁴ Radio Evropa e Lire, Osmani kërkon heqjen e masave të BE-së ndaj Kosovës pas votimeve në verë, April 21, 2024, <https://www.evropaelire.org/a/osmani-kerkon-heqjen-e-masave-te-be-ndaj-kosoves/32914658.html>.

³⁵ Radio Evropa e Lirë, SHBA-ja shpreh keqardhje për mosshfrytëzim të së drejtës së votës në veri, April 21, 2024, <https://www.evropaelire.org/a/shba-shpreh-keqardhje-per-mosshfrytezimin-e-te-drejt-es-se-votes-nga-serbet-ne-veri/32914688.html>.

³⁶ According to the recent polls, support for Vetevendosje in Kosovo is around 39%, Raporti për gjetjet e anketës 15–25 prill në Kosovë, Qendra për Hulumtim dhe Informim, Instituti i Statistikës Rahmi Nuhiu, Instituti i Balkanologjisë, May 7, 2024.

- *Strengthen Democratic Institutions:* Support development of the robust democratic institutions with checks and balances to prevent the concentration of power in the hands of a few individuals or parties.
- *Crisis in the north of Kosovo:* Repeal the “temporary measures” imposed on Kosovo, as they have adversely affected the populace rather than the decision-makers. Additionally, publish the results of investigations into the Banjska terrorist attack and address Serbia’s accountability in the matter.
- *Reduce Kosovo – Serbia tensions:* Pay attention to the issue of armament, with Serbia’s acquisition of offensive equipment from global players such as Russia, China, and Iran raising pertinent questions about regional security and stability. Recognize the imperative of confidence-building measures between Kosovo and Serbia in the realm of security and defense to underscore the delicate balance between peace building efforts and geopolitical interests.
- *Promote Political Pluralism:* Support the development of a diverse and vibrant political and civic landscape with space for opposition parties, independent media, and civil society organizations to thrive.
- *Uphold the Rule of Law:* Support the independence and integrity of the judiciary, and enforcement of laws consistently and impartially to prevent arbitrary exercise of power.
- *Protect Freedom of Expression:* Support safeguarding of freedom of speech and media freedom, and combat censorship and attacks on journalists and civil society activists.
- *Foster Dialogue and Inclusivity:* Support promotion of inclusive political dialogue and engagement across ethnic and political divides to build consensus and address grievances through peaceful means.

- *Combat Corruption:* Support implementation of effective measures to tackle corruption and nepotism, promote transparency and accountability in government institutions, and strengthen anti-corruption laws and enforcement mechanisms.
- *Engage Civil Society:* Support active engagement and participation of civil society organizations and citizens in decision-making processes, and support initiatives that empower marginalized communities and amplify their voice.

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Overcoming Stabilitocracy in Southeast Europe – Case Study Serbia

Djordje Popović

Hybrid Regime that is Becoming Autocracy

Serbia has ended 2023 and started this year as a country which firmly moves away from the family of liberal democracies. Recent developments in the internal political situation are pushing the country steadily towards a clear autocratic regime. It has become very difficult to discuss a European future for the country in which the elections and media are not free, in which the state institutions are just a façade, where the rule of law exists only on paper and where everything depends on one ruling party or even worse on one man. Not only that a great number of citizens of Serbia have that impression, or some independent researchers and experts, this has now become a widely acknowledged fact in the international community with much evidence that prove it.

Freedom House in its annual report Nations in Transit reduced Serbia's rating in as many as four out of seven areas. On a scale of 1 to 7, Serbia's overall democracy rating dropped from 3.79 to 3.61 last year, which is the biggest drop in the last ten years, as well as the biggest drop this year out of all 29 countries covered by this report. The biggest contributor to the decline was the December elections, which, as stated, were held in unfair conditions and with numerous irregularities – such as organized voter migration, vote buying and abuse of public resources. This all affected electoral outcomes, especially in Belgrade, and brought into question the legitimacy of the electoral process.¹

Following the sudden and simultaneous resignation of 65 mayors from the ruling party, including the mayor of Belgrade and the Assembly of the Autonomous Province of Vojvodina's decision to dissolve itself, despite stable

¹ Nations in Transit 2024, Freedom House, <https://freedomhouse.org/country/serbia/nations-transit/2024>.

majorities, early local elections in a third of Serbia's municipalities and provincial elections in Vojvodina were called for the same day as parliamentary elections in December 2023.

Elections were held in an atmosphere far from the democratic standards which was noticed also by the international observers from the European Parliament and the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe. The European Parliament resolution on the situation in Serbia following the elections clearly stated that the Serbian parliamentary and local elections held on 17 December 2023 deviated from international standards and Serbia's commitments to free and fair elections, owing to the incumbents' persistent and systematic abuse of institutions and media in order to gain an unfair and undue advantage. Therefore, these elections cannot be deemed to have been held in fair conditions. The European Parliament called for an independent international investigation by respected international legal experts and institutions into the irregularities of the parliamentary, provincial and municipal elections, with special attention to the elections for the Belgrade City Assembly, as there are allegations regarding organized voter migration at local level. It urged the Commission to launch an initiative to send an expert mission to Serbia to assess the situation as regards the recent elections and post-election developments in an effort to facilitate the preconditions for establishing a necessary societal dialogue to attempt to restore the public's trust and confidence in institutions, and to assess and address the systemic rule of law issues in Serbia, looking at the example of the "Priebe Reports".²

The observers noted serious allegations of unlawful manipulation of the voter register and voting rights, pressure and intimidation against citizens and election candidates, cases of corruption, the forging of citizens' signatures, clientelism, the illegitimate and unlawful abuse of citizen data, abuses of state office and a lack of effective mechanisms to prevent incumbents from gaining an unfair institutional advantage in elections. In return they were heavily attacked by the highest government officials including the President himself. These disrespectful attacks tried to intimidate and discredit the

² European Parliament resolution of 8 February 2024 on the situation in Serbia following the elections (2024/2521(RSP)), https://www.europarl.europa.eu/doceo/document/TA-9-2024-0075_EN.pdf.

observers, trying to present them in the Serbian media as haters of Serbia and Serbian people. Even worse was the case with the domestic observers from civil society which were subject to dirty media campaign, threats and even physical violence.

The level of electoral engineering seen during the December elections in Serbia is something that was never seen before and was beyond comprehension to many of us who lived in this country even during the last decade of the twentieth century when democracy was fully suspended. We thought that we saw everything and we expected many irregularities which usually follow the electoral process in Serbia for more than a decade. But we were in for a big surprise. Not only that the large number of people from Republika Srpska with Serbian citizenship were brought to Belgrade in organized manner to vote, but people within Serbia were also moved and distributed from the local municipalities where there were no elections to the municipalities where the elections were held. Such a large movement of voters could not be done without the systematic support of state institutions. The Ministry of the Interior was giving them under expedited procedure fictitious addresses – people’s residence was registered in different state institutions, hospitals, abandoned buildings, even power plants and gas stations. On the other hand, the Ministry for State Administration and Local Self-Governance which is in charge of the unified voters register was removing from the register the voters that were not using their right to vote for couple of years entering in their place new “imported” voters. In that way the discrepancy within the voters’ register was not obvious at the first glance and the number of voters did not increase radically before the elections.³ This manipulation of voter registries directly influenced election results in Belgrade, but also brought the legitimacy of the entire electoral process into question.

All this was combined with the total lack of media pluralism which was also noted by the European Parliament which condemned disinformation and the widespread unethical and biased media reporting in favor of the state officials. It noted, with concern, that a large number of media outlets are influenced or controlled by the government, which resulted in an uneven

³ Many examples of electoral engineering can be seen in the Final Election Observation Report which was done by the organization CRTA at, <https://crt.rs/zavrsni-izvestaj-posmatracke-misije-crte/>.

playing field for opposition candidates during the campaign; condemned the attacks instigated by media outlets close to the government against critical journalists; deplored the President of Serbia's overwhelming public exposure before and during the campaign, as it erased the lines between the institution of the President, the state and the political party in power.⁴

All this happened in a country where media freedom continued its downward trajectory. The number of cases of pressure and attacks on journalists significantly increased in comparison with last year, and frequent targeting of journalists by ruling party officials and progovernment media continued to undermine the journalistic community's work.⁵

The final report of the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe also highlighted the main deficiencies of the electoral process and offered concrete recommendations for the improvement of the conditions in this area.⁶ All these recommendations should be considered before the next elections and Serbian government officially accepted it claiming that they will do whatever they can before the next local elections in all remaining municipalities which are scheduled for this summer.

Since electoral manipulation was mostly evident in Belgrade and as it highly affected the election results it created a conflict situation of high intensity with mass protests which were followed with international reactions. The ruling majority decided that the most elegant way to overcome this problem is to repeat the elections for the city of Belgrade. The elections were scheduled for June 2024 although not a single ODIHR recommendation was adopted and nothing in the electoral conditions has changed. In such circumstances the opposition decided to choose three ODIHR recommenda-

⁴ European Parliament resolution of 8 February 2024 on the situation in Serbia following the elections (2024/2521(RSP)), https://www.europarl.europa.eu/doceo/document/TA-9-2024-0075_EN.pdf.

⁵ Nations in Transit 2024, Freedom House, Freedom House, <https://freedomhouse.org/country/serbia/nations-transit/2024>.

⁶ ODIHR Election Observation Mission Final Report, https://www.osce.org/files/f/documents/1/3/563505_0.pdf.

tions that they see as the most important without which they would not participate in the elections – the establishment of an independent committee composed from all parliamentary parties as well as the civil society which will review the voters register, opening of the national broadcaster for all the participants of the electoral process and holding the remaining local elections together with the repeated elections for the city of Belgrade. The last demand would ensure that the voters from other municipalities would not be able to move to Belgrade and in that way influence the elections result. The government organized consultations within the parliament in which they included all parliamentary parties and civil society claiming that they immediately accepted the first of the three conditions. The second condition remained unfulfilled and the biggest negotiations were held around the third condition which was in the beginning strongly rejected by the government. After the opposition stated that they will boycott the coming elections, the concession was given and all the remaining elections were scheduled for the June 2nd. In that way the ruling party bought a lot of time and put the opposition in a tight end with approving their condition only one month before the elections when there was no more time for any change in the electoral process. This trick brought division within the opposition and finally destroyed their already fragile unity. It seems that the opposition parties are quite incapable to deal with the tricks and irregularities that the regime is organizing, but what is even worse they do not have any idea how to fight this situation. They look powerless in front of the citizens who are disappointed and to a great extent fed up with the lack of real alternative in which they can confide their trust. This will create only an even greater political crisis in the country.

Regional Consequences

Parallel to the internal political crisis some other regional crises are underway and creating difficulties in the Western Balkans with Serbia in the leading role. One of them and maybe the biggest is the so-called process of normalization with Kosovo. Not only that there is no normalization of relations between Serbia and Kosovo, but the relations are burdened with high tensions which sometimes even implicate use of force.

Maybe the most important event that happened in the previous period was the armed incident that took place in September in the village of Banjska in which four people died – one Kosovo policeman and three Serbian attackers.

On that day a group of around eighty heavily armed men attacked the Kosovo police which returned fire. In that exchange four people died and the rest of the attackers escaped to the territory of central Serbia leaving behind them high number of vehicles and heavy weaponry. The motive of the attack is still unknown, but it is known that the leader of the armed group was Milan Radoičić, a controversial businessman from northern Kosovo who was at the time vice president of Srpska lista – the strongest political party of Kosovo Serbs, which is the local branch of Serbian Progressive Party in northern Kosovo. The Kosovo government accused Serbia that it tried to stage an armed conflict in order to incorporate the territory of northern Kosovo. On the other hand, the Serbian President said that it was a desperate attempt of local Serbs who could not put up with the oppression of Kosovo authorities. Radoičić who fled Kosovo remained in Belgrade where he lives under protection of the Serbian government until all his assets in Kosovo were seized by the Kosovo government.

It is quite unbelievable that the Serbian President who is the most powerful person in the country did not know what his close associate plans to do with the group of eighty heavily armed people with armored vehicles and infantry armaments. Also, the lack of any kind of criminal proceedings or even investigation against Radoičić who confessed that he was the mastermind of this endeavor in which four people lost their lives sheds additional light to this event. The participants of the event from Serbian side were celebrated as heroes. Especially those who died were treated as heroes fallen for their country.

The event in Banjska was a very good reason for the total occupation of northern Kosovo by Kosovo special police, which were not usually present in that area in higher numbers. Now we have special police bases in the north of Kosovo which can effectively control the situation in four municipalities with Serbian majority. If we add to that the fact that Serbs in four municipalities where they live as majority do not have their representatives in local authorities because they boycotted the local elections, that the ban of import of Serbian goods lasts almost a year and the recent ban of the use of Serbian Dinar in Kosovo, it is not difficult to understand that the position of Serbian population in Kosovo is maybe more challenging than ever.

One of the consequences of the Ohrid Agreement, which was accepted by the Serbian President, is the fact that Kosovo is seeking membership in different international organizations. Although by accepting this agreement Serbia agreed not to block Kosovo from membership in international organizations this is not the case in practice. The reason for such a behavior from the Serbian side is the lack of establishment of the Association of Serbian Majority Municipalities – the most important precondition that should be fulfilled by Kosovo under the Brussels and Ohrid Agreements. Serbia decided to actively engage in prevention of Kosovo to become a member of Council of Europe. Having in mind the attitude of the majority of member states and the report of the Greek parliamentarian Dora Bakoyanni, which was seen as treason in Serbia, it is quite obvious that Kosovo will become a member of Council of Europe. Therefore, the Serbian government should focus its attention not on useless attempts to prevent the membership but to try to demand from the Council of Europe to condition this membership with the fulfilment of already well-known demands of establishment of the Association of Serbian Majority Municipalities, as well as cessation of the expropriation in Serbian municipalities. This would bring most benefits for the Serbian minority whose interests should be on top of the agenda in Belgrade.

The situation is nothing less complicated in Bosnia and Herzegovina where Serbia has great deal of influence on one of the entities – Republika Srpska. Playing the game of official support to the unity of Bosnia and Herzegovina but at the same time heavily supporting the secessionist forces of Milorad Dodik who is in power in Republika Srpska is something that the Serbian government continues to do for more than a decade.

The relations between Belgrade and Sarajevo are on a very low level, almost non-existent and on the other hand we have the complete Serbian government present at the celebration of the unconstitutional Day of Republika Srpska. Milorad Dodik from his side is omnipresent in Serbia. He is following Serbian President Vučić on all occasions in so-called attempt to show Serbian unity in this difficult moment for the nation.

The latest such occasion was the joint meeting of the leadership of Serbia and Republika Srpska as an attempt to find an answer to the adoption of the UN resolution on genocide in Srebrenica. The resolution initiated by Germany and Rwanda before the UN General Assembly, among other things,

seeks condemnation of the denial of the genocide in Srebrenica and the glorification of those responsible for the murder of around 8,000 Bosniak civilians in July 1995. In the joint statement after the meeting of the two leaders it was said that Serbia will lobby in the UN against this resolution. The Serbian leadership in Bosnia and Herzegovina asked for the support for future actions they will undertake if the resolution is adopted. They did not specify what kind of actions they would take, but Dodik clearly said that if such a resolution is adopted Republika Srpska might leave the decision-making process in Bosnia and Herzegovina. In a joint address Vučić and Dodik repeated the same claim – that the intention of the resolution is to “mark the Serbian people as genocidal”. If this document is adopted, Dodik’s message is that he “does not see the sense in Republika Srpska remaining an integral part of Bosnia and Herzegovina”. Vučić from his side told the Republika Srpska leadership to “think carefully about every move” and called for “peace and preservation of international order.” He did not condemn Dodik’s threats of secession, even more he said that Serbia will never go against Republika Srpska and that it will share its destiny. Both governments for years repeat the same position – despite international verdicts – they deny that genocide was committed in Srebrenica.

Challenges Ahead

Serbia was never a consolidated democracy and has a pretty weak democratic tradition, however we are now facing the situation of full state capture which will have to be dealt with both internally and externally. Serbian President Vučić used so far very skillfully the geopolitical situation in the world in order to create total control over our country but also some of the crucial factors in the region. First the financial crisis, then the Covid crisis and especially the war in Ukraine and now in the Middle East created a perfect distraction for the movements that the Serbian leader made within the country and abroad. Truth be told we have to mention that for a great period of time he also had silent support from the West in its attempt to achieve stability in the region by turning their head away from the obvious autocratic tendencies of the Serbian leader. Creating a stabilitocracy in Serbia which was mainly the result

of Angela Merkel⁷ and her policy is still not an abandoned concept. When the new German government took much stricter relation to Vučić, he decided to find another sponsor for his manner of rule turning to the French President Emmanuel Macron who is now using abundantly his newly obtained position. While European Union and the United States are engaged in their own election processes the Serbian President is trying to gain support bilaterally from different influential actors offering in return highly lucrative deals such as lithium mining, privatization of Serbian power company and military industry, opening of nuclear power plants, buying military aircrafts and much more, which is still to be discovered. This may be useful for western allies to turn Serbia away from Russian and Chinese influence, but it is highly unfavorable for the democracy in the country. If these efforts are not followed by clear and strict conditions which are based on democratic decision-making, rule of law and freedom of media the capture of Serbian state will be definite. And then the tensions within the country will rise and we all witnessed in recent history that the internal tensions are usually dealt with by creating external tensions in the region. We should all be aware of this and not allow it to happen again, especially since we have the same actors in place. Stability in one country or a region must not mean only the absence of conflict or favorable conditions for foreign investments. In order to reach stability, we need strong institutions and a justice system. Otherwise, we will have a stable country in which democracy is dead. We know that some of the most stabile counties in history were dictatorships. Until they collapsed.

⁷ Solveig Richter and Natascha Wunsch, “Money, power, glory: the linkages between EU conditionality and state capture in the Western Balkans”, *Journal of European Public Policy* 27, no. 1 (2020), pp. 52–53.

