

Serbia's parliamentary elections: domestic and regional dilemmas

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"If we get a government centered on the radicals in Serbia ... (the Serb economy) will take a beating, it will be more difficult for us in Kosovo, and it will increase strains in Bosnia." Furthermore, "it will virtually ensure that Ratko Mladic will never be handed over"

Swedish Foreign Affairs Minister Carl Bildt in an informal meeting with EU and World Bank leaders in Slovenia, 7 April 2008¹

Following the fall of the coalition government on March 7 over fundamental disagreements on Serbia's European future - and only three months after President Tadić defeated radical leader Tomislav Nikolić in the presidential elections - Serbs will again be asked to choose between a pro-European agenda and a nationalist one in the upcoming parliamentary elections on May 11. Both the nationalist front, with radical leader Tomislav Nikolić and outgoing PM Vojislav Koštunica in charge, and the so-called democratic camp - led by President Tadić - have presented the elections as a decisive referendum on Serbia's future. The EU, as well as other external actors, is taking sides and playing into the heated electoral fight in a society that, since the demise of Milosević in 2000, has been confronted with a similar choice in nearly every electoral contest.

Irrespective of the outcome of the elections, the political campaign reflects two profoundly entrenched dynamics: the EU's failing record to pull Serbia into the European orbit and Serbia's chronic failure to muster the necessary support to undertake the reform agenda, long due since the end of Milosevic's rule. The elections, however, are not likely to bring any significant changes. On the contrary, opinion polls suggest that Serbia will face protracted coalition talks, with the risk of a weak government, unable to focus on the urgent steps that Serbia needs to undertake in order to move forward, coming to power. Published in the run-up to the elections, this commentary examines the domestic and external political dynamics involved in the political campaign as well as the critical dilemmas that both Serbia and the EU will be facing in the aftermath of the elections.

¹ "Impartiality out the Window", *Bosnia Daily*, No. 1733, 8 April 2008.

Domestic dynamics

Following Kosovo's unilateral declaration of independence on February 18, Prime Minister Vojislav Koštunica announced on March 7 the dissolution of the coalition government that had been formed in May 2007 with Tadić's Democratic Party (DS), Kostunica's Democratic Party of Serbia (DSS) and other smaller parties. Fundamental disagreements between the two main coalition partners, namely DS and DSS, over a resolution presented by the Serbian Radical Party (SRS) aiming to condition European integration on the expressed recognition of Kosovo as an integral part of Serbia's territory² precipitated the fall, although fissures between both parties had been on the rise since the approval of the EU mission in Kosovo (EULEX) on February 4 and Kosovo's declaration of independence two weeks later.

The rift over Serbia's European future and Kosovo's status has become the key issue of the political campaign, although the choice between a pro-European agenda and a nationalist one that focuses primarily on the preservation of Kosovo is not a new one in Serbia. This time around, however, the fight has taken higher stakes and led to a rather embittered political climate - in which Europeans have become entangled - with continuous verbal attacks and mutual accusations between the main contenders. The campaign has also been fought over economic issues and corruption, which are of utmost importance for Serbs, but the attention devoted to these issues has been diluted in the heated political fight over Europe and Kosovo. A closer look at the political dynamics involved in the campaign thus shows that Serbia is still mired in political turmoil in a still fractured and personality-driven political system with two main political camps - placed on a rather imprecise continuum between radical and moderate nationalism - that are driven by short-sighted, narrowly defined agendas with no strategic vision on how to lead the country into the future.³

The reform-oriented bloc is headed by DS President Tadić, who not so long ago was fighting over the same issues in the presidential campaign in January-February 2008. Tadić's campaign revolves around the same five principles that the outgoing coalition government was based on, namely the preservation of the country's integrity, supporting the process of European integration, enhancing living standards, the fight against corruption and cooperation with the ICTY. Three of these issues have stood out during the campaign: (1) The preservation of the national territory, which involves the pledge for further Kosovo negotiations, ongoing cooperation with UNMIK on the basis of Resolution 1244, and rejection of the EU mission in Kosovo (EULEX) unless a resolution grants its presence.⁴ (2) European integration, which includes a plan to sign a Stabilisation and Association Agreement (SAA) by the end of April; gain candidacy status by the end of the year; ease visa restrictions by early 2009;⁵ launch accession talks in the second half of 2009; and become an EU member by 2012 or 2014. (3) There has also been further stress placed on economic issues, especially since early April, when outgoing Economy Minister Dinkić presented the economic platform of the pro-democratic bloc, including more investment, new jobs and tax breaks. Analysts have prognosticated that the parties that focus on economic issues will fare better in the elections.