Overcoming Stabilitocracy in Albania: Successes and Failures

Ledion Krisafi

Background

The term “stabilitocracy” has been used first in 2012 to describe in particular Albania at the time.¹ It was used by Antoinette Primatarova and Johanna Deimel back in 2012 to describe Albania as a country which “provides stability externally but domestically oscillates between democracy and autocratic tendencies.”² At the time, Albania was ruled by the Democratic Party with Sali Berisha as Prime Minister. Stabilitocracy was not a foreign word or concept for Berisha as he was President of Albania during the 90s where his government and he personally was endorsed by the Western powers while he was eroding democracy in the country, organizing bloody elections in 1996 when his party won 120 out of 140 places in the Parliament; and presiding over a financial pyramid scheme which brought the country to armed conflict in 1997 and the intervention of foreign armed forces to restore calm.

The socialist governments that followed him until 2005, were known too for stabilitocracy. Albania was praised for its role in the region, especially concerning Kosovo and the Albanian uprising in Former Yugoslav Republic of Macedonia (FYROM) at the time in 2001, where Albania played a constructive role in both cases while having direct national interests in both places. But at the same time, the government was accused of widespread corruption and the organized crime groups in the country matured during this period and become more powerful as to influence directly the political parties, but still not capable enough to control them. During this period, it were the political parties which controlled the organized crime groups for political and electoral purposes, and not the other way around.

¹ <https://www.biepag.eu/blog/what-is-a-stabilitocracy>.

² Ibid.

Berisha's second time in power from 2005 to 2013 was not as dramatic as the first time in the 90s, but nevertheless it was a continuation of certain aspects of stabilitocracy. Corruption was endemic, the justice system was totally captured and controlled by the government, while at the same time, Albania was praised for its reforms and in 2009 it applied for candidate status in the European Union. In 21 January 2011, the National Guard, on orders from Berisha, murdered four protesters in the main Boulevard of Tirana. The next day, on the name of stability in the country, the US Ambassador called Berisha "a statesman".

Therefore, Albania has a long history of favouring stability over democracy, human rights, rule of law, free and fair elections, continuing over every government since the fall of the communist regime. This situation and the way the West has behaved towards this stabilitocracy, can be best described with a famous phrase used during the communist period in the country: "we pretend to work, they pretend to pay us".

Starting to Break it up

The beginning of the attempt to break up stabilitocracy in Albania can be dated in July 22nd 2016, when the Albanian Parliament, with a unanimous vote approved the justice reform, promoted above all by the United States but also by the European Union. The premise of the justice reform was that it would start to clean up the justice system from corrupted judges and prosecutors through a vetting process and a new group of judges and prosecutors who had passed the vetting process would be able to then tackle corruption in the high levels. Another premise of the justice reform was that the new justice system would be decentralized. There would be no more one central Prosecutor General, but several centres of power inside the justice system would be created, working independently from each other. This would ensure that the justice system would not be corrupted and captured by the political parties, as it had happened in the past.

Through a disputable vetting process, many judges and prosecutors were removed from the system, the majority because of their inability to justify their wealth. Those who managed to pass the vetting process, went on to staff the new justice institutions, especially SPAK, the Special Prosecutor against Cor-

ruption. SPAK would function independently from the other justice institutions, would focus on corruption in high levels and its cases would go to a special court for corruption, called GJKKO in Albanian, whose judges had all passed the vetting process.

But the process took a long time to be implemented. For several years, Albania did not have a functioning Constitutional Court and a functioning High Court, because the majority of judges in both courts did not pass the vetting process. This process severely hampered Albania's democratic processes at the time and became a contentious point from the European Union, because an EU candidate country cannot function without a Constitutional Court.

During this time meanwhile, we had a continuation of the stabilitocracy in the country. Albania was praised for the justice reform, which had not produced yet any results, the government was praised for its role in maintaining the stability in the region, for helping with the Iranian mujahidins, accepting thousands of Afghans in the country after the US withdrawal from Afghanistan, which earned the government and the Prime Minister Rama in particular the gratitude of the United States. This is a typical form how the current Albanian government and Prime Minister Edi Rama has maintained considerable foreign support while inside the country problems abound. He has tried to become useful for the US and the EU in issues which few or none other take responsibility. In this way he becomes indispensable for the EU and the US, which can bypass several shortcomings of the government in the name of helping the EU and US in sensitive issues like the refugees for example. This process has continued until today. In 2023 Albania signed with Italy an agreement for housing up to 36 thousand illegal refugees from Italy in specially built facilities in Albania. While the issue has nothing at all to do with Albania, as those refugees did not aim to come to Albania at all, for Prime Minister Rama it was a good opportunity to become useful to Italy while at the same time to show the European Union that while may EU countries, especially in the Eastern Europe refrain from this problem and do not want to receive any illegal refugees, Albania even though a non-EU member state, is ready to assume responsibilities pertaining to a EU member state. The agreement was praised by Germany and France and was seen widely as a possible example for other countries and solution for this issue.

As a consequence, Albania received praise for the readiness to tackle a problematic issue inside the EU, even though the issue does not have anything to do with Albania itself. This is a common phenomenon for Albania and especially the Prime Minister Rama to “buy” EU and US support, while presiding over a government accused of widespread corruption, links to the organized crime, considerable control and censure of the Medias.

During all this time, corruption was described as widespread in the high levels of the government, while elections continued to be problematic with widespread allegations of vote-buying, government interference, intimidation, etc., while foreign media organizations repeatedly complained about backsliding in Media freedom and governmental control of the majority of the Medias. Journalists often complain that the government and especially the Mayor of Tirana have centralized the information and pressure and intimidate those journalists who try to bypass the information approved and distributed by governmental institutions.

It was not until 2022, six years after the voting in the Parliament, with the nomination of Altin Dumani as head of SPAK, that SPAK started to tackle corruption in the high levels. While Albania had been accused continuously for high levels of corruption, especially in the government and for cooperation of governmental institutions with organized crime, investigating and arresting of high officials like Ministers, former ministers, prime ministers or Municipality Mayors was almost a taboo. But since 2022, this taboo has been broken and currently there are no officials who are deemed untouchable by the justice system.

Two former ministers from the current socialist government have been arrested and sentenced to several years in prison. One former minister and deputy prime minister from the current government escaped Albania after risking arrest accused of corruption. At least six mayors and former mayors, all from the Socialist Party in government, have been arrested and sentenced. Former Prime Minister and President, Sali Berisha, is in house arrest, along with his son-in-law, both accused of corruption and illegal procedures. The other leader of the opposition, Ilir Meta, is being investigated by SPAK, along with his wife, also part of the opposition. Two former ministers of the current government are being investigated for corruption, while a few weeks

ago the main directors of the Municipality of Tirana and the closest collaborators the current mayor, have been arrested by SPAK for establishing a company which received public tenders from the Municipality where they were in charge of the same tenders.

This stabilitocracy has been one of the defining factors of Albania's huge emigration in the last decades. Around 1.7 mn Albanians live outside the country, which makes up around 40% of all Albanian citizens.

SPAK is slowly dismantling the 30 years political class in Albania, which has maintained stabilitocracy, entrenched itself in every part of the political and social system of the country and at various times, received support from the European Union and the United States for their reforms which were mostly in paper. Because of the SPAK actions, Berisha and Meta, two heavyweights of Albanian politics in the last three decades, have become politically almost irrelevant, while Rama's government and party is getting the heaviest blows from SPAK with several ministers and mayors being arrested or under investigating, a process which is damaging his government and party. The latest polls show that even though the Socialist Party remains the most popular party in Albania and will most likely win the elections next year for the fourth time in a row, the majority of Albanians would not vote for anyone. Those not voting are more than the percentage that the Socialist Party would take in the elections. Rama is trying to salvage the situation by saying that this process has been started by the Socialist Party, which is partly true, and that arrests among the Socialist Party are welcome as a means to cleanse the party from problematic figures.

At the same time, SPAK has returned hope and faith in the public institutions. From the public institutions, SPAK was the most trusted last year and SPAK Chairman, Altin Dumani, was the most popular public figure in Albania last year, surpassing even the Prime Minister Edi Rama.

What SPAK is bringing in the Albanian public is a deep mistrust of the political class. This was common even before, but not in this scale, after the corruption and mismanagement of the public money is being made public by SPAK. This could have consequences for the electoral processes in Albania. The last local elections in 2023 saw the lowest participation ever in an election in Albania, with 38%. If these results were to be repeated next year

in the general elections, it would show that the deep mistrust towards the political class is being translated into apathy and indifference from the electorate. However, this situation helps the current political class to repeat itself in power, but with less and less public support.

Has Stabilitocracy been Overcome?

The main question at this point is: has this process overcome stabilitocracy in Albania and changed the situation? The answer is more complicated than this straightforward question.

Old ways are difficult to change. Corruption, lack of rule of law, a politicized public administration, connections between organized crime and the political parties, continuous vote buying and governmental pressure during the elections; all of these are difficult to change easily just because SPAK has arrested or is investigating several former ministers and municipality mayors. The same problems continue as before. And the EU stance towards Albania continues almost the same. Even though the problems are numerous, in many cases they are bypassed in the name of stability, especially after the war in Ukraine and the heightened geopolitical awareness that the Western Balkans should be part of the EU as a means to avoid further instability and conflicts. In many cases, despite these problems, the EU and other European institutions declare that Albania is ready to open the first chapters, that the country is making huge steps forwards, etc.

This attitude from the European Union, integration because of geopolitical reasons, not because of fulfilled conditions, does not help fighting and overcoming stabilitocracy. The strongmen and authoritarians in the Western Balkans can just wait for the next geopolitical chance to become part of the European Union, without having to change anything or improve rule of law, elections, fight against corruption, etc.

In Albania, due to the lack of further integration steps, the government encouraged the narrative that this is the fault of the EU while the Albanian government has fulfilled all the conditions. This narrative has become popular and is presented as the main reason why Albania has not yet opened the first chapters.

The work of SPAK is showing that problems in the country run even deeper than previously thought. But the problem is that without the support of the EU and especially the United States, the work of SPAK would never be possible. Old forces and interests would unite to hamper SPAK. This is not a good sign for the future of the country. It shows that even though stabilitocracy has started to break up, without the assistance of the US and the EU, the situation would return to the old ways where the political class controlled the justice system, which allowed it to engage in huge corruption. Despite the work of SPAK and its results, the new institutions are working because of the US and the EU, not because a new mentality has taken shape in the functioning of public institutions.

Stabilitocracy will be overcome in Albania when the new justice institutions will be working without the assistance and support of the US and the EU as guardians of their work and the US embassy in Tirana would not be the most trusted institution in Albania anymore.

Conclusions

Of all the countries of the Western Balkans, Albania is giving more signs of breaking up the stabilitocracy. This is all the merit of SPAK, the Special Prosecutor Against Corruption, whose work in tackling corruption in the high levels has started to dismantle the old political class which has ruled the country in the last three decades, but also it has returned trust and hope on the population that things may start to change. Stabilitocracy and the lack of hope have been probably the number one reason why so many Albanians have emigrated in the last two decades.

At the same time, the European Union should encourage even more this process. The idea that because of geopolitical reasons coming from the Russian menace, the Western Balkans should become part of the EU in the near future, without fulfilling all the conditions, should be discarded.

Overcoming Stabilitocracy: Pathways to Genuine Democracy in Montenegro

Andrea Mićanović

Introduction

In this article, we examine the historical roots and contemporary manifestations of stabilitocracy in Montenegro, a system that has persistently hindered true democratic progress. Stabilitocracy, a term used to describe regimes that prioritize stability over democratic principles, often results in the erosion of democratic norms and institutions. By examining the various factors that contribute to and sustain this system in Montenegro, we aim to spotlight the underlying issues that prevent the country's democratic evolution.

Montenegro's political landscape has long been shaped by a complex interplay of historical legacies, socio-political dynamics, and international influences. These factors have collectively fostered a stabilitocratic environment where democratic practices are frequently overshadowed by the quest for political stability. To understand the full scope of stabilitocracy in Montenegro, it is essential to explore both its historical roots and its present-day characteristics.

Moreover, this article will propose strategic measures necessary to cultivate a genuinely democratic environment in Montenegro. It is crucial to identify and address the pillars that uphold and reinforce the stabilitocratic system within the country. By doing so, we can pave the way for substantive democratic reforms and ensure that Montenegro can transition towards a more transparent, accountable, and participatory political system.

The following sections will present the various factors contributing to the state of stabilitocracy in Montenegro, each addressing a different pillar that supports this system. By critically analysing these elements, we can better understand the challenges to democratic progress and formulate effective strategies to overcome them.

The Roots of Stabilitocracy in Montenegro

Historical Legacy and Political Continuity

Stabilitocracy in Montenegro is deeply rooted in its historical transition from a socialist state within the former Yugoslavia to an independent nation. The ruling party in the post-Yugoslavia Montenegro, the Democratic Party of Socialists, emerged directly from the Communist Party, inheriting not only its infrastructure but also its governance practices. This continuity has enabled a pseudo-democratic facade, where changes in political rhetoric did not match the reality of continued autocratic practices. The superficial renaming and restructuring did little to dismantle the old power dynamics, setting the stage for a governance style that prioritizes stability and continuity over genuine democratic reforms.

Montenegro had 18 years since regaining international sovereignty and independence to establish the structure of modern European states through its institutions, cultural orientation, and adoption of Western European values. Instead, our country's governance exhibited autocratic characteristics; the judiciary has been corrupted, security services have been steeped in organized crime, and similar issues have prevailed. The public has been presented with a message of stability, while the democratic facade was misused for undemocratic practices. Some of the consequences of such actions are, for example, felt today, when key individuals from past ruling structures in the judiciary, security sector, parts of the executive branch, politics, and similar areas, are being arrested on suspicion of committing serious crimes.

Firmly Established and Merged Political and Institutional Power

The integration of the ruling party with state institutions has been a critical factor in entrenching stabilitocracy in Montenegro. This makes it difficult to distinguish between the interests of the state and those of the ruling party, stifling competition and innovation within the political sphere. The lack of separation between state and party not only compromises the integrity of public institutions but also limits the development of policies that genuinely reflect the will and needs of the populace.

As a result of the aforementioned, there has never been a genuine transformation in the citizens' consciousness to understand that the state is supposed to work for them – that they are the ones who elect both legislative and executive powers, and that they should hold these powers accountable. Participatory mechanisms have not been developed. Therefore, the democratic transformation has never occurred because Montenegro has been governed by a monolithic structure, where the division between the state and the ruling party is blurred, hindering true democratic engagement and the evolution of a civic-minded society.

In addition to this, a significant share of the blame for this situation can be attributed to the intellectual elite in Montenegro, which – with very few exceptions – has continuously endorsed such practices since 1946, often motivated by opportunism. This aspect has significantly slowed the process of raising public awareness in the Western Balkans, resulting in the current state of affairs.

Judicial Manipulation and Lack of Oversight

Another hallmark of stabilitocracy is the manipulation of the judiciary to serve the interests of the ruling elite rather than uphold the rule of law. In Montenegro, the judiciary has struggled to assert its independence, often acting as an extension of the executive branch. High-profile cases and scandals have exposed the extent of political influence over judicial decisions, undermining trust in Montenegrin legal system. This judicial dependence ensures that the ruling party can operate with impunity, further entrenching their power and destabilizing the principles of democratic governance.

If we keep this in mind, it does not surprise that the significance of the rule of law has yet to reach the necessary level of awareness among the population of Montenegro. Thus, in Montenegro, one can observe that the Government of Montenegro flagrantly violates the state's laws in full view of the public, unlawfully appoints individuals to critically important security functions, disregards court decisions, all while maintaining a narrative about the importance of the rule of law. It is in these absurd examples that one can see the presence of stabilitocracy in Montenegro, which is largely expressed through the rhetoric of those in power, replete with rich European values, while in practice, these values are not respected.

Weak Opposition and Political Monoculture

The ineffective opposition in Montenegro has contributed significantly to the stabilitocracy. The opposition's failure to present a viable alternative or effectively challenge the ruling party's policies has allowed the latter to operate without substantial scrutiny or challenge. Additionally, personal interests have frequently taken precedence over public, state, or societal interests within the opposition ranks, as well. Many opposition figures and structures have prioritized their own political and economic gains over the needs and aspirations of the citizens they purport to represent. This self-serving behavior has further disillusioned the public and undermined the credibility of the opposition, making it difficult for them to mobilize widespread support.

The opposition's ineffectiveness is also reflected in its inability to articulate a clear and compelling vision for Montenegro's future. Without a coherent policy platform or strategic plan, the opposition has been unable to inspire confidence among voters or present itself as a legitimate alternative to the current regime. This lack of vision has contributed to a sense of stagnation and hopelessness among the electorate, who see little possibility for meaningful change.

Strategies for Combating Stabilitocracy in Montenegro

In conclusion, the phenomenon of stabilitocracy in Montenegro is deeply rooted in a combination of historical legacies, entrenched political powers, and systemic governance failures that have perpetuated a pseudo-democratic state. This system is characterized by the blurring of lines between state and ruling party, judicial manipulation, and a stifled opposition, which collectively undermine the principles of genuine democratic governance.

Given that this is a systemic, long-standing, and deeply rooted issue, it cannot be resolved overnight nor with just a few specific measures; instead, a systematic approach is required, but here are a few key actions that need to be ensured:

Firstly, *strengthening the independence of institutions* is essential for Montenegro's democratic health and a crucial step in combating stabilitocracy. Independent institutions form the backbone of a functioning democracy, ensuring that

power is balanced and that no single entity can dominate the political landscape unchecked.

Judicial reforms should be at the forefront of these efforts. Ensuring that the judiciary operates without undue influence from political actors is vital for maintaining the rule of law and protecting citizens' rights. The judiciary must be empowered to make decisions based solely on legal principles, free from political pressure or corruption. This means appointing judges and prosecutors based on merit, ensuring tenure security, and providing adequate resources for the judicial system to function effectively.

On this path, some progress has been made. For example, the recent appointment of the Supreme State Prosecutor marks a step forward. This appointment is a positive indication that change is possible, and it sets a precedent for future judicial appointments. However, significant work remains to be done to fully realize an independent judiciary.

Key reforms are still pending, and these must be prioritized to align with international standards and recommendations. The European Commission has provided a roadmap for these reforms, emphasizing the need for transparency, accountability, and integrity within the judiciary. Additionally, the opinions of the Venice Commission and the Group of States against Corruption (GRECO) offer valuable guidance on best practices and necessary reforms.

These key reforms refer to several critical areas for improvement, including:

1. **Ensuring Transparent and Merit-Based Appointments:** Judicial appointments must be free from political interference. Implementing transparent, merit-based criteria for selecting judges and prosecutors is essential.
2. **Enhancing Accountability Mechanisms:** Establishing robust mechanisms to hold judicial actors accountable without compromising their independence is crucial. This includes creating independent oversight bodies to monitor judicial conduct and address misconduct.

3. **Securing Adequate Funding:** Adequate funding for the judiciary ensures that it can operate effectively and independently. This includes investing in training, infrastructure, and resources necessary for the judiciary to perform its duties.
4. **Implementing Anti-Corruption Measures:** Corruption within the judiciary undermines public trust and the rule of law. Comprehensive anti-corruption measures, including stringent penalties for corrupt practices and protective measures for whistleblowers, are essential.¹

By adopting these reforms, Montenegro can move closer to a truly independent judiciary, which is a cornerstone of any democratic society. Strengthening institutional independence not only helps to dismantle stabilitocracy but also builds public trust in democratic processes and institutions. This, in turn, encourages civic engagement and fosters a political environment where diverse voices and perspectives can be heard and respected. In conclusion, while progress has been made, the journey towards judicial independence in Montenegro is ongoing. Prioritizing and implementing the necessary reforms in line with international recommendations is crucial for establishing a resilient democracy that can effectively counter the forces of stabilitocracy.

Secondly, *promoting civic engagement and strengthening civil society* are pivotal to nurturing a democratic ethos in Montenegro, and it is of utmost importance to improve the legal and institutional framework regulating cooperation between state institutions and civil society.² Historically, the civil sector has always served as the most effective corrective to power, underscoring its essential role in ensuring governmental accountability and transparency. Civil society organizations (CSOs) act as watchdogs, advocates, and educators,

¹ Also see: Centre for Democracy and Human Rights (CEDEM), “Report on the Monitoring of Court Proceedings and Needs Assessment of Montenegrin Judiciary with regard to the Protection of Human Rights And Application of Standards from the European Convention and Practice of the European Court of Human Rights”, June 2023, <https://www.cedem.me/wp-content/uploads/2023/10/CEDEM-Report-of-the-monitoring-3.pdf>.

² Montenegro 2023 Country Report, European Commission, November 2023, p. 16, https://neighbourhood-enlargement.ec.europa.eu/document/download/e09b27af-427a-440b-a47a-ed5254aec169_en?filename=SWD_2023_694%20Montenegro%20report.pdf.

providing a counterbalance to governmental power and fostering a participatory democratic culture. To reinforce this role, it is crucial to continuously support and strengthen these civil society organizations, enabling them to effectively challenge and provide checks on governmental actions.

Further enhancing the capacity of civil society not only bolsters its ability to oversee government operations but also empowers citizens by providing them with the tools and platforms necessary to actively participate in the democratic process.³ When citizens are equipped with the knowledge and resources to engage meaningfully in governance, they can hold their leaders accountable and advocate for their rights and interests.

By fostering a strong, independent civil sector, Montenegro can ensure a more resilient democracy where civic voices contribute meaningfully to policy-making and governance. Strengthening these organizations also helps to cultivate a culture of civic responsibility and participation, which is indispensable in the fight against corruption and the promotion of a transparent and accountable administration. In conclusion, promoting civic engagement and strengthening civil society are not merely supplementary actions but foundational pillars for building a robust democracy. By investing in and empowering civil society organizations, Montenegro can create a dynamic and participatory democratic environment. This, in turn, leads to more effective governance, greater public trust, and a stronger, more resilient society capable of overcoming the challenges posed by stabilitocracy.

Finally, *reforming the electoral process* is vital to ensuring free and fair elections. For years, the civil sector in Montenegro has highlighted the necessity of electoral reform, yet there still lacks substantial political will to implement these changes.

However, it is necessary to implement measures contributing to:

³ This was one of the recommendations in CEDEM's Political Participation in Montenegro 2023 Research, available at: <https://www.cedem.me/wp-content/uploads/2023/10/Politicka-participacija-u-CG-2-1-1.pdf>.

1. **Preventing Foreign Influence:** Establishing legal and institutional safeguards to counteract foreign interference is vital for maintaining the sovereignty of the electoral process. It ensures that elections reflect the genuine will of the Montenegrin people without external manipulation.⁴
2. **Judicial Protection of Electoral Rights:** Amending the Criminal Code to better protect electoral rights is essential for upholding the rule of law and ensuring that any violations of electoral integrity are effectively addressed. This enhances public trust in the electoral system and deters potential misconduct.⁵
3. **Depoliticization and Professionalization of Election Bodies:** Ensuring the independence and competence of the State Election Commission and local election bodies is fundamental for the credibility of elections. Depoliticized and professional election administrations can conduct fair and transparent elections, free from partisan bias and influence.
4. **Public Involvement:** Engaging civil society and citizens in the electoral reform process is crucial for transparency and inclusivity. It ensures that the reforms are reflective of the public's needs and perspectives, thereby strengthening democratic participation and accountability.
5. **Accuracy and Timeliness in Voter Registry:** Achieving a high level of accuracy and timeliness in the voter registry is essential for ensuring that all eligible voters can participate in the electoral process without barriers. Accurate voter lists prevent disenfranchisement and reduce the risk of electoral fraud.

⁴ Centre for Democratic Transition (CDT), “Foreign Influences on the Electoral Process in Montenegro 2016–2023, May 2024”, <https://en.cdtmn.org/2024/05/29/introduction-foreign-influences-on-the-electoral-process-in-montenegro-2016-2023-part-ii/>.

⁵ CDT, “Legal Protection of Electoral Rights within the Criminal Justice System”, May 2024, <https://en.cdtmn.org/2024/05/08/editors-note-legal-protection-of-electoral-rights-within-the-criminal-justice-system/>.

6. **Transparency in Political Financing:** Enhancing transparency and control over the financing of political parties and election campaigns is critical for preventing corruption and undue influence in politics. Clear regulations and oversight mechanisms ensure that political financing is transparent and accountable to the public.
7. **Preventing Misinformation:** Preventing the infiltration of misinformation into the electoral system is essential for safeguarding the integrity of elections. Measures to combat misinformation ensure that voters can make informed decisions based on accurate information.

On this note, the current session of the Montenegrin Parliament has established a Committee for Comprehensive Electoral Reform. Unfortunately, this Committee has so far followed the path of previous ones, failing to break away from the old ways of working and thinking. Regrettably, the Committee has held only four meetings in four months without establishing even the basic prerequisites for its operation.⁶

Conclusion

Montenegro stands at a pivotal crossroads in its journey towards establishing a genuine democracy. The entrenched system of stabilitocracy, characterized by the intertwining of party and state interests, judicial manipulation, and a stifled opposition, presents significant challenges. However, the resilience and determination of Montenegro's citizens offer a beacon of hope for a brighter, democratic future.

Strengthening institutional independence is paramount. By ensuring that institutions operate free from undue political influence, Montenegro can create a system where checks and balances are effective, and power is not concentrated in the hands of a few. This independence is the bedrock of a healthy democracy, enabling institutions to function transparently and accountably. Key reforms in the judiciary, including merit-based appointments and robust

⁶ Information from the 4th session of the Committee on Comprehensive Electoral Reform, 2 April 2024, <https://www.skupstina.me/me/clanci/odrzana-cetvrta-sjednica-odbora-za-sveobuhvatnu-izbornu-reformu>.

anti-corruption measures, will be critical in building public trust and ensuring that the rule of law is upheld.

Promoting civic engagement and empowering civil society are equally crucial. Civil society organizations play a vital role in holding the government accountable and advocating for the rights and interests of citizens. By investing in these organizations and fostering a culture of active citizenship, Montenegro can create an environment where diverse voices are heard, and citizens are engaged in the democratic process. This engagement not only strengthens democratic institutions but also cultivates a sense of ownership and responsibility among citizens, essential for the sustainability of democratic reforms.

Reforming the electoral process is another vital step. Ensuring free, fair, and transparent elections is fundamental to democracy. Measures such as preventing foreign influence, ensuring accurate voter registries, and enhancing the transparency of political financing are necessary to protect the integrity of elections. With sustained effort and political will, these reforms can lead to a more inclusive and representative electoral system.

On the other side, there have been certain judicial reforms that mark a significant milestone in Montenegro's path to reform. They signal a commitment to change and set a precedent for future development of judiciary, highlighting that progress, while incremental, is possible. Such milestones are crucial in demonstrating that with persistence and dedication, the deeply rooted issues of stabilitocracy can be addressed.

Furthermore, Montenegro is leading the way on its path towards European Union membership. Both on the national level and from the EU, there are encouraging messages supporting Montenegro's progress. This international backing provides additional motivation and framework for Montenegro to continue its reforms and align its practices with European standards.

Empowering civil society and fostering a culture of active citizenship will be crucial in this process. By investing in these areas, Montenegro can ensure that diverse voices are heard, and that the principles of democracy are deeply rooted in the fabric of its society. The road ahead may be challenging, but with collective effort and unwavering commitment to democratic values,

Montenegro can achieve a more transparent, accountable, and participatory political system, paving the way for a prosperous and democratic future.

In conclusion, while the journey towards genuine democracy in Montenegro is fraught with challenges, the potential for positive change is immense. By focusing on institutional independence, civic engagement, and electoral reform, Montenegro can build a robust democratic framework that upholds transparency, accountability, and participation. With the resilience and determination of its citizens, the commitment of its leaders, and the support from the European Union, Montenegro has the opportunity to transition from a stabilitocratic regime to a vibrant, inclusive democracy, setting a powerful example for the region and the world.

North Macedonia through the Lenses of Stabilitocracy: Contributing Factors and Lessons Learnt¹

Simonida Kacarska

Introduction

Stabilitocracy has become a central term in the Western Balkans discourse in recent years referring to “governments that claim to secure stability, pretend to espouse EU integration and rely on informal, clientelist structures, control of the media, and the regular production of crises to undermine democracy and the rule of law”.² In the research on stabilitocracies the case of North Macedonia has a specific place as it was the first country for which the term was used and is considered to have been the first country to end a stabilitocratic rule in 2017. The country’s turn towards stabilitocracy followed after the deterioration of the name dispute and the veto over NATO accession in 2008. In the absence of an international anchor, the government endorsed anti-democratic practices and lavish spending without any accountability culminating with the uncovering of a major wiretapping scandal.

In this paper, I examine the key factors that brought about the conditions for introducing and sustaining a stabilitocratic rule in North Macedonia between 2010 and 2016, including the disengagement of the European Union institutions due to the name dispute with Greece; the impact of the migration/refugee crisis and the Balkan route, as well as the developing relationship with the illiberal regimes within the EU. Last, the paper reflects on the difficulties of the turnover of power in 2017 largely considered as a (partial end) to the stabilitocratic governance of the country.

¹ Parts of the contribution have already been published in the following publications: Simonida Kacarska, “Reinforcing or conflicting? EU conditionality and political socialization during the 2015–2017 political crisis in the Republic of North Macedonia,” in Uvalic Milica, *Integrating the Western Balkans into the European Union: overcoming mutual misperceptions*, Palgrave Macmillan, 2023.

² See Florian Bieber, “The Rise (and Fall) of Balkan Stabilitocracies,” available at: <https://www.cirsd.org/en/horizons/horizons-winter-2018-issue-no-10/the-rise-and-fall-of-balkan-stabilitocracies>.

The Weakened/Compromised Role of the EU due to the Name Dispute with Greece

(North) Macedonia as a frontrunner of the EU accession process was considered as a positive example of EU conditionality and its transformative power in the first decade of the 2000s. As the first country in the region to sign a Stabilisation and Association Agreement in 2001 and obtain candidate status in 2005, the country made significant breakthroughs in EU related reforms in the following years. It was considered a frontrunner in the visa liberalisation dialogues between 2007 and 2009 with good performance in the area of rule of law. As a result, in 2009, the European Commission for the first time recommended the start of the accession negotiations with North Macedonia at the time, which were formally hindered by the Greek veto. In the next six years, until 2015 the European Commission each year was recommending the start of the accession negotiations with the country which were not followed up by the European Council.

In order to maintain the EU agenda alive, the European Commission introduced various additional instruments, including the High Level Accession Dialogue, however, none managed to maintain the EU leverage. Being placed between the expectations of resolving the name issue and having been stripped of the leverage, the Commission often times overlooked stagnation and backsliding in many areas, including rule of law.³ As a result, the VMRO-DPMNE government managed in this period to implement various undemocratic projects and policies, including the lavish Skopje 2014 construction project accompanied with corruptive practices.⁴ In the European Commission reports, most of the concerning developments these were presented in a “softer” language, ultimately legitimising undemocratic practices.⁵ As a result, the failure

³ See Malinka Ristevska Jordanova et al., “Overshadowed Recommendation: Analysis of the European Commission 2014 Progress Report on the Republic of Macedonia” (European Policy Institute, Skopje, October 8, 2014), <https://epi.org.mk/docs/Overshadowed%20recommendation%20-%20commentary%20PR%202014%20en.pdf>.

⁴ Fabio Mattioli, “Dark Finance: Illiquidity and Authoritarianism at the Margins of Europe,” Stanford University Press, 2020.

⁵ Malinka Ristevska Jordanova, “The Macedonian Political Crisis – EU Mechanisms Tested”. Available at: https://ba.boell.org/sites/default/files/uploads/2016/11/perspectives_-_11-11-2016_-_web.pdf?fbclid=IwAR14oF7k9cZ46ofr0Z0-RUywyYHB AyxUIUSso9Dh79Y_ENaZ6CNLVVXHOA.

to follow up on the recommendation in 2009 through a start of the accession negotiations and a decision of the Council is largely considered to be a contributing factor to the deteriorating situation on the domestic governance and the introduction of the stabilitocratic governance. While the Union with the prospect of the potential resolution of the name issue found it politically challenging to be critical of the government in charge until 2015 and the wiretapping crisis the EU institutions were largely complacent and not critical of the concerning developments in the country itself.

The Wiretapping Scandal and the Migration/Refugee Crisis

In addition to the Greek veto, the stabilitocratic period in North Macedonia coincided with two major political developments in the country including the aforementioned wiretapping crisis, as well as the migration/refugee crisis in Europe. The 2015 wiretapping scandal revealed large-scale, high-level corruption, massive infringements on the right to private communications, and a lack of control over the state intelligence and security agencies, as noted in a report of a group of senior experts contracted by the European Commission.⁶ The same report highlighted “serious incidents of political corruption at various levels and in multiple ways” raising concerns over the direction the country was heading. As a result, between 2015 and 2017 the country was embroiled in a deep political crisis marred by violent protests, resignations of the government and even a short lived armed conflict.⁷ The EU together with the US mediated the resolution of the political crisis with the so-called Przino Agreement which paved the way for holding extraordinary elections and ultimately to the most difficult transfer of power in the country since independence, reaffirming its role as an active player in the national context.⁸ The agreement stipulated strict political conditions for the government and was accompanied by suspending of the recommendation for the

⁶ Senior Experts’ Group, “The Former Yugoslav Republic of Macedonia: Recommendations of the Senior Experts’ Group on Systemic Rule of Law Issues Relating to the Communications Interception Revealed in Spring 2015” (Brussels, June 8, 2015).

⁷ For more on this, see Balkans in Europe Policy advisory Group, “Unraveling the Political Crisis in Macedonia,” 2015, <http://biepag.eu/wp-content/uploads/2019/03/Unraveling-the-Political-Crisis-in-Macedonia.pdf>.

⁸ Simonida Kacarska, “Freeing the Captured State in Macedonia: What Role for EU Accession?” (Freedom House, November 2017), https://freedomhouse.org/sites/default/files/2020-02/122017_Macedonia_Brief_Final.pdf.

start of the accession negotiations in the European Commission report for the country in 2015.⁹

As to the latter, between 2014 and 2016 the Balkan route, passing through Greece, North Macedonia, Serbia, Croatia and Slovenia became the primary one for the migrants headed towards the EU. At the EU level, over time two conflicting approaches as to how to deal with the crisis emerged, one supported by Germany and one by the Visegrád group.¹⁰ Both of these approaches, but predominantly the latter one, pressuring for the closing of the borders along the Western Balkans route depended on the cooperation from the authorities and governments in the Balkans, including North Macedonia. As a result, Brussels found itself in an awkward position as officials pressed accountability on the Skopje government in relation to the crisis discussed above, while at the same time leaning on it to halt the migrant inflow.¹¹ The political crisis elaborated above overshadowed the migration crisis and largely was a “possibility to score a few additional supporters among its public and abroad”.¹² In these conditions, the EU was at the same time pressuring for democratic reform in North Macedonia through its instruments of political conditionality, but also depended on the cooperation from the Macedonian government, and especially the border police for halting the migration influx.

The peak of international pressure was reached with a joint ambassadorial statement of US, France, Italy, UK, Germany and EU over the political stalemate in Macedonia.¹³ The ambassadors “urged VMRO-DPMNE to demonstrate the required commitment and to implement the agreement in a constructive and urgent manner and with good faith”.¹⁴ On the same day, the

⁹ EC, “The Former Yugoslav Republic of Macedonia 2015 Report,” Commission Staff Working Paper (Brussels: Commission of the European Communities, November 10, 2015).

¹⁰ Senada Šelo Šabić and Sonja Borić, “At the Gate of Europe,” Dialog Südosteuropa (Friedrich Ebert Stiftung, 2016).

¹¹ <https://www.ft.com/content/50bcc1fa-c024-11e6-9bca-2b93a6856354>.

¹² Senada Šelo Šabić and Sonja Borić, “At the Gate of Europe,” Dialog Südosteuropa (Friedrich Ebert Stiftung, 2016).

¹³ <https://www.gov.uk/government/world-location-news/joint-statement-on-political-crisis-in-macedonia>.