Tadić's DS has joined forces with four small parties, including Drušković's Serbian Renewal Party (SPO) who ran under Koštunica's ticket in the previous parliamentary elections, Rasim Ljajić's Sandzak Democratic Party (SDP), Nenad Čanak's League of Vojvodina Social Democrats (LSV), and Mladjan Dinkić's G17 Plus; all of them under the coalition "For a European Serbia - Boris

² The resolution had the support of outgoing PM Koštunica but was rejected by his coalition partners. In accounting for the fall of the government, Koštunica referred to fundamental differences over Kosovo while President Tadić blamed it on differences about the process of EU integration and failure to maintain consensus over the five priorities upon which the government was created in May 2007.

³ See Sebastian, Sofia, "Serbia's Elections and the Challenges Ahead," Democracy Background No. 6, FRIDE, January 2007.

⁴ See Tadić's Speech to the UNSC, 22 April 2008, available at http://www.b92.net/eng/insight/pressroom.php?yyyy=2008&mm=04&nav_id=49632 [accessed April 22, 2008].

⁵ This is the plan that outgoing speaker of Serbia's parliament Oliver Dulić (from DS) presented to European authorities in early April. See "So close, yet so far for Serbia's EU dream," *RFE/RL Newsline* Vol. 12, No. 70, Part II, 14 April 2008.

Tadić". The only party from the pro-reform bloc that will run alone is Cedomir Jovanović's Liberal Democratic Party (LDP), which refused to support Tadić's candidacy in the presidential elections and rejects DS's policy on Kosovo.⁶ Notwithstanding differences between these two parties, both leaders have expressed willingness to form a coalition after the elections, although according to Tadić, LDP would need to "change their policy towards Kosovo".⁷ LDP supports a more radical democratic agenda including further engagement with Pristina's authorities, which implies recognition of Kosovo's independence. The concern among pro-democratic forces is LDP's failure to cross the five percent barrier needed to have representation in the parliament, which could put these forces in a rather precarious situation if they are to form a government without having to reach out to radical groups.

At the other end of the continuum, the Radicals, whom the Europeans fear will set Serbia off on a backward-looking path if they form a government, have adopted a rather more populist platform around three key issues: the defense of national sovereignty against international conspiracy, appealing to the widespread feeling of defeatism and frustration; the end to further economic losses, which has important resonance among the population given the recent increase in food prices and job losses; and the fight against corruption, which is reported to be more pervasive within pro-democratic ranks. As SRS senior official Aleksandar Vučić stated, "we will lead a winning, strong, forceful campaign, a campaign of change, a campaign against crime and corruption, a campaign of preservation of the country's sovereignty".⁸ Additionally, radicals have further appealed to Serbian nationalism by refusing to cooperate with the ICTY, which had special significance following the acquittal of former member of the Kosovo Liberation Army (KLA) Ramush Haradinaj of war crimes in early April.⁹ Finally, in relation to Europe, radicals put Kosovo's needs first and express interest in strengthening ties with Russia.

Though the Radical Party is running alone and will not be able to form a government on its own, other nationalist parties could turn into potential coalition partners. One such potential partner is outgoing PM Vojislav Koštunica's DSS. Though Koštunica's DSS has generally been considered part of the democratic bloc, it has veered towards more radical positions since Kosovo's unilateral declaration of independence, bridging the gap with the Radical Party and groups such as the Socialist Party of Serbia (SPS). In fact, the declared priorities of Koštunica, who has joined forces with Ilić's New Serbia (NS), are similar to the Radicals', including: the struggle for Serbia's integral territory; no further talks with the EU until it explicitly recognises Kosovo as an integral part of Serbia;¹⁰ an emphasis on economic issues; and countering corruption and organised crime.¹¹ Koštunica has also supported further links with Republika Srpska¹² in Bosnia and Herzegovina (BiH) and has put further stress on the importance of economic development and foreign investment in an attempt to undermine pro-democratic forces' accusations of economic collapse under a potential nationalist government. In addition to the DSS-NS coalition, the Socialist Party has formed a coalition with the United Pensioners Party (PUPS) and former long-standing DSS coalition partner, Dragan's Marković's United Serbia (JI).¹³ The SPS coalition supports the creation of jobs and the struggle for Kosovo

Further groupings within the nationalist bloc or across blocs are unlikely prior to the elections despite the fact that neither the Radicals nor any electoral coalition will gain sufficient support

⁶ Jovanović has argued on repeated occasions that Kosovo was lost in 1999. He rejects Tadić's strategy to block Kosovo within the EU. See "LDP Interested in Coalition, But Not at Any Cost," *B92 News*, 17 March 2008.

⁷ "Tadić: Coalition Based on Five Principles," *B92 News*, 2 April 2008.