¹⁴ Ibid.

then prime minister Nikola Gruevski was in Madrid at an annual congress of the European People's Party and was presented in terms of having friendly meetings with the representatives of the EU, including the Commission's President.¹⁵ For Chryssogelos (2017), "the Europarties act as *sub-contractors* of EU conditionality towards political elites",¹⁶ and in this context in the given period the European People's Party has largely been seen as undermining formal EU conditionality and supporting status quo in the candidate countries. As a result, the image of inconsistency in EU actions has been reinforced, thereby questioning the commitment of the EU as a transformative and democratising actor.¹⁷

The Illiberal Role Model(s)

In addition to the specific role of the Union and its weakened accession leverage, a significant contributing factor to the sustaining of stabilitocracy in North Macedonia has been the model of illiberal democracy in the Union, Hungary.¹⁸ In the Western Balkans, the approach of prime minister Viktor Orbán gained ground during the 2015 refugee/migration crisis building strong links with both the leadership of Macedonia and Serbia as the two countries in the Balkan route at the time. The link with North Macedonia was further strengthened due to the asylum prime minister Orbán has given to Gruevski, convicted former prime minister of North Macedonia largely responsible for the 2015 political crisis.¹⁹ The partnership between the two leaders and their respective political parties was strengthened during the refugee/migration crisis in which the Orban government worked closely both with its Macedonian and Serbian counterparts. The prominent role of Hungary in any case affects the role of the EU as a rule and norm promoter in North Macedonia, both through its

¹⁵ See <http://telma.com.mk/vesti/gruevski-vo-madrid-razgovarashe-so-junker-i-han>.

¹⁶ See Angelos Chryssogelos (2017), "Transnational European Party Federations as EU Foreign Policy Actors: The Activities of Europarties in Eastern Partnership States". *JCMS: Journal of Common Market Studies*, 55, pp. 257–274.

¹⁷ For more on this see Simonida Kacarska, "Reinforcing or conflicting? EU conditionality and political socialization during the 2015–2017 political crisis in the Republic of North Macedonia," in Uvalic Milica, *Integrating the Western Balkans into the European Union: overcoming mutual misperceptions*, Palgrave Macmillan, 2023.

¹⁸ See Jacques Rupnik, "Hungary's Illiberal Turn: How Things Went Wrong," *Journal of Democracy* 23, no. 3 (2012), pp. 132–37, <https://doi.org/10.1353/jod.2012.0051>.

¹⁹ Former prime minister Gruevski was sentenced to two years in prison over a questionable public procurement deal, but has several ongoing court proceedings against him.

violations of the rule of law principle at the EU level, but also the specific case of granting asylum to the former prime minister associated with the democratic backsliding and state capture in the country.

Post-2017 and Lessons Learnt what Comes after Change in Stabilitocratic Societies

In 2017, the Republic of Macedonia experienced the most difficult turnover of power since its independence with a government formed six months after the December 2016 elections. The government led by SDSM, committed to bring the country back to the European accession by: signing the Prespa agreement with Greece, freeing captured institutions and regaining the trust of citizens. The democratic performance in the period between 2017 and 2019 has shown positive developments in terms of reinstating democratic governance in the country.²⁰ Yet, the freeing of the captured institutions has been a very difficult endeavor especially as the (ethnic Albanian) Democratic Union for Integration, one of the main partners in the government from the previous governing coalition continued to be in power. While positive trends towards internal democratization were noticeable in the first two years of the new government mandate, including also through the regained EU perspective, the developments post-2019 did not keep up a positive pace. These developments were partly a result due to the multitude of crises (COVID-19, energy crisis) as well as the re-examination of the European perspective poised by the French requests for a new methodology as well as the subsequent Bulgarian veto. In the post-pandemic period many of the developments in the country were concerning in terms of their implications for the democratic transformation of the country. In 2023/2024 major crises embroiled the judiciary which ultimately did not manage to process in a timely manner the high profile cases linked to the Gruevski government. The response of the European Commission however in this case was stronger and it determined that the country had made no progress on rule of law as one of the key elements of the accession process.²¹

²⁰ See Freedom House Nations in Transit 2018 Report on North Macedonia, <https://freedomhouse.org/country/north-macedonia/nations-transit/2018>.

²¹ European Commission, North Macedonia 2023 Report, https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_693%20North%20Macedonia%20report.pdf.

Conclusions

The example of North Macedonia discussed above shows the interplay between the domestic and EU related factors in the enabling of stabilitocratic rule in the country following the 2009 Greek veto to the start of the EU accession negotiations until the resolution of the 2015/2016 political crisis in the country. The paper looked at the compromising of EU conditionality due to the Greek veto, as well as the impact of the migration/refugee crisis on the EU's role during the wiretapping crisis. In both cases, the EU had to balance between responding to the evident violation to the democratic governance in the country and ensuring the cooperation of the government for the purposes of managing the Balkan route during the refugee/migration crisis in the Union with the Greek veto as an intervening factor. Last, the paper also examined the role that illiberal regimes in the EU such as the Hungarian one have played in the case of sustaining the stabilitocratic governance in the country.

While North Macedonia in literature is considered to be the case in which stabilitocratic rule ended in 2017, the developments since then also highlight the challenges of the turnover of power in such conditions. While in the early period 2017–2019 positive tendencies towards encouraging pluralism and democratic development in the country were noted by international observers, the post-2020 period has been marked by stagnation highlighting a risk of return to former stabilitocratic tendencies. The response of the European Commission in 2023 to the stagnation and worrying rule of law developments has been stricter indicating a potential lesson learnt from the past decade. Whether this is the case with the national government in North Macedonia, remains to be seen.

**PART IV: Combating or Promoting Kleptocracy
and Stabilitocracy in South East Europe:
The Role of International Actors**

The West and “Stabilitocracy”: Did the EU and the U.S. Shelve Enlargement by Trying to Cast Out the Devil by the Beelzebub?¹

Michael Schmunk

But when the Pharisees heard it, they said, this man doth not cast out demons, but by Beelzebub, the prince of the demons.

Matthew, 2:25²

We based our use of the term on these earlier studies to describe the semi-authoritarian regimes in the region which receive external support, in particular from EU member states, for the sake of the (false) promise of stability. Thus, a “stabilitocracy” is a regime that includes considerable shortcomings in terms of democratic governance, yet enjoys external legitimacy by offering some supposed stability. This exchange of stability for external lenience on matters of democracy can be called a stabilitocracy. We are aware that this transaction has characterized Western assistance and support for non-democratic regimes around the world for decades.

Florian Bieber³

There is a new joke circling around the Balkans: “Why did Miroslav Lajčák (the EU special representative for the Belgrade-Pristina Dialogue) and Gabriel Escobar (the US special envoy for the Balkans) decide to open a bakery? Because they thought cake doughnuts would be the perfect symbol for their diplomacy in the Balkans – full of holes and prone to crumbling!” The joke reflects the fact that mediations led by the European Union and the United States in the Serbia-Kosovo dispute have reached their nadir.

Cake Doughnuts and Western Diplomacy⁴

¹ This article was completed in May 2024.

² Holy Bible, New Testament: 12:25 Jesus knew their thoughts and said to them, “Every kingdom divided against itself will be ruined, and every city or household divided against itself will not stand. If Satan drives out Satan, he is divided against himself. How then can his kingdom stand? And if I drive out demons by Beelzebub, by whom do your people drive them out? So then, they will be your judges. But if it is by the Spirit of God that I drive out demons, then the kingdom of God has come upon you.”

³ Florian Bieber: What is a stabilitocracy? The Balkans in Europe Policy Advisory Group, BiEPAG, 5 May 2017.

⁴ Quoted from: Leon Hartwell: Cake doughnuts and western diplomacy. In: *New Eastern Europe 5 (LVIII)* 2023, p. 15 (15–25), www.neweasterneurope.eu. Miroslav Lajčák’s mandate as the “EU’s Special Representative for the Belgrade-Pristina Dialogue and

Foreign Intervener's Dream: Calm in the Post-Conflict Box?

Since the beginning of humanitarian interventions and post-conflict-reconstruction efforts in the early 1990s both the concept and the strategic tool of the creation of a “safe and secure environment” have dominated foreign intervener’s military operations. I remember well from my assignments⁵ for example in Kosovo, in the South Caucasus, Bosnia-Herzegovina and Afghanistan that for international peace keepers the first operational priority consisted in the establishment of a daily environment free of any kind of violence and both administrative and legal disorder and instability. Respective regional situation reports, for instance, to the UN, the OSCE, the EU or NATO, have regularly published clear statements about the security and stability quality of the post-conflict area concerned. Civilian peace keepers and reconstruction experts have been using these military assessments as a basis for their work, and, in particular, for their progress reports. “Stability”, a concept with a quite positive connotation, had become the central performance benchmark in

other Western Balkan regional issues” regularly ends by 31 August 2024, and will not be extended. The foreign service of the EU Commission has nominated him as the EU’s ambassador to Switzerland as of 1 September 2024. Very likely, the “High Representative of the EU for Foreign Affairs and Security Policy” and Vice President of the EU Commission, Josep Borrell i Fontelles, will not return to his post either, due to the EU’s elections in June 2024, after which the cards will be reshuffled in Brussels. Borrell and Lajčák have conducted the dialogue with President Vučić and President Kurti together on behalf of the EU since 2020. Both, Borrell and Lajčák, as well as their American partner, Escobar, were without much luck negotiating an agreement between Belgrade and Pristina to end all hostilities between the two. The whole operation had been ill-fated from the very start, last but not least, because both European mediators came from the group of five EU member states which do not recognize Kosovo as a state. Also, both, in particular Lajčák though, had been continuously criticized for being partisan in favor of the Serbian side; see, among others: Alice Taylor: Konflikt mit Serbien: Politiker werfen EU-Beauftragtem Parteinahme vor. In: *Euractiv DE*, <https://www.euractiv.de/section/europa-kompakt/news/konflikt-mit-serbien-politiker-werfen-eu-beauftragtem-parteinahme-vor/>; Marc Tribelhorn: Der Krisendiplomat. In: *Neue Zürcher Zeitung*, 19.04.2024, p. 8, <https://www.nzz.ch/schweiz/der-krisendiplomat-miroslav-lajcak-wird-neuer-eu-botschafter-in-der-schweiz-ld.1827067>.

⁵ Ambassador Schmunk served, among others, in Pristina, Baku, Sarajevo and Kabul, and did post-conflict related research at the German Institute for International and Security Affairs (SWP), Harvard University’s Weatherhead Center and the John F. Kennedy School, the Fletcher School (Tufts University, Medford, MA) and the German Institute of Global and Area Studies (GIGA, Hamburg).

post-conflict societies, though saying in the end little about the state of democracy, the guarantee of human and civil rights, and the rule of law. Both military and civilian interveners and helpers made “stability” the prime yardstick of the post-conflict transformation success. More important than contributing to necessary fundamental political and structural reforms, these humanitarian interventions have concentrated on the prevention of any kind of a relapse into armed conflict, the renewed outbreak of violent ethnic rivalries and large-scale public disorder.⁶ “Calm in the box” became the interveners’ mantra nearly everywhere, from Sarajevo to Kabul.

Integration Stand-Still? Press the Pause Button! The Role of “Stability” for the EU in the Western Balkans⁷

From the very beginning of the West’s humanitarian interventions in the collapsing Yugoslavia, the creation of safety and (political) “stability”, both in the overall region and the emerging new independent states, has not only been a conceptional goal, but also a strategic instrument to transform and reform in particular the WB-6 on their path to becoming members of the EU (and NATO). After bloodshed had been ended and the (constitutional/UN framework) foundations been laid, “stability” with a good connotation turned, even before “democratization” and “the rule of law”, into the intervenor’s central goal – with an element of justification for the intervention’s purposes.⁸

⁶ See, e.g., United States Institute of Peace (USIP): Guiding principles for stabilization and reconstruction: Safe and secure environment. Washington, DC, 1 November 2009, Section 6, <https://www.usip.org/publications/2009/11/guiding-principles-stabilization-and-reconstruction>.

⁷ The most inspired in-depth study on the stabilitocracy phenomenon comes from the Clingendael Institute: The EU as a promoter of democracy or ‘stabilitocracy’ in the Western Balkans? The Hague, 8 February 2022, <https://www.clingendael.org/pub/20-22/the-eu-as-a-promoter-of-democracy-or-stabilitocracy/https://www.clingendael.org/pub/2022/the-eu-as-a-promoter-of-democracy-or-stabilitocracy/>. See also: Marko Kmezić and Florian Bieber (Eds.): The crisis of democracy in the Western Balkans. An anatomy of stabilitocracy and the limits of the EU democracy promotion. BiEPAG Policy Study, Belgrade/Graz, 1 March 2017, <https://www.biepag.eu/publication/policy-paper-the-crisis-of-democracy-in-the-western-balkans-authoritarianism-and-eu-stabilitocracy/>.

⁸ Austrian ambassador Wolfgang Petritsch, a former High Representative for Bosnia and Herzegovina, who has been an expert for the transformation of the Western Balkans, seems to see in the “stability” phenomenon a kind of a more or less natural and initial

“Good Stability” officially became:

- a general enlargement condition and cornerstone,
- a reassurance, consolation and promise for those still skeptical about the reform and conflict resolution processes, within the EU, but also beyond in the West – and, finally and increasingly,
- a welcome pause button and placeholder for unachieved accession progress since Thessaloniki 2003, given the shrinking or even absence of political will and instrumental capacity in the EU – latest after Croatia’s membership 2013 – to reform the WB-6 and integrate them as full members, and, last but not least,
- a rather helpless appeasement for those ostensible “reform politicians” in the WB-6 claiming that Rome was not built in a day either.

The (relatively naive) motto was: If WB reforms or EU enlargement or both will not be possible for the foreseeable future; if unrest out of frustration with Brussels or disunity among EU member states would only create disunity within the Union; predictability and in particular the guarantee of “stability” in the region temporarily would be the best solution for all sides. The 1995 Dayton Agreement (to end the war in Bosnia and Herzegovina) – and even more so the 1999 UN-SC Resolution 1244 (to end the war in Kosovo) from the very beginning focused strongly on the “stability” principle. Also, in order to mitigate some of the skepticism vis-à-vis the Kosovo Agreement, Germany, that chaired both the EU Council and the G-8 from the beginning of 1999, proposed the establishment of a “Stability Pact for South Eastern Europe”,⁹ which focused on national and regional “stability” in the Western

element of the transitional process in the WB countries. Wolfgang Petritsch: The “Balkan Triangle” Belgrade-Prishtina-Sarajevo. In: *Austrian Federal Ministry of Defence (Ed.): verteidigungspolitik.at. Risk Monitor 2024. A world of disorder*, Vienna, 2024, pp. 94–99.

⁹ The pact was created at the initiative of the German EU chairmanship and the European Union on 10 June 1999, in Cologne, as a part of the UN-SC 1244-package. All of the countries of the region, except for Serbia and Montenegro (then FR Yugoslavia) and Moldova, were present at the founding conference. Representatives of Bulgaria, Romania, Russia, Turkey, United States, all members of the EU at the time, OSCE, Council of Europe and European Commission were also considered active participants. It lasted from 1999–2008, when it was replaced by the Regional Cooperation Council (RCC), located in Sarajevo.

Balkans through a wide spectrum of economic, financial and political projects and measures financed by the EU, including democratization, the fostering of the rule of law, the fight against anti-democratic forces and corruption, etc.¹⁰ Not all political caveats against UN-SC resolution 1244 could be removed. Skepticism, however, remains whether or not UN-SC 1244 has actually contributed to Kosovar and regional stability.

Janus-Headed “Stability”

Over the last more than 20 years, political structures in the region, in the eyes of both regional democracy critics and self-critics in the EU, have rather deteriorated than improved. That has been the opportunity for local autocrats to offer keeping the frustrated societies of the WB-6 in the meantime at bay – introducing their way of an authoritarian, kleptocratic “stability”, tolerated and formed under the eyes of the EU (and the U.S.) out of a web of non-democratic and rule of law averse structures and policies. Latest since 2012/2013, political observers and analysts have warned of an emerging negative connotation of “stability” of this type: the phenomenon of “stabilitocracy” – the “Bad Stability”, so to say. Despite all efforts of the EU Commission, driving the reform and enlargement processes, not only did the six remaining accession aspirants not make much, if any, significant progress in the fields of democratization and the rule of law, but in fact deterioration, if not regression has been observed, though differing from country to country. Semi-authoritarian and even harsh autocratic regimes (such as in Aleksandar Vučić’s Serbia) replaced the political systems that were established in the new republics after the collapse of former Yugoslavia. “Stability”, increasingly scrutinized, now appeared mostly with an ugly face, not really concealed. The era of stabilitocracies in the Western Balkans started – lasting until today, despite the anticipated geopolitical push from the annexation of Crimea (2014), and now Putin’s fully fledged war against Ukraine (2022). But who has been politically responsible for this development? The WB-6? The EU and NATO? Even negative influences from forces out of area, such as Russia and China?

¹⁰ See, among others, Rafael Biermann: *Deutsche Konfliktbewältigung auf dem Balkan – eine Einführung*. In: *Rafael Biermann (Ed.): Deutsche Konfliktbewältigung auf dem Balkan. Erfahrungen und Lehren aus dem Einsatz*, Baden-Baden, 2002, pp. 32–33.

“Stabilitocracy” Above All Else – The West’s Unintentional or Intentional Answer to the Enlargement Stand-Still of the Western Balkans?

“Please, do not disturb!”¹¹ Is this what the West, above all the EU, wants to send as its main message, when it seems to tolerate, out of deep frustration with the arduous reform and enlargement process, authoritarian structures in the WB-6, state capturing, kleptocracy and corruption – political phenomena which are the scourge of Western democracies everywhere else in the world? Replacing the stand-still devil by the stabilitocracy Beelzebub? Confronted by the lack of will of some member states both to fundamentally reform and to enlarge the Union, all for different reasons, as it seems, the EU decided, with regard to the enlargement project, to not completely “freeze” the accession processes, but to follow its legal-technical mantra of a basically merit-based approach (the so-called “regatta principle”). Progress (the fulfillment of the Copenhagen criteria) alone matters, wherever, from chapter to chapter. Some have called this procedure “failing forward”.¹² Let us see how far we get. A “big bang” or “en bloc”-accession of the WB-6 on the other hand, because of (geo-)political reasons (Russian war threats; Russian and Chinese interference in the region, etc.) has neither received any support from the EU Commission nor from the EU’s member states. There have been historic precedents however, as in 2004 with divided Cyprus, and in 2007 with the full integration of Romania and Bulgaria although no one thought, not even the Commission, they were legally-technically and politically ready for membership, because both the state of democracy and the rule of law in these two Southeastern countries were highly lamentable. With a view to the EU’s Copenhagen criteria and the *Acquis Communautaire*, after nearly 20 years of membership, progress in this regard, slow, but sustainable, can be observed. Now, with the Russian aggressor on their borderline in the Black Sea and in the heart of Moldova (Transnistria), both Romania and Bulgaria have shown resilience and contributed to the closing of the

¹¹ See, among others, Michael Martens: Die Stabilokraten des Balkans. Ein Kommentar. In: *Frankfurter Allgemeine Zeitung*, 4 April 2017, <https://www.faz.net/aktuell/politik/ausland/die-stabilokraten-des-balkans-14956006.html>.

¹² See Erik Jones/R. Daniel Kelemen/Sophie Meunier: Failing forward? Crisis and patterns of European integration. In: *Journal of European Public Policy*, 28 (2021) 10, pp. 1519–1536; also: Nicolai von Ondarza: In der Erweiterungs-Reform-Falle. In: *Internationale Politik* 79 (2024) 1, p. 83.

EU's and NATO's line of defense, which also helps Ukraine and Moldova. Retrospectively, already the integration of Romania and Bulgaria has been a relative success, mostly geo-politically, despite their ongoing deficiencies. What would the EU's, the whole West's security flank look like today, if Romania and Bulgaria would not be part of the EU? How would the Ukraine feel? And Moldova? The very Southeastern flank of Europe would be wide open (open as a barn door) to any Russian military aggression.

From 2013 (Croatia's accession to the EU) to 2022 (Putin's attack on Ukraine), not much happened in the enlargement world. Even the Macron driven revision of the enlargement process, adopted by the EU in 2020, did not make much of a difference,¹³ instead the division in the EU governments and parliaments became deeper, more confusing and more intransparent. Thus, the motto remained: no harsh confrontations with the WB-6, rather a "cosying up"¹⁴ with the accession aspirants until the balance of power and interests in the EU has changed. All of this has not happened unnoticed in the region. Strong leaders in the sense of authoritarian, autocratic leaders have sustainably exploited the EU's incapacity to support or even introduce democratic reforms. Relatively easily, these strongmen, this "strongman syndrome"¹⁵ won the necessary support and the backing of an electorate highly frustrated with the lack of the promised peace dividend, an EU membership receding into the distance, and a still non-prosperous economy.

Before arriving at a conclusion, some further questions should be asked:

- Are those right who blame the EU, both the Commission and the member states, for having actively if not deliberately tolerated or even supported the rise and survival of such stabilitocracies? Or simply as negligent, irresponsible stalling tactics, with the blessing of the (still) divided member states?

¹³ Compare Marina Vulović: Die Erweiterungspolitik der Europäischen Union: Fit für die Zukunft? In: Raphael Bossong/Nicolai von Ondarza (Eds.): *Stand der Integration. Zehn zentrale politische Projekte der EU und wie sie die Union verändern*. German Institute for International and Security Affairs (SWP), SWP Study 11, Berlin, April 2024, pp. 103–110. <https://www.swp-berlin.org/10.18449/2024S11/>.

¹⁴ Vedran Džihic: Serbien: Aufbegehren gegen die Autokratie. In: *Blätter für deutsche und internationale Politik* 69 (2024) 2, p. 35.

¹⁵ Petritsch, as in fn. 8, p. 96.

- Has the EU been “guilty” for appeasement in its neighborhood with the aim of keeping the EU together and the reform process at least formally and symbolically alive?
- How can the EU define democratization and the introduction of the rule of law as the two main pillars of the “Copenhagen” reform process, while knowingly allowing at the same time, with a shrugging of the shoulders, non-democratic rulership, kleptocracy and state corruption?
- Could the EU have prevented such stabilitocratic developments through an accelerated, simplified accession procedure? By seeing the accession process rather as a political weighing up process than the mere ticking off the technical-legal criteria from Copenhagen’s list?
- Why, for example, in the cases of Milo Đukanović’s Montenegro, and especially in Aleksandar Vučić’s Serbia the EU (less than the U.S.) almost never issued any political, economic or accession related sanctions? And if any verbal warnings had been issued, why were they never implemented (e.g. in the case of Serbia not joining the EU’s sanctions against Russia)? Why, on the contrary, have major European Leaders (with former Chancellor Angela Merkel¹⁶ as a disturbing example) and the EU commission continuously, visibly, publicly and demonstratively supported Vučić’s autocratic and lawbreaking rulership? The present German government, though divided on the Balkans between the Chancellor’s Office and Foreign Affairs,¹⁷

¹⁶ German Chancellor Angela Merkel never made a secret of the fact of her special support for Vučić and Belgrade regarding Serbia’s future role in the accession competition, and in the region. See, among others, the reports about her farewell visit in Belgrade on 13 September 2021. Volker Pabst: Merkel schenkt dem Balkan zum Abschied nochmals ein bisschen Aufmerksamkeit. In: *Neue Zürcher Zeitung*, 14 September 2021, Merkels Besuch auf dem Balkan: ein bisschen Aufmerksamkeit (nzz.ch); Andrej Ivanji: Abschiedsreise der Bundeskanzlerin. Merkel weiß, wer der Boss ist. In: *Tageszeitung (TAZ)*, 14 September 2021, Abschiedsreise der Bundeskanzlerin: Merkel weiß, wer der Boss ist – taz.de.

¹⁷ See, regarding the latest conflict between the two agencies on the Western Balkans, the potential membership of Kosovo in the Council of Europe, Michael Martens: Die Friedrich-Ebert-Stiftung soll es richten. Wie das Kosovo gegen Widerstand aus Berlin Mitglied des Europarats werden will. In: *Frankfurter Allgemeine Zeitung*, 18 May 2024, p. 8.

did not succeed in organizing enough EU member states to take hard action against Vučić's election fraud in December 2023, as Foreign Minister Annalena Baerbock deplored ("unacceptable behavior from a country (Serbia) with candidate status"). At least this statement seems to indicate that Berlin's Foreign Office has been trying hard, since Baerbock came into office in 2021, to reorientate Germany's enlargement principles – although without much support even from its major partners like France. But, maybe, these statements suggest that there might be some first cautious attempts within the Union to redefine its position regarding stabilitocracies within the aspirant's group. Vedran Džihic also seems to recognize some first "crumbling of the stabilitocratic front".¹⁸

- Instead of strongly and efficiently supporting the democratic parts of Serbian society, the independent academia and research institutions, the free media, democratic NGOs and the democratic opposition, the EU, altogether, and now also even parts of the U.S. administration, turned an "iron" Copenhagen accession condition into a reward for those potential enlargement countries keeping their feet still, cooperating with the helpless Brussels' administrators of the enlargement stand-still. Against this backdrop, it has been no surprise that in nearly all of the WB-6 countries the approval rates of an EU membership are down to an all-time low. In Serbia the support has been only 35% recently.

Reasons for both the failure of the political and legal systems and the emergence of stabilitocracies in the Western Balkans:

- Unsolved ethnic and regional conflicts;
- precarious statehood;
- Serbia's domination of former Yugoslavia, to a high degree perpetuated by the EU, and, in part, by the U.S. ("Serbia remains the anchor, center and point of "stability" of the present and future Western Balkans region");

¹⁸ Džihic, as in fn. 14, p. 36.

- ill designed process methodology for accession and enlargement;
- the inner voting mechanisms in the EU;
- different interests and perspectives regarding their membership in the EU between smaller and larger member states;
- EU officials mostly talking only to and negotiating with the so-called liberation movement's "commanders" and semi-authoritarian and autocratic leaders that had come into power misusing the often flawed, imperfect constitutional and political systems created by external state-builders;
- no efficient and sustainable access of EU officials to civil society and democratic opposition;
- unsuitable tool box and manuals with carrots and sticks to effectively help transform the inefficient systems of the WB-6; reluctance when it comes to the point of imposing penalties and sanctions;
- in the situation of reform stagnation, both on the side of the accession aspirants and the EU itself (deficiencies of its own structures and procedures): preference for (negative) stability ("calm in the box") over uncontrollable (negative) "dynamism";
- opponents to any reform and enlargement;
- fear within the EU of (additional) veto blockers (of the type of Orban's Hungary), of more seeds of discord, more Russia supporters, more autocrats, first full Muslim societies/states within a substantially Christian EU.

“It Came out of My Pen”: U.S. Stability Policy in the Western Balkans

Asked during a special press briefing at the beginning of 2024 for international journalists stationed in Brussels, what the U.S. were looking to do in the Western Balkans in the near future, Ambassador Jim O’Brien, a former presidential advisor (to President Bill Clinton) for the Balkans, reactivated to serve as an expert under Foreign Secretary Antony Blinken, answered: “The Western Balkans need to be European and *stable and secure*, and this means above everything else they need economic integration”.¹⁹ Emphasizing his role in drafting the peace agreements to end the Balkan wars (“Dayton came out of my pen”), O’Brien underlined that the primary objective for the U.S. in the Western Balkans has been to assure that they would be “more European – *stable and function well*”.²⁰

In principle, this still reflects the American position Washington has kept since it left the overall political responsibility for the region to the EU – as part of Brussels’ enlargement strategy:

The United States is committed to ensuring the *stability and security* of the Western Balkans, allowing countries in the region to fulfill their potential as free and prosperous democracies. We are also committed to combatting corruption and demonstrating the advantages of transparent and accountable governance. The United States recognizes that corruption threatens economic equity, global anti-poverty and development efforts, and democracy itself. Corruption anywhere directly damages the foreign policy, national security, and economic health of the United States and our partners and allies. That is why we are committed to promoting accountability and combating impunity for those involved in significant corruption in the Western Balkans and throughout the world.²¹

¹⁹ James O’Brien, Assistant Secretary of State, Bureau of European and Eurasian Affairs: Online Press Briefing, 11 January 2024, <https://www.state.gov/online-press-briefing-with-ambassador-james-obrien-assistant-secretary-of-the-bureau-of-european-and-eurasian-affairs/>.

²⁰ Ibid.

²¹ Antony J. Blinken: Press Statement, Washington, D.C., 8 June 2021, The Stability and Security of the Western Balkans – United States Department of State.

Latest since October 2019 though, political observers²² became witnesses of the first major abandoning of Washington's traditional approach to the Western Balkans since the Balkan wars following Yugoslavia's disintegration. Then President Donald Trump nominated his political friend Richard Grenell, a staunch supporter of the Republican Party, "Special Presidential Envoy for Serbia and Kosovo Peace Negotiations". Before US Balkan policy had been pursued consistently under the democratic presidents Bill Clinton and Barack Obama. It came as not much of a surprise, however, that Trump would not mind interrupting this Balkan policy as well. Richard Grenell's nomination signaled the worst. Exemplary for this shift was a proposed "land swap" between Serbia and Kosovo – a territorial and border change that was rejected immediately by a majority of EU member states, with Germany's Angela Merkel leading the way categorically. Also, Grenell, as well as Trump, have never made a secret out of their preference for Belgrade in the region, seeing in Serbia both the prime stability factor and a hot spot for American investment, in particular in the field of real estate.

When, with Joseph Biden, another Democratic president entered the White House, expectations were high that he would resume at least Clinton's and Obama's approach to the Western Balkans, comprising U.S. support for the joint transatlantic position to neutrally promote progress of the WB-6's way to EU accession. This had to include the American determination to reprimand non-democratic behavior and autocratic protagonists in the region, with a special focus on violations of the rule of law and corruption. Also, U.S. democratic administrations have demonstrated frequently, different from the EU, that they do not shy away from imposing sanctions if necessary (e.g. against the autocratic leader of the Republika Srpska, Milorad Dodik).

Prima facie, it appeared that the Biden administration would indeed return to the well-known Balkan policy of the Democratic Party. Biden, since his time as member of the Senate Foreign Relations Committee and Chairman of the Senate's Subcommittee on European Affairs, had been known both as a highly

²² See, e.g., Kurt Bassuener and Bodo Weber: US burns credibility in Grenell quest for foreign policy win, as Kosovo government falls. In: *Just Security*, 2 April 2020, <https://www.justsecurity.org/69489/us-burns-credibility-in-grenell-quest-for-foreign-policy-win-as-kosovo-government-falls/>.

informed and engaged expert on the post-Tito Yugoslavia, as well as the struggle of the newly established states to defend themselves against the violent aggression of Milošević's regime in Belgrade. "Senator" Biden's renowned analysis and a number of "Principles to govern Western policy" published in 1993²³ in the context of the Bosnian war gained him high recognition on both sides of the Atlantic. His "Specific recommendations for Presidential action (the so-called "April 26 Strategy")"²⁴ paved the way for President Clinton and the European leaders to eventually end the bloodshed, and to open the Dayton negotiations.

A whole number of events though seem to have thwarted these expectations related to the Western Balkans of now "President" Biden. Apart from China's global rise to America's number one rival this was above all the result of the dramatic geopolitical change caused by Russia's 2022 attack on Ukraine. In addition, the increasing influence of Russia and China in Southeast Europe and, last but not least, the politically difficult interaction both between Washington and Belgrade, and Washington and Pristina have played a pivotal role. The relationship with Serbia's autocratic leader Aleksandar Vučić has been problematic and viewed with suspicion right from the start. Vučić's authoritarian rulership and his foreign policy towards Moscow, and other equally authoritarian regimes in Europe, however, seems not to have disturbed Washington all that much. Inexplicably though, the Biden administration has installed with Christopher Hill an ambassador in Serbia, who is permanently criticizing the government in Kosovo and its leader Albin Kurti for politically harmful decisions and action. In view of Hill's frequent statements of this kind, and, in particular his unquestioned defense of Serbia as the stability anchor in the region, praising Belgrade's preparedness to sign documents with Pristina to lay the ground for a peaceful cohabitation, both European politicians and researchers wonder, what the motives behind such a policy shift in the U.S. may be. Ahead of everyone, across all party boundaries, Berlin, for example, has been claiming that it does not find many allies when it comes to questioning U.S. State Department's statements such as this:

²³ Sen. Joseph R. Biden, jr.: To stand against aggression: Milosevic, the Bosnian Republic, and the conscience of the West. A report to the Committee on Foreign Relations, United States Senate, Washington, DC, 19 April 1993.

²⁴ Ibid, p. 15.

Serbia occupies a key strategic juncture in the Balkans at the social, political, and geographic crossroads of Eastern and Western Europe. The United States seeks to strengthen its relationship with Serbia by deepening cooperation based on mutual interest and respect.²⁵

On the other hand, in recent years, Washington has increasingly stated frankly, referring to the present Kosovo government, that it finds it nearly impossible to cooperate with the person of Albin Kurti, describing him as a stubborn, inflexible and uncompromising personality. Some observers have come to the conclusion that the Biden administration found it much easier to tell the former “commanders” of the Democratic League of Kosovo (LDK), Democratic Party of Kosovo (PDK) and Alliance for the Future of Kosovo (AAK) what to do than for example Albin Kurti, who represents to the U.S. a new type of Balkan leader, compared to the post-liberation army politicians. Against the background of much bigger geopolitical concerns, Washington, having lost interest in the Western Balkans to a large degree (with the exception, probably, of military-strategic ones) may have decided to principally solve the Serbia-Kosovo conflict once and for all, but is reaching its limits in Kurti’s independent, unimpressed policy making style. Similar to the EU, the present U.S. administration seems to have concluded that as long as the Serbia-Kosovo conflict remains unsolved, and the EU accession process stalled, they will also switch to the comfortable “stability mode”, meaning to let stabilitocracy happen – at least for the sake of non-violence and the absence of uproar.

Others in the U.S. seem to assess the situation in the Western Balkans, especially in Serbia, differently. On 16 April 2024, the U.S. Senate Committee on Foreign Relations approved the “Western Balkans Democracy and Prosperity Act”²⁶ (revised version), a bipartisan bill introduced in May 2023, highlighting that the December elections held in Serbia raised concerns regarding the state of democracy in Serbia, hence emphasizing the need for U.S. support to address authoritarianism, strengthen democratic resilience, and fight corruption. The Act provides for sanctions against those persons or institu-

²⁵ U.S. Department of State: U.S. relations with Serbia. Bilateral Relations Factsheet, Washington, D.C., 23 June 2021.

²⁶ Congress.Gov, U.S. Senate, p. 1651, 118th Congress (2023–2024): A bill to encourage increased trade and investment between the United States and the countries in the Western Balkans, and for other purposes. Congress.gov. Library of Congress.

tions that “threaten international stabilization efforts in the Western Balkans”.²⁷ Meanwhile, the U.S. Department of State, based on the final ODIHR assessment report on the Serb elections,²⁸ underlined on Voice of America that “we continue to urge Serbia to work with the ODIHR on the implementation of these (the report’s) recommendations, and we expect the government to do so without delay. (...) We are ready to continue assisting Serbia in strengthening democracy on the way to its goal – European integration.”²⁹

All of this does not provide for a clear picture of America’s current Western Balkans policy. However, in particular with a view to Europe’s lead role, though lacking the necessary leadership when it comes to the long overdue fulfillment of the EU’s enlargement promise, Washington, at least to a certain degree, still prefers to rely on “stability first”, while not losing track of the democratization necessity.

If Donald Trump wins the presidential elections in November 2024, the return to an uninformed, incalculable Balkan policy of the “Grenell type” cannot be excluded.³⁰ Rumors have been circulating in the U.S. that Grenell, in the case of a Trump victory, could well target the post of Secretary of State – and if this will not be possible, at least, once again, the post of a kind of a special envoy, who would be, among others, responsible for the Balkan’s region.³¹ Recent activities of Trump’s son-in-law, Jared Kushner, related to his appetite for real estate investment in Belgrade,³² underline that Grenell and Kushner, both prominent members of the Trump team, share similar economic and political interests when it comes to the Western Balkans.

²⁷ Ibid, SEC. 5 (b) (1).

²⁸ OSCE/ODIHR, Vienna/Warsaw, 28 February, see 563505_0.pdf (osce.org).

²⁹ Quoted from: European. Western Balkans, 1 March 2024, <https://serbiaelects.europeanwesternbalkans.com/2024/03/01/eu-us-react-to-the-final-odihr-report-on-serbia-european-commission-comments-on-international-mission/>.

³⁰ See, in this context, Martens, as in Fn. ..., quoting a recent posting from Grennell on X where Grennell speaks against Kosovo’s accession to the CoE.

³¹ Watch Richard Grenell at CPAC 2024 on youtube, Forbes Breaking News, 22 February 2024, <https://www.youtube.com/watch?v=tqpiulSquato>.

³² See Eric Lipton, Maggie Haberman and Jonathan Swan: Kushner deal in Serbia follows earlier interest by Trump. In: *The New York Times*, 17 March 2024, <https://www.nytimes.com/2024/03/17/us/politics/kushner-deal-serbia-trump.html>.

First Reflections on a Newly Designed EU Accession Process to Finally Enlarge and to Overcome Stabilitocracy, State Capturing and Kleptocracy

“A bird in the hand is worth two in the bush”? After twenty years of reform and enlargement frustration, both on the side of the Western Balkan Six and of the EU, even religious believers in the power and attractiveness of the EU, politicians, parliamentarians and think tankers alike, once again, seem to have come to the conclusion that the political adjustments³³ of the EU-Commission’s technical and procedural requirements (the *Acquis Communautaire*), initiated by President Emanuel Macron, have not provided the progress originally expected. Political observers and analysts too doubt that these adjustments are sufficient to keep the enlargement process alive and truly promising. They question whether the previous “all-or-nothing”-approach in 2024 and in the years to come will be the best qualified to overcome the stabilitocracy damages, and to regain the WB-6 citizen’s trust in the EU’s will and capacity to eventually integrate them. In the view of these observers and analysts this means that indeed the brand-new reform and enlargement doctrine has to be overhauled a second time. Some even suggest a completely fresh reset.

Against this background of an urgent need for a fresh start, and triggered by Russia’s war on the Ukraine in February 2022, the EU Commission, a group of EU member states and several EU specialized think tanks have – so far everyone for themselves – taken up more realistic efforts than before to adapt the EU enlargement process to the recent developments both in the Western Balkans and in Eastern Europe.³⁴ On several occa-

³³ See European Commission: Enhancing the accession process – A credible EU perspective for the Western Balkans. Brussels, 5 February 2020, https://neighbourhood-enlargement.ec.europa.eu/document/download/ef0547a9-c063-4225-b1b493ff9027d0c0_en?filename=enlargement-methodology_en.pdf.

³⁴ See, in particular, Barbara Lippert: EU enlargement: Geopolitics meets integration policy. The EU is set to add gradualist elements to its enlargement doctrine. German Institute for International and Security Affairs (SWP), SWP-Comment No. 1, Berlin, 11 January 2024, <https://www.swp-berlin.org/10.18449/2024C01/>; Marina Vulović, as in Fn. 13.

sions within the framework of this Study Group, I too have made a number of proposals of how to break open the so far overly rigid, not very political enlargement methodology.³⁵

All these new ideas and deliberations aim at a further reform of the existing enlargement rules and procedures. Today, it seems at least to be consensus that the EU's 1993 (Copenhagen) enlargement policy is no longer the one which could be used for "enlargement 2024 plus". One of the overarching mottos seems to be indeed: "A bird in the hand is worth two in the bush"! Let us proceed step by step. They also take into account that since February 2022 Europe and the world are no more what they used to be. Not only the EU's energy and commodities' policy, for example, had to be completely revised. Equally, the concepts of enlargement, defense, armaments cooperation and the general resilience concept must be completely overhauled, if not started from scratch. "Enlargement" in the decades to come has to be reimagined to a large degree, which means that the Copenhagen era cannot be left entirely untouched:

Enlargement from now on, as Ivan Krastev sees it, will mean something different than previously. It rather will be about an EU protecting its geopolitical area, enhancing its borders. (...) The enlargement of the future will mean something entirely different than before. (...) It will be rather about a kind of expansion. (...) At the large Eastern enlargement of 2004, in particular the accession candidates were the ones that had to change, they had to accept the new rules and to adapt. The forthcoming enlargement, however, will change the countries in the center of the EU – France, Germany – equally profoundly as those which are about to join.³⁶

Geopolitically, and EU unity-wise, it is already five past twelve – no more time to lose when it comes to closing the last major "black whole" in Europe. Brussels and the EU capitals must acknowledge that they are equally dependent on the region of the WB-6 being eventually included. For both the EU

³⁵ See, e.g., Michael Schmunk: A "Zeitenwende" also in and for the Western Balkans? Geopolitical effects of Russia's War against Ukraine: Europe whole and free. In: Predrag Jureković (Ed.): *The war in Ukraine and resilience in South East Europe. From democratic consolidation to security*. In: *Austrian National Defence Academy, RSSEE Study Group Information 1/2024*, Vienna, January 2024, pp. 95–107; Austrian National Defence Academy, Policy Recommendations, 44th RSSEE SG Workshop, Reichenau/Rax, 4–7 May 2024, p. 3. www.bmlv.gv.at/publikation-1168.

³⁶ Ivan Krastev: Jetzt realisieren wir, dass wir in einer Vorkriegszeit leben. In: *Neue Zürcher Zeitung*, 15 May 2024, p. 6 (translation by the author of this article).

and the region it would mean a win-win-situation. The precedent of the 2004 enlargement round has demonstrated that even a little reform progress can, in the longer run, both for legally-technically (Copenhagen) still “unripe” new member states (Romania, Bulgaria) and for Brussels and the 27 “old” ones, create a win-win situation for all. Very probably, the war against Ukraine will not be the last event of this size requiring fundamental upheavals and radical changes to the EU’s basic philosophy and policies.

Democratization Bonuses and Geopolitical Discounts on the Copenhagen Criteria

In the end, Serbian policy vis-à-vis Russia after Putin’s Ukraine attack, and the way the December 2023 parliamentary elections were held, have accelerated more pragmatic, reality-based strategies of how to integrate the remaining Balkan states with their, altogether, only around 17 million inhabitants, step by step, without doing any harm to the EU of the 27, meaning, not bringing the Union to the edge of the abyss of dysfunctionality or even collapse.

Enlargement determined member states like Germany and Austria have been convinced that such a more flexible integration approach would be a suitable remedy against the spreading stabilitocracies in the Western Balkans. This so-called ‘new gradualism’ (Barbara Lippert)³⁷ would be “one that directly rewarded progress (...) In essence, the aim is to advance a country’s political association and economic integration as far as possible before its *formal* accession”.³⁸

In comparison to the so far rather dogmatic, conservative accession approach, this politically driven opening of the accession process could lead to accelerated enlargement and, in the end, to a reversal of non-democratic structures and behavior such as state capturing, kleptocracy, and corruption. From the point of view of the WB-6, the well-known, meaningless verbal promises are no more serious reform incentives, but concrete accession steps, no matter how small they are, very much so. A visible, tangible step by step integration into the Union (“We already are, though not fully yet, an

³⁷ See Lippert as in Fn. 34, p. 5.

³⁸ Ibid.

irreversible part of the EU!”) could help to rediscover the EU’s original attractiveness: The EU can provide incentives at the same time – as is now the case with the “New Growth Plan of the Western Balkans”³⁹ – so that candidate countries achieve a level of cooperation and integration between themselves that not only benefits them, but also reduces the risk of their bilateral disputes burdening the EU *after* accession. In the case of the Western Balkans, such an approach would argue in favor of postponing the accession of those candidate countries that have met all the criteria until all six are ready. It would also increase pressure on the EU to adapt – at least as far as the reform of institutions is concerned.⁴⁰

It goes without saying, of course, that no “Trojan horses” would be admitted this way, in particular to security sensitive areas. In this Study Group’s above mentioned Policy Recommendations (May 2023),⁴¹ we respectively mentioned, in the context of admittance of the WB-6 as observers to all existing EU formats, that they should be “only barred from sensitive security and intelligence related fora.” A simple example for this would be the case of Serbia, which, for the time being, could not be accepted to any security sensitive committees, let us say one which deals with the EU’s (and NATO’s) support for the defense of Ukraine, or for the independence of Taiwan: “Tai-

³⁹ See EU Commission: New Growth Plan for the Western Balkans – European Commission (europa.eu), Brussels, 8 November 2023. Under the slogan “One region, common vision”, leaders of the WB-6, representatives of the EU and the U.S. discussed in Kotor (Montenegro) on 15 and 16 May 2024 to further discuss elements of the plan; see, e.g., <https://europeanwesternbalkans.com/2024/05/16/western-balkans-summit-in-kotor-growth-plan-will-bring-results-in-the-region/>.

⁴⁰ Lippert, as in fn. 34, p. 7. It is well known, however, that the political appetite to institutionally reform the Union is very low – and legally overly complicated if not impossible, without full unity among the 27. Rather, within the new European Parliament elected in June 2024, the majority ratio very probably will be one even more hostile vis-à-vis structural EU reforms and enlargement. See, among others, Raphael Bossong/Nicolai von Ondarza: Schlussfolgerungen: Vom Stand der europäischen Integration. In: Raphael Bossong/Nicolai von Ondarza (Eds.), as in fn. 13, p. 139. A group of EU member states (France, Germany) has obviously been trying to “pragmatically” overcome the strict requirement for consensus voting in the European Council.

⁴¹ See Austrian National Defence Academy (Ed.): The war in Ukraine and resilience in South East Europe – From democratic consolidation to security. Policy Recommendations. 44th RSSEE SG Workshop 4–7 May 2023, Reichenau, Austria, p. 3, www.bmlv.gv.at/publikation-1189.

wan is China” (Vučić on the occasion of President Xi’s recent visit to Serbia).⁴² Such a newly revised accession methodology will, according, to Barbara Lippert, very probably, run into political resistance from some of the already existing member states: “Those member states unwilling to support *internal* reforms of the EU are seeking to prevent such a ‘big bang’ scenario. They would prefer to admit smaller countries one at a time over a long period, so that the need to adapt the European treaties would be minimized.”⁴³ To implement the described new methodology, a lot of political persuading within the European Council will have to be done, with support from the outside, in particular from the United Kingdom and the U.S. The goal to gather unanimously behind shall be the sustainable acceleration and finalization of the enlargement process, and the fight against and reversal of stabilitocracies in the region. Josef Janning has recently reminded us: “The *Zeitenwende* has made Europe’s status quo impossible to maintain. Although the imperative of transforming the EU into a geopolitical actor is widely understood, the direction of new policy to achieve that goal is unclear.”⁴⁴ It is high time for turning away from the Copenhagen dogmatism and maximum expectations. There is no time to lose anymore!

⁴² Vučić statement on 8 May 2024 in Belgrade, <https://www.n-tv.de/politik/Xi-Jinping-besucht-Verbuendete-Serbien-und-Ungarn-article24929340.html>.

⁴³ Lippert, as in fn. 34, p. 7.

⁴⁴ Josef Janning: Your turn, Berlin: A German strategy for Europe. German Council on Foreign Relations, DGAP Commentary No.1, 13 May 2024, p. 1, <https://dgap.org/en/research/publications/your-turn-berlin-german-strategy-europe>.

The West, the Lead “Malign” External Actor in the Western Balkans: The Role of the US

Bodo Weber

The issue of malign external actors in the Western Balkans has become popular among politicians, analysts and the media in the West and the region itself in recent years, referring primarily to third actors like Russia, but also China, and to a certain degree other countries like Turkey. Contrary to this general perception, this analysis, however, argues that it is in fact the West that over the last two decades has turned into the lead malign external actor in the Western Balkans, not so much as the result of a deliberate policy, but of the lack thereof. And that the US has played a certain, though no lead role, in it, and continues to do so.

Western Policy towards the Western Balkans: Undermining Liberal Democratic Values in a Strategic Vacuum

Before looking at the US policy towards the Western Balkans, it is necessary to analyze the role the West as a whole has played in the region over the last two decades, that is since the European Union (EU) has taken the lead in Western policy towards the region. During that period, the West over time ceased to be an external democratizer in the Western Balkans, a region which is part of Europe and where the collective West has at its disposal the strongest democratization tool anywhere in the world, i.e. the EU Enlargement toolbox. Instead, supporting domestic actors in undermining democracy and the rule of law, and in undermining the sustainable solution of ethnopolitical conflicts inherited from the 1990s, and thus its own, declared strategic interests.

This development is linked to the 2005–2006 pouring over of Western leadership in the policy towards the Western Balkans by the US to the EU, that led to the loss of strategic focus on the region and the lack of a strategic policy at all. The shift in leadership took place in the context of the post-Iraq war debacle retreat of the West from the world stage. On the European end, it coincided with the EU’s permanent crisis, becoming busy with dealing with

its own, internal problems. As a consequence, the EU forgot what enlargement had originally been about – the EU as a political union, and the question of “Where does Europe end?” Instead, the enlargement policy took a technocratic turn, shifting into bureaucratic autopilot mode and towards a managerial muddling through.

That gradual deterioration of the West’s policy under EU leadership went through three main stages – the first lasting from 2005–2006 until 2015; the second starting with the triple European-Western crisis of 2015–2016 and lasting until 2022; and the third, current one, that started with the February 2022 Russian aggression on Ukraine:

Stage 1 (2005–2015): The first stage can be described as Europe’s second hour in the Balkans, that is the EU coming into a lead position for a second time after beginning of the 1990s, with the EU utterly failing again. With the beginning of the Euro crisis the Union’s focus shifted inwards, enlargement becoming a non-priority. Management of the policy towards the Western Balkans was handed down to the mid-layer of hierarchies in Brussels and EU member states’ capitals. Without backing from their higher-up, those officials were incapable of picking a serious fight when clashing with domestic nationalist leaders in the region, who, sensing growing weakness on their EU counterpart’s end, were increasingly testing the waters, becoming more and more emboldened. As a result, the EU incrementally compromised over reform conditionality, i.e. liberal democratic principles and values, softening the defence of its red lines in the Western Balkans. Making inroads with the EU in rolling back democratic and rule of law reforms, and based on nationalist rhetoric, became a source of legitimacy for domestic leaders like, for example, Milorad Dodik in Bosnia and Herzegovina. The lesson learned by nationalist, authoritarian leaders and elites was that the EU would ultimately back down if they only resisted reform pressure long enough.

Stage 2 (2015–2022): The second stage was marked by the impact of the triple crisis of 2015–2016 – the Brexit referendum, the so-called European refugee crisis and the victory of Donald Trump in the 2016 US presidential elections. Brexit marked the end of the German-British pro-enlargement team among the EU’s big four that had somehow kept the Union’s enlargement policy on course in spite of growing “enlargement fatigue”. The refugee crisis marked the shift from a weakened EU policy to the EU exporting

political instability to the region, the countries along the so-called Balkan route, and a reversal of political dependency, i.e. the EU in the crisis for the first time needing the countries of the region more than vice versa. Trump's victory marked the return of hopes among nationalist leaders and elites in the Western Balkans in a revival of their unfulfilled nationalist agendas of the 1990s. This dramatic self-weakening of the West led to the shift of Western officials from de facto to direct, open collusion with nationalist leaders and elites and their illiberal agendas in the Western Balkans. Further, it led to the fall of remaining red lines – first and foremost of the 1990s lesson learned that ethno-territorial “solutions” to ethnonationalist disputes and conflicts are no solutions, but the path to ethnonationalist violent conflict and chaos. This dramatic shift in policy towards the region against the West's strategic (security) interests was marked by the 2017–2020 negotiations on a so-called land swap deal in the EU-led political dialogue between Kosovo and Serbia. They were led first by the EU's foreign and security policy chief Federica Mogherini and her team, against and by circumventing key EU member states capitals like Berlin and London, and subsequently by the Trump administration. And by the 2021–2022, EU-US-led, negotiations in BiH on so-called election law reform, and based on giving in to, an appeasement approach towards the Bosnian Croat nationalist' demand for the establishment of a third, Croat ethno-territorial entity.

Stage 3 (since 2/2022): Stage three, the ongoing one, has been marked by the impact of the February 2022 Russian aggression on Ukraine. The Putin regime's illegal intervention in the neighbouring country forced the West, the EU and the US, to end its decade and a half-long retreat from the global stage and to return to the defence of the crumbling liberal world order. And for the EU, its member states to make a U-turn on the membership aspirations of Ukraine (and of Moldova and Georgia). The June 2022 extraordinary, i.e. without/before fulfilling the necessary reform conditions, granting of candidate status to Ukraine and Moldova by the European Council overnight turned enlargement into an EU priority, and represented a sort of announcement of a values-based revival of the Union's enlargement policy, as the step was justified by Ukraine defending Europe and European liberal democratic values – raising hopes both among liberal advocates for enlargement within the EU and in the Western Balkans candidate countries. The subsequent years, however, have proven that the announcement is lacking substance. Instead, the EU has been doubling down in the Western Balkans

on its failed, values-freed enlargement policy. In BiH, this policy has led to the EU continuing to contribute to the country's deepening of ethnic divide and to pushing Dodik and the RS regime further to the brink of secession. In the Kosovo-Serbia political dialogue, the German-French initiative doubled down on the already provenly failed appeasement policy towards the Vučić regime, destroying what had been left of the already deadlocked dialogue. This included destroying a bad status quo in the north of Kosovo when Belgrade end of 2021 ordered Kosovo Serbs there to leave Kosovo state institutions, setting into motion an escalatory spiral that led to the September 2023 terrorist attack in Banjska.

The widening gap between announcement of a values-based revival of enlargement and its (non-)implementation is being exploited by illiberals and transactionalists within EU institutions and among member states, that despite representing a minority have been able to make substantial inroads since 2015–2016 in shaping the Union's enlargement/Western Balkans policy. Instrumentalizing EU capitals' desperate need for "success stories" after having made grant announcements, those actors have been instrumentalizing, misusing the geopolitical argument for enlargement by freeing it of its liberal democratic values. This way, illiberal member states are pursuing the aim of increasing the camp of illiberal member states, while for transactionalist EU officials pushing candidate countries to progress on their EU path without having fulfilled the necessary reform conditions represents continuity in their policy of "faking progress and process" in enlargement, that is in fact lifting that policy to a new level. The March 2024 granting of opening accession talks with Bosnia and Herzegovina marked the biggest success in this instrumentalization of the geopolitical revival of enlargement policy for EU illiberals and transactionalists so far, as does, to a lesser degree, the June 2024 approval of the IBAR (the positive Interim Benchmark Assessment Report) for Montenegro, and based on declaring the current, Evropa Sad-led government in Podgorica a pro-European political force that has enabled sustainable reform momentum.

The Role of the US in the Western Balkans: An (Il)liberal Actor

Where does the US stand in all of this?

Like the EU's Western Balkans policy over the last two decades, that of the US also went through three, however not entirely identical stages. The first lasted from 2005–2006 until 2016, the second, lasting from 2016 until 2020, was marked by the Trump administration, and the third, ongoing one, lasts since 2021, marked by the Biden administration:

Stage 1 (2005–2016): The first stage was marked by US dissatisfaction with the EU not being up to the task, i.e. not seriously seizing the leadership in the Western Balkans it had poured over Brussels due to its own being overstretched by other global hot spots (Iraq, Afghanistan et al.). Yet unlike in the 1990s, the US did not push the EU aside to again seize Western leadership in the region because, first, there was no political will to do so, and second, EU integration, and thus EU leadership, indeed represented the meaningful (though not always sufficient) political framework for the West to continue its engagement in the region. Instead, US administrations during that time tried to partly push back against the EU undermining the West's strong position in the region, for example by pushing back against attempts from within the EU to dismantle the international community's Dayton instruments (particularly the Office of the High Representative, OHR) in BiH, and for sticking to democratic and rule of law reforms, but now seriously hampered by its limited leverage. Where the EU took more serious initiative, like in the Kosovo-Serbia political dialogue (2012–2014) under German, and UK leadership, the US played an important supportive role.

Stage 2 (2016–2020): With the incoming administration of President Donald Trump, who brought with him an illiberal-nationalist agenda and an addiction to global strongmen to the White House, hopes were raised among autocrats and authoritarian elites in the Western Balkans for a revival of their nationalist agendas left unfulfilled during and since the 1990s. However, due to the region having been no priority to the administration and due to the slow transformation of the new administration, its Western Balkans policy during the first half of its mandate was characterized by political (and personnel) continuity with the previous Obama administration. This enabled

the US to play a key role in the fall of the Gruevski regime in North Macedonia, i.e. in a peaceful transition of power. Also, US diplomats in the Western Balkans were the first Western officials to speak up publicly end of 2017 against a land swap deal negotiated in secrecy between the EU foreign policy chief Mogherini and her team, and presidents Vučić and Thaci since the summer of 2017. That policy took a Trumpian turn in May 2018 when the administration shifted towards public support for a land swap deal. And end of 2019, Trump's ambassador to Germany and later presidential envoy for the Western Balkans, Richard Grenell, took over the lead in Western land swap negotiations from outgoing Mogherini. While those US-led negotiations ultimately failed amidst political resistance from key European capitals and from within Kosovo, the US push led to the fall of the first Kurti-government in Kosovo in 2020, i.e. the first toppling of a democratically elected government by the US in the 21st century.

Stage 3 (since 2021): There were serious hopes 2021 in the incoming Biden administration meaning a substantial U-turn on the US's Western Balkans policy based on the strong defense of liberal democratic values. Such hopes, however, were quickly dashed as the Biden administration's regional policy has been characterized by more continuity than discontinuity with that of the Trump administration. The reason for this surprise development was that as the Biden administration's global focus was on other parts of the world (first primarily on China-Southeast Asia, and since 2022 also on Russia-Ukraine), responsibility for dealing with the Western Balkans was delegated down to the mid-layer of the hierarchy in the administration. However, it was this mid-layer, particularly in the State Department, that had been substantially ideologically (illiberally-transactionally) transformed during the Trump administration. Matt Palmer, and Gabriel Escobar as Deputy Assistant Secretary of State for European Affairs marked the staff continuity with the Trump administration. The appointment of three old-hand Democratic Balkan policy diplomats to key ambassadorial posts in the region did not lead to discontinuity, but the three ambassadors – Michael Murphy in Sarajevo, Jeffrey Hovenier in Prishtina to a lesser degree, and first and foremost Christopher Hill in Belgrade – surprisingly well fitted into the prevailing transactionalist, appeasement policy.

Three main features characterize this Western Balkan policy of the Biden administration of by and large continuity with that of the Trump administration:

First, there is by far more continuity than discontinuity. Thus, in Bosnia and Herzegovina, the US played a lead role alongside EU institutions in the 2021–2022 negotiations on a so-called election law reform, based on dropping the West's, particularly the US's previous red lines against the Croat nationalist political elites which strive for a third, Croat ethnic entity. This engagement led to the US administration pushing High Representative Christian Schmidt to his October 2, 2022 undemocratic intervention into the country's electoral and constitutional system, giving partially in to Croat nationalist demands and thus further ethnically dividing the country's political system. On Kosovo-Serbia, the US, led by ambassador Hill, took the lead in the West doubling down on the provenly failed appeasement policy towards the Serbian Vučić regime, as an integral part of the 2022 German-French dialogue initiative.

Second, as since 2005–2006, the US remains in a supportive role in the EU-led Western policy towards the region.

Third, the Biden administration's regional policy is characterized by a weird mix of continuity/transactionalist policy and of the more traditional, values-based Democratic (and Republican) Balkan policy. Thus, for example, in BiH since the October 2022 intervention by the High Representative, a split has emerged between the past joint Western negotiators, i.e. EU officials colluding with domestic elites in undermining reform conditionality, and the US embassy, ambassador Murphy, who has shifted back to a strong defense of democratic principles and values. The Biden administration has returned to the traditional sanctions regime against undemocratic and corrupt actors in the Western Balkans, and has thus, for example in 2021 introduced sanctions against key Serb organized crime figures closely linked to the Vučić regime – the Veselinović brothers and Milan Radoičić – yet those sanctions have remained entirely detached from the broader US Serbia (appeasement) policy of the Biden administration.

Outlook: A Looming Second Trump Administration

With the next US presidential elections scheduled for November this year, and a Trump victory being a serious possibility, the question arises what threat a second Trump administration would pose for the democratic and peaceful future of the Western Balkans? Unlike in other parts of the world, even of Europe, for example Ukraine, in the Western Balkans the danger does not emanate so much from a second Trump administration as such, but from the EU not having its act together in the region. It is the Union's internal divisions and the inroads having been made by illiberals and transactionalists within EU institutions and among member states that represent potential entry points for a second Trump administration's malign influence and interference in the region. An EU firm in the defense of its strategic, democratic and security interests in the Western Balkans, its inner courtyard, should be able to keep even a more aggressive, ready on day one Trump administration at bay. It is thus high time for the EU to finally get its act together in the Western Balkans and on its enlargement policy.

The Influence of Supposed Alternatives to the Western Model of Democracy and Rule of Law – Concrete Policies of China, Russia, and Turkey in the Context of Southeastern Europe

Izabela Kisić

The Western Balkans region has entered a phase of the most serious tensions and instability in the last 25 years with an uncertain outcome. Serbia's close ties with the anti-European bloc, primarily with Russia, brings it into confrontation with the European Union and the United States, leading to further democratic regression and political conflicts in the region. NATO's presence in the Western Balkan region prevents an escalation into armed conflicts. Security-wise, the most severe regional crisis currently is the creeping annexation of the Bosnian-Herzegovinian entity of Republika Srpska by Serbia and the disintegration of Montenegro's statehood.

Due to the unfinished and obstructed process of integration into NATO and the EU, which all Balkan countries have committed to, the Balkans have become a battleground of different influences, primarily from Russia and China, due to reduced international community engagement since 2008, due to the financial crisis, migration crisis, and COVID. It was only Russia's aggression in Ukraine that brought the West back to the Balkans, out of fear that Russians might open a new front in the Western Balkans, a speculation that has persisted since the beginning of the war in Ukraine.

In the meantime, the region has slid into democratic regression, with clear autocratic tendencies and increasing alignment with authoritarian regimes like Russia, China, Turkey, and others. Russia's penetration into Serbia and Republika Srpska is particularly concerning, as it has gained a position enabling it to obstruct the European integration of the entire region. Above all, Serbia, along with Russia, China and Turkey, shares anti-liberal values, while president Aleksandar Vučić looks to those countries as the model of governance.

Russia

Russia's penetration into the Balkans, especially into Serbia and Republika Srpska, which began in 2012, marks a new phase of intensified Serbian aspirations in the region. With Russia's support and the West's absence, Serbia has extensively integrated Republika Srpska into its economic, cultural, educational, and informational sphere over the past decade, largely tolerated by the EU.

The term "stabilitocracy" has been coined to describe the region's governance, emphasizing stability over the rule of law and human rights.¹ This approach has exacerbated nationalist sentiments and eroded democratic values led by autocratic leaders like Aleksandar Vučić. Supporting the autocratic leader Vučić has strengthened his position and undermined democracy in Serbia, fueling Serbian nationalism. Freedom House has categorized Serbia as a "partly free" country. Alongside Russia, Serbia is the only European country experiencing the largest decline in 2023.²

The European Union's initiatives in the region, such as Central European Free Trade Agreement (CEFTA) and the Berlin Process, have fallen short in countering aggressive nationalism embodied in the "Serbian World" ideology. This emphasis on identity politics over shared values has hindered progress towards the rule of law and pluralism.

¹ Florian Bieber: "The Rise (and Fall) of Balkan Stabilitocracies", 2018, <https://www.cirsd.org/en/horizons/horizons-winter-2018-issue-no-10/the-rise-and-fall-of-balkan-stabilitocracies>, The term was used by Antoinette Primatarova and Johanna Deimel back in 2012 to describe Albania as a country that "provides stability externally but domestically oscillates between democracy and autocratic tendencies". Canadian academic, Srđa Pavlović, first used it in a London School of Economics' Blog on Montenegro in late 2016 to describe a regime in which undemocratic practices persist and "the West has [...] turned a blind eye to this while simultaneously preaching the virtues of democracy and the rule of law." Florian Biber consider that "stabilitocracies are essentially a paradox: they cannot deliver what they offer without making themselves redundant. Stabilitocracies thus produce mutually conducive instability to legitimize their own continued existence".

² "Ratovi i izborne manipulacije podrivaju slobode širom sveta, upozorava Freedom House", 24 February 2024, <https://www.slobodnaevropa.org/a/freedom-house-izvestaj-slobode/32841165.html>.

Serbia's political landscape is dominated by state-controlled media, harsh and intimidating campaigns against opposition parties, civil society and media, a cult-like following of the national leader (president Vučić) and narrative promoting "Serbian unity". Strong pro-Russian sentiments, including a cult of personality around Vladimir Putin, have become pillars of Serbia's foreign policy.³ The emergence of "Serbian World" is a substitute for Slobodan Milošević's "struggle for Yugoslavia," copying the Russian term "Russian World".⁴ There is also significant support for pro-Serbian and pro-Russian parties in Montenegro and for Milorad Dodik in Republika Srpska, in Bosnia and Herzegovina.

The hesitation of Serbia to commit to Western policies lies in its expectations of Russia's victory in Ukraine, changes in the US administration (expecting Donald Trump's victory), and hopes for right-wing party rise in the context of European elections. This explains the elevation of the policy of the "Serbian World" to a more operational level. President Vučić demonstrates daily that the "Serbian World" functions in all spheres of society, from sports, culture, and economy to security structures.

Russia in the Western Balkans deepens the crisis to divert Western attention from Ukraine to the Balkans. Its goal in the Balkans is no longer just to prevent NATO integration of Western Balkan countries but also EU accession. Maintaining the *status quo* in Kosovo is crucial to retaining influence in Serbia. The widely held narrative in the weeks after Serbia and Kosovo reached an agreement (Ohrid, March 2023) was that Russia should intervene and protect Serbian national interests.

While the possibility of war between Western Balkan countries is excluded, EU think tanks organizations warn of possible "small group operations with specific political agendas, as in the Banjska case." These are "actions" influenced by regional actors or Russia. Kosovo or places in Republika Srpska or other parts of Bosnia and Herzegovina, especially the Brčko District, are

³ More in: Serbia: Captured society, Helsinki Comm. for human rights in Serbia, 2024, <https://helsinki.org.rs/doc/Report2022.pdf>.

⁴ The "Russian World" and the "Serbian World" are two similarly irredentist projects: the former focuses on the return of Russia as a global power, and the latter on the unification of Serbian territories.

cited as possible attack locations, which are “very vulnerable and unstable” parts of Bosnia and Herzegovina.⁵

The terrorist attack in Banjska in northern Kosovo in September 2023 was an attempt to create conditions for the annexation of northern Kosovo by Serbia. US intelligence services warn of increased risk of “inter-ethnic violence in the Western Balkans” in 2024. They conclude that:

Nationalist leaders will likely exploit tensions for their political gain, and external actors will exploit ethnic differences to strengthen or protect their influence in the region or thwart Balkan integration into the EU or Euro-Atlantic institutions.⁶

The Banjska case was a wake-up call for the Western community, intensifying its diplomatic activities in the Western Balkans with the intention of resolving the Balkan issue with or without Serbia.

The President of the Bosnian-Herzegovinian entity Republika Srpska Milorad Dodik, despite US sanctions, has intensified activities against Bosnia and Herzegovina’s sovereignty, especially since the start of the Ukrainian war. He suspended a decision of the Constitutional Court of BiH, leading to the erosion of rule of law and suppression of civil society organizations. The radicalization of politics is directly influenced by Belgrade and Moscow. This is also confirmed by the fact that Dodik and Vučić participate, on an almost daily basis, in joint actions and events in Bosnia and Herzegovina and Serbia and especially in those which, based on the interpretations of the wars of the nineties, consider the Serbs to be the biggest victims and that they waged the war of independence.⁷

Dodik and Vučić promote a narrative of a Serbian “liberation war” in Bosnia and Herzegovina, claiming that Serbs are the biggest victims. Serbia and Rus-

⁵ E.g. Jan Cingel, executive director of the non-governmental organization Strategic Analysis in Bratislava, spoke about this in an interview with Radio Free Europe. <https://www.slobodnaevropa.org/a/mir-balkan-rizik-ruski-uticaj/32692643.html>.

⁶ “Obaveštajne procene SAD za 2024: Upozorenja o Ukrajini, nasilju na Zapadnom Balkanu”, 12 March 2024, <https://www.slobodnaevropa.org/a/sad-obavestajne-procene-ukrajina-rusija-balkan/32858839.html>.

⁷ Serbia: Captured society, Helsinki Committee for human rights in Serbia, 2024, <https://helsinki.org.rs/doc/Report2022.pdf>.

sia share the same narrative of a “just war” (in Serbia’s case, a necessary defense, while in Russia’s case, a preventive war). Serbia fosters societal radicalization and creates an atmosphere of existential threat to Serbs in the region (especially in Kosovo) to legitimize “necessary defense.”

China

Politically, China, along with Russia, defends the UN Security Council Resolution 1244, thus maintaining the *status quo* in Kosovo and hinder Kosovo’s UN membership, while Serbia has never signed any international declaration criticizing China.⁸

China’s political influence in the Western Balkans extends notably through substantial financial investments, particularly in infrastructure such as roads, railways, energy production, heavy industry, and mining.⁹ While these investments have visibly transformed the region’s physical landscape, they primarily benefit authoritarian leaders and their networks, fostering corruption and disregarding human rights and environmental standards.

The Serbian regime leverages China’s investments for propaganda and photo opportunities. China is the most prominently represented foreign actor in a positive light in Serbian media.¹⁰

Serbia as a main partner in the region, holds a privileged position in Chinese *Belt and Road Initiative* in the Western Balkans. During his European tour in early May 2024, the Chinese President Xi Jinping visited the capitals of two EU member states, Paris and Budapest, as well as Belgrade. Leaders from 130 countries, including a large Serbian delegation led by President Vučić, attended the 10th anniversary of China’s global Belt and Road Initiative in

⁸ The two presidents, Aleksandar Vučić and Xi Jinping, pledged mutual support for sovereignty and territorial integrity, with Serbia recognizing Taiwan as part of China and China recognizing Kosovo as part of Serbia. (Belgrade, May 2024).

⁹ More in: China’s strategic interests in the Western Balkans, European Parliament Briefing, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733558/EPRS_BRI\(2022\)733558_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733558/EPRS_BRI(2022)733558_EN.pdf).

¹⁰ “CRTA monitoring medija: Priča protiv zapadne strane – monitoring stranog uticaja,” July 2022–June 2023, 19 July 2023, <https://crt.rs/crta-monitoring-medija-prica-protiv-zapadne-strane-monitoring-stranog-uticaja-jul-2022-jun-2023/>.

October 2023. These events affirmed the mutual “ironclad friendship,” as both sides frequently emphasize. President Xi stated during his Belgrade visit: two countries are building “the community of Serbia and China with a common future in the new era.”

Contracts with Chinese partners are not transparent and, taking into account all indications, they have a corruptive background; the conditions under which they have been concluded are not publicly known.¹¹ Despite China’s economic footprint, local populations derive limited benefits from these projects. Due to non-transparency, it remains uncertain whether Chinese companies pay taxes in the region. The Chinese company “China Road and Bridge Corporation” (CRBC), which built the first section of the Bar-Boljare highway in Montenegro, is the second-largest tax debtor in the country. According to Montenegro’s Blacklist of the Tax Administration’s 200 largest debtors, its debt was around €11.2 million at the end of last year. CRBC has projects also in other countries in the region. One of them, with the Government of Serbia, is worth €3.2 billion.¹²

“Just Finance International” (JFI) mapping has identified over 100 cases of criminal complaints in response to the impacts of Chinese investments in Serbia, Montenegro, Bosnia and Herzegovina, North Macedonia, and Albania between 2014 and 2024. An even greater number of complaints has been filed against local and national governments, which often support or align with Chinese investment, but are not included in this JFI mapping.¹³ Chinese factories in Serbia brutally violate local environmental standards (e.g., mining of the Starica mountain near Majdanpek, enormous air pollution in Bor and Smederevo) and labor rights of employees (e.g., Linglong tire factory in Zrenjanin).

¹¹ Serbia and China: An ever-tightening embrace, Helsinki bulletin, October 2023, <https://helsinki.org.rs/doc/HB-No170.pdf>.

¹² “Kineska CRBC u vrhu crne liste poreskih dužnika u Crnoj Gori”, 21 February 2024, <https://www.slobodnaevropa.org/a/crna-gora-crbc-poreski-dug/32827670.html>.

¹³ JFI: Više od 50 protesta i pritužbi na kineske investicije u Srbiji za 10 godina, 7 May 2024, <https://forbes.n1info.rs/vesti/jfi-vise-od-50-protesta-i-prituzbi-na-kineske-investicije-u-srbiji-za-10-godina/>.

Moreover, the civil society in Serbia is greatly concerned about the procurement of “smart” cameras from China, which, in addition to identifying faces, “read” the moods (relaxation, anger, threat, etc.) of individuals they film (these cameras are extensively used by China in the restive province of Xinjiang, home to the Uyghur minority).

Turkey

Turkey’s pragmatic approach in the Balkans, maintaining relations with all countries while pursuing its own interests, has introduced a dynamic element to the region’s geopolitics. For example, Turkey was one of the first countries to recognize Kosovo’s sovereignty and advocates for recognition but maintains good relations with Belgrade. However, Turkey’s extradition demands and security interests clash with European values.

Ankara’s disputes with the West have made it an acceptable partner for Serbia despite deep-seated stereotypes about Muslims and the Ottoman Empire, which Turkey has managed to mitigate through soft power. Some local leaders (Edi Rama, Aleksandar Vučić, Sulejman Ugljanin, Bakir Izetbegović) use Turkey to counterbalance the EU and its hesitance regarding enlargement.¹⁴

Turkey realizes its Balkan goals through support for infrastructure projects, via a network of institutions and platforms such as the Turkish Cooperation and Coordination Agency (TIKA), cultural centers like Yunus Emre, the Religious Administration (Diyanet), media houses (e.g., state-owned Turkish Radio and Television Corporation (TRT) and Anadolu Agency), and scholarships for foreign students.

However, besides economic interests, Turkey also has security interests in the Balkans that clash with European values. It strongly pressures regional governments to extradite political dissidents, primarily Gulenists and Kurds, in contradiction not only with international documents but also with the laws of the countries themselves.

¹⁴ “Turkey regional power in the Balkans”, Helsinki Bulletin, November 2022, <https://helsinki.org.rs/doc/HB-No165.pdf>.

From 2016 to 2021, Turkey submitted 16 requests for the extradition of its citizens from Serbia. According to the media sources, the Serbian Ministry of Justice approved the extradition of five individuals. A Kurdish Turkish citizen, Cevdet Ayaz, was extradited to Turkey in December 2017, despite a decision by the United Nations Committee Against Torture, which ordered authorities to refrain from returning Ayaz to Turkey as an interim measure due to a real risk of torture or other cruel, inhuman, or degrading treatment. Relations between Kosovo and Turkey were significantly disrupted when, in 2018, the Kosovar Prime Minister dismissed the Minister and head of the intelligence service for not informing anyone about the extradition of six Gulenists (more due to the reaction of the EU and US).

There are assumptions that the number of citizens whose extradition is requested by Turkey is even higher, but no official information is available on this. For example, Amnesty International has appealed for the immediate release of Ecevit Piroglu, a political activist from Turkey who has been in a Serbian immigration detention center since 2021. He has been held unlawfully and arbitrarily, despite a Serbian court ruling that he could not be extradited.¹⁵ On 12 February, he began a hunger strike in protest of his continued detention, and stated his intention to continue until he is released.

Turkey's foreign policy is largely conducted through the Directorate of Religious Affairs. For example, in Sandžak, Turkey funds religious civil society organizations that organize a series of activities highly attractive to young people. They have penetrated a space once covered by a very dynamic pro-European civil sector in Sandžak, which has almost disappeared.

Conclusion

In conclusion, Serbia's alignment with authoritarian regimes obstructs regional stability and EU integration. Strengthening the rule of law and democratic institutions is crucial for sustainable peace. The EU must accelerate integration efforts for neighboring countries to counterbalance external influences from Serbia, Russia, China, and Turkey. Serbia's engagement with the EU remains critical for regional progress and reconciliation.

¹⁵ Amnesty International, 13 May 2024, <https://www.amnesty.org/en/documents/eur70/8041/2024/en/>.

Considering the weak human capacities in Serbia and the region as a whole, EU support is essential, primarily through membership, as it is the only mechanism that can put the region on the right track. It is also a peace framework that can initiate internal dialogue and open up prospects for normalization of relations in the region.

The influence of foreign autocratic actors and anti-liberal regimes in Western Balkan countries is possible as long as the rule of law is not established, guaranteeing transparent economic and financial transactions and human rights.

Serbia's self-isolation from the EU and deepening toxic ties with Russia and China is self-destructive. Articulation of a pro-European opposition can be one of the first conditions for the social transformation of Serbia, which will impact the consolidation of the entire region.

Implications of Western Balkan relations with Turkey will primarily depend on how successful the European Union is in winning Ankara over to its strategic goals.

PART V: Policy Recommendations

Policy Recommendations

Regional Stability in South East Europe Study Group

Executive Summary of Recommendations

- ***EU/U.S.:*** Returning to a focus on democratic forces and separation of state powers in the WB instead of supposedly strong actors with authoritarian tendency.
- ***EU/U.S.:*** Imposing coordinated and tailored sanctions against stabilocratic actors in the WB.
- ***EU/NATO:*** Ensuring sufficient reserves for EUFOR and KFOR against the backdrop of numerous regional crises.
- ***EU/NATO/U.S.:*** Paying attention to Serbia's acquisition of offensive arms in the context of permanent tensions between Belgrade and Pristina.
- ***EU:*** Choosing a person as the next EU Enlargement Commissioner who is credibly committed to democratic values.
- ***EU:*** Implementing an enlargement strategy of "new gradualism" which immediately rewards also partial progress in candidate countries.
- ***EU:*** Triggering positive developments in the conflict-ridden group (Bosnia and Herzegovina, Kosovo, Serbia) by speeding up the accession process of Albania, Montenegro and North Macedonia.
- ***EU:*** Making Serbia's participation in EU development programmes conditional on the country distancing itself from the nationalist concept of "Serbian world" and enabling democratic elections.
- ***EU:*** Conditioning BiH's access to EU's economic "Growth Plan" for the WB on the submission of statewide and not entity-focused reform plans.

Situation Analysis

The term “**stabilitocracy**” stands in contrast to the concept of liberal democracy. In the context of the officially desired integration of the Western Balkans (WB) into the EU, this term addresses the risks for the consolidation of this region that already arise or could arise from an appeasement policy of the West (EU, U.S.) towards autocratic tendencies. Key players in stabilitocratic systems claim to promote democracy and the rule of law and present themselves to international actors as guarantors of stability in crises situations. The West bases its consolidation policy towards the region at least in part on this supposed promise of “stability”. However, this policy based on alleged stability only weakens the credibility of democracy-based EU integration in the region.

“Stability” in the sense of autocratic key players in the WB means permanently producing crises in which the crisis producers can present themselves as stability factors by calming the crisis again for a short time. Furthermore, it means demonizing or even preventing domestic democratic initiatives provided by civil society. In this political reality, critical, investigative media reporting is portrayed by the centre of power as hostile and unpatriotic activity. Central political and economic interaction processes are not transparent and are characterized by clientelistic relationships and kleptocratic behaviour. The latter continuously undermine the state’s constitutional division of powers and political roles.

Finally, the lack of targeted EU integration and standard-oriented policies in the WB states are favouring the expansion of the political, security and economic influence of authoritarian third countries such as China and Russia.

All of these criteria now apply to **Serbia** and **the Bosnian-Herzegovinian entity Republika Srpska (RS)**. This means that stabilitocracy has become the established political system in these areas. Autocratic rule is very advanced there. The basic democratic consensus between those in power and the opposition no longer exists. Against this background, the political leadership of the RS is using separatist policies to create permanent crises that are preventing the consolidation of the state of Bosnia and Herzegovina (BiH) and worthwhile reforms on the path to EU integration. The current leadership in Belgrade, on the other hand, is unwilling to prosecute the main

Serbian perpetrator of the attack in Banjska in northern Kosovo and has strengthened ties with Serbian nationalists in neighbouring countries by applying the concept of the “Serbian world” (“Srpski svet”). This shows very clearly that Belgrade’s current vision of regional stability can in no way be equated with the consolidation/normalization of regional relations as supported by the West. Moreover, the strengthening of the autocratic trend in Serbia goes hand in hand with the expansion of special and friendly relations above all with autocratic China and, in RS, with Wladimir Putin’s Russian regime. Both special relationships undermine the alignment of BiH’s and Serbia’s foreign policy with the EU’s Common Foreign and Security Policy.

In direct comparison with Serbia and the BiH entity RS, the other WB countries Albania, Kosovo, Montenegro, North Macedonia and the BiH entity Federation cannot be described as complete stabilitocratic systems. However, due to the long delays in the EU integration process, there are certainly risk factors in this group as well. Structures of systemic corruption and major shortcomings in the judicial system continue to hinder substantial reforms. On the other hand, the example of the encouraging judicial reforms in **Albania** has shown that positive changes are also possible in this critical field with Western support.

Observable autocratic tendencies in **Kosovo** are also the result of the West’s longstanding policy of appeasement towards Belgrade and Kosovo’s late-comer role in the EU integration process. This has strengthened nationalism and the associated autocratic behaviour under the current Kosovar prime minister. **Montenegro’s** current regional pioneering role in EU integration and the assumption of power by younger politicians, who are less burdened by conflict issues from the past, cannot make structural problems completely forgotten. In addition to the still existing major deficits in the establishment of a genuine rule of law, this includes above all the influence of Serbian nationalists and admirers of Putin on Montenegrin politics. North Macedonia’s pro-European policy and constructive approach to resolving the bilateral conflict with Greece led to its accession to NATO in 2020. However, bilateral hurdles remain in the EU integration process, this time in relations with Bulgaria. It remains to be seen whether a much more EU-critical Macedonian leadership will maintain the constructive course after the elections in May 2024 or return to a more nationalistic policy.

From an **overall regional perspective**, the **following critical developments** can be summarized. Over the last decade it has become evident that the paralyzed EU enlargement process on the side of the EU and a majority of its member states due to political disunity caused a stagnation of the reform process in the WB-6, a decrease in the EU's political attractiveness in the region and, as a result, an increase of stabilitocratic characteristics in the WB-6. It also has become clear that, last but not least triggered by the recent dramatic geopolitical changes in Europe, these stabilitocracies, which are incompatible with the Union's core principles and values, can only be reversed by a reinvigoration of the overall enlargement process, primarily based on political criteria. This would represent an inevitable paradigm change to the previous mainly legal-technical approach.

The EU's promise of access to the Union's programs for WB states prior to full accession is to be welcomed. Against the backdrop of the dramatic geopolitical situation, however, the question arises as to whether this is enough. New political courage and flexibility will be indispensable.

Policy Recommendations to Address Stabilitocracy in the WB

With Reference to the Entire Region

To EU and U.S. regarding Authoritarian Developments in the WB:

- The Western community's focus on securing regional stability by relying on supposedly strong, but in reality primarily authoritarian political leaders poses a long-term security risk. Instead of practicing a strongmen-oriented approach, the EU in particular should deal at least equally with representatives of the civil-society, parliaments and the democratic opposition.
- Regional security can only be guaranteed by democratic stability and not by stabilitocratic regimes in South East Europe. This can only be achieved through Western support in ensuring the integrity of democratic elections, free media, the division of state powers, and the independence of the rule of law institutions.

- Since the WB is emerging as an important region in the West's new geopolitical competition with China and Russia over Critical Raw Material (CRM), like lithium, the Western actors need to ensure that the highest environmental and human rights standards are met and that local governments and citizens are fully involved in decision-making processes on potential mining projects.
- Harsh violations of democratic and legal standards committed by stabilitocratic actors should be answered through resolute, but tailored sanctions, ideally in a joint operation of the EU with the U.S.
- U.S. sanctions targeting individuals and entities in the Western Balkans (under the WB related Executive Order 10433) should be extended by including more persons and companies that were financing current and former stabilitocratic politicians as well as connected persons/businesses through criminal activities.
- The European party families, including the European People's Party, should suspend support for affiliated parties and political leaders from the WB that undermine the principles of rule of law and functioning democratic institutions.

To EU regarding the WB Accession Process:

- A clear message must be sent to the political leaders as well as to the electorate of the WB-6 that, even against the background of the threatening changes in the geopolitical environment in Eastern Europe, stabilitocratic, undemocratic and EU-undermining membership aspirants (issuing security and secession threats; committing serious rule of law violations) cannot and will not be admitted and integrated.
- Following the June 2024 European parliamentary elections, governments of the leading EU member states need to make sure that the European Commission's new enlargement commissioner – more than it was the case in the last mandate – is dedicated to a value-based enlargement policy.

- In order to prevent the WB from becoming a black hole again, the EU must respond immediately to all these detrimental developments with a strategy of “new gradualism”, and therefore with a new step-by-step-approach in its enlargement policy. The EU must reconsider its enlargement policy and provide for practicable intermediate steps, such as concentric circles of gradual membership leading to full membership, the timing of which is currently still unclear.
- The EU should not any longer wait until a country or a group of countries of the WB-6 fulfils all parts of a chapter’s criteria and conditionality – or even the fulfilment of all chapters predestined. Already a partial progress should be immediately rewarded. This could help to restore the credibility and the attractiveness of the overall accession process again. Aspirants could experience dynamism rather than standstill.
- The EU should evaluate the Albanian judicial reform with a view of potentials for a similar rule of law reform package in all the WB EU accession countries within the next twelve months and based on this assessment recommend the implementation of a comparable but customized reform in the other countries.
- This could have the potential to kick-off a race to break the vicious cycle of collective depression in the region. Successful implementation of the programs should be connected to the full inclusion of the respective country in the EU transfer system and the EU single market.
- The EU should speed up the accession process of Albania, North Macedonia and Montenegro. These countries – compared to BiH, Kosovo and Serbia – are the less complicated cases for becoming EU members in a medium term. This could trigger positive developments in the more conflict-ridden group of three by putting pressure on the current political leaders to account to voters for the promised European reforms. Further, it would minimize the manoeuvre space for malign politics of polarization and tensions in BiH, Kosovo and Serbia.

With Reference to BiH

- ***Governments of Croatia and Serbia:*** For the purpose of good neighbourly relations refrain from interference in BiH's internal relations via proxy political actors that could enlarge political tensions.
- ***European Commission:*** Make BiH's access to grants from the announced EU Growth Plan for the WB conditional on the BiH authorities actually presenting a truly joint economic reform plan for the country, and not a simple compilation of separate plans for entities and state level.

With Reference to BiH

- ***EU and NATO:*** Ensure that sufficient reserves are kept available for potential deployment to reinforce EUFOR and KFOR, if the security so requires.

With Reference to Montenegro and North Macedonia

- ***Governments of Montenegro and North Macedonia:*** Place comprehensive and effective policies and reforms that target remains of stabilocratic and kleptocratic practices having been build-up through decades. This particularly relates to the elimination of systemic and legal deficiencies that have enabled illegal capital gain by selected groups of individuals and entities and their control of the main economic and business processes.

With Reference to North Macedonia

- ***Government of North Macedonia:*** Stick to the requirements of the European Commission on the introduction of Bulgarians in the country's constitution as a constituent people alongside with Roma, Croats, Serbs, Vlachs and others.

With Reference to Serbia

- ***EU:*** Send a clear message to the political key players in Belgrade that there will be no progress in Serbia's EU accession path, including the governmental use of all pre-accession funds, before free and fair elections take

place in Serbia. Further, they must clearly and officially distance themselves from the term “Serbian world”, which has the objective of destabilizing the neighbouring countries with a Serbian share of population.

- ***EU and U.S.:*** Address the ideology and concept of “Serbian world” in a particular research study, its interaction with the “Russian world” concept and the practical consequences of this interaction for stimulating stabilitocracy, autocratic leadership and political corruption in the WB.

With Reference to Serbia and Kosovo

- ***EU, NATO and U.S.:*** Pay attention to the issue of armament against the background of Serbia’s acquisition of offensive equipment from global players such as Russia, China, and Iran, which raises pertinent questions about regional security and stability. Recognize the imperative of confidence-building measures between Kosovo and Serbia in the realm of security and defence to underscore the delicate balance between peace building efforts and geopolitical interests.

List of Abbreviations

AAK	Alliance for the Future of Kosovo
ASMM	Association/Community of Serb Majority
BiH/BIH	Bosna i Hercegovina/Bosnia and Herzegovina
CDT	Centre for Democratic Transition
CEC	Central Election Commission
CEDEM	Centre for Democracy and Human Rights
CEFTA	Central European Free Trade Agreement
CRBC	China Road and Bridge Corporation
CRM	Critical Raw Material
CSOs	Civil Society Organizations
DPC	Democratization Policy Council
DwP	Dealing with the past
EU	European Union
EUFOR	European Union Force in BiH Operation Althea
FYROM	Former Yugoslav Republic of Macedonia
GIGA	German Institute of Global and Area Studies
GJKKO	Gjykata e Posaçme e Shkallës së Parë për Korrupsionin dhe Krimin e Organizuar
GRECO	Group of States against Corruption
HDZ	Croatian Democratic Union
IBAR	Interim Benchmark Assessment Report
ISIS	Institute for Security and International Studies
JCMS	Journal of Common Market Studies
JFI	Just Finance International
KFOR	Kosovo Force
LDK	Democratic League of Kosovo
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
ODIHR	Office for Democratic Institutions and Human Rights
OHR	Office of the High Representative
OSCE	Organization for Security and Co-operation in Europe
PDK	Democratic Party of Kosovo
RCC	Regional Cooperation Council

RS	Republika Srpska
SDP	Social Democratic Party
SDSM	Social Democratic Union of Macedonia
SPAK	Special Prosecution against Corruption
SWP	German Institute for International and Security Affairs
TIKA	Turkish Cooperation and Coordination Agency
TRT	Turkish Radio and Television Corporation
UK	United Kingdom
UN	United Nations
UNPROFOR	United Nations Protection Force
UN-SC	United Nations-Security Council
US/U.S./USA	United States of America
USIP	United States Institute of Peace
VMRO-DPMNE	Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity
VRS	Vojska Republike Srpske
WB(/WB-6)	Western Balkans (Six)

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Western tolerance of supposed “stability factors” with an authoritarian orientation has exacerbated the problem of so-called stabilitocratic rule in parts of the Western Balkans. It distances the countries concerned from democracy and the rule of law, worsens the chances of EU integration and generally affects negatively regional relations. The contributions in this volume argue for resolute support for democratic forces in politics and civil society in the Western Balkan states and for a proactive EU policy that enables access to EU programs even before full accession, provided that the rules of democracy and the rule of law are guaranteed.

ISBN: 978-3-903359-98-7



46th Workshop of the PfP Consortium Study Group
“Regional Stability in South East Europe”