⁸ "Radicals Expect to Form Cabinet by May 20," *B92 News*, 20 March 2008.

⁹ Tomislav Nikolić declared on April 14 that "No more Serbs will be sent to the Hague Tribunal after May 11 elections". See "Radicals: No more Serbs to the Hague," *B92 News*, 14 April 2008.

¹⁰ In reference to how the signing of an SAA would affect Serbia's stand on Kosovo, Koštunica had declared, "We've never discussed that matter with the EU. If we don't discuss it, then every further step towards the SAA will imply our indirect recognition of Kosovo's independence". See: "Koštunica: EU Membership Not on Agenda," *B92 News*, 4 April 2008.

¹¹ "DSS-NS Coalition Submits Election Lists," *B92 News*, 22 March 2008.

¹² "Koštunica Seeks to Build 'Nationally Accountable Government'," *B92 News*, 26 March 2008.

¹³ Marković has refused to join the DSS-NS coalition and called for the adoption of a "pragmatist nationalism" that does not undermine Serbia's economic prospects. See: Obranović, Pedja, "Serbia's elections Rivals Bid for Allies," *Balkan Insight*, 14 March 2008.

to form a government on its own. All of this indicates that post-election coalition talks will again be critical, with DSS and SPS playing a determining role in deciding on a winning coalition. Recent opinion polls seem to sustain this thesis, given that support for the DSS appears to have increased - at the expense of the Radicals - by three percent since the start of the electoral campaign, suggesting that Koštunica's shift towards radical nationalism is reaping results.

Analysts suggest that the chances for a nationalist government with both the Radicals and DSS are higher than in previous electoral contests, as indicated by Koštunica's shift towards tougher demands and some developments at the local level.¹⁴ But the apparent rapprochement between both groups could well be part of DSS' strategy to carve out a place for itself within the radical edge of the continuum in order to attract further votes and be better positioned to play puppet master in the aftermath of the elections. Furthermore, although the SRS has hinted at the potential for a coalition government with DSS on multiple occasions, the DSS has been very careful not to give a straight answer about such a scenario. SRS' leader Nikolić stated for example, "after the elections we will offer to form a government with the Democratic Party of Serbia (DSS)."¹⁵ DSS is however keeping its options open, giving mixed signals¹⁶ but denying any pre-election agreement to form a coalition government with the SRS.¹⁷ Though Koštunica's support for the SRS' resolution that brought the government down in March 2008 evidenced DSS's shift towards more radical positions, post-election coalition talks will prove whether such shift represents in fact a redefinition of DSS's ideology or an electoral stratagem to garner further support.

As for the potential for DS and DSS overcoming their differences in order to stop radicals taking power, the chances seemed slimmer in the early stages of the campaign, but appear increasingly possible as the campaign progresses. In recognising the difficulty of gaining an unequivocal pro-democratic mandate, democrats have left the door open to DSS. On April 2, Tadić stated that "everyone, except the Serbian Radical Party," is a potential coalition partner provided they respect the outgoing coalition government's five key principles,¹⁸ although supporting Koštunica's candidacy for the prime minister's office seems unlikely. The outgoing Minister of Agriculture has stated that, in the event that another coalition is formed with DSS, "it is out of the question to have Vojislav Koštunica as Prime Minister again".¹⁹ But the DSS-NS coalition keeps playing with ambiguity. Koštunica's coalition partner has stated that while a government with the SRS could be possible, the DSS-NS coalition will not enter a coalition government with LSV, LDP or G17-Plus.²⁰ More recently, however, deputy leader Miloš Aligrudić stated in reference to a potential coalition with DS: "We'd have to give it a lot more thought, ... And that would only be possible if they accepted our policies, which means not renouncing Kosovo."²¹

SPS may also have a decisive role in determining the formation of a winning coalition. Though most analysts believe the SPS is more likely to team up with the nationalist front, declarations by a SPS official in Novi Sad, who stated that the golden rule in politics is never say never in reference to forming a government with the DS, suggest that a potential coalition between DS and SPS should not be discarded outright.²² As the campaign progresses, however, and SPS' positions grow closer to the Radicals', this scenario seems increasingly unlikely. SPS leader Ivica

¹⁴ The DSS and SRS have for example engaged in negotiations about joint participation in the elections in Novi Pazar. See "SRS, DSS Talking Novi Pazar Coalition", *B92 News*, 24 March 2008.

¹⁵ "Nikolić: SRS-DSS coalition, best government", *B92 News*, 28 March 2008.

¹⁶ New Serbia's leader Ilić has stated that while the DSS-NS coalition will not enter a coalition government with LSV, LDP or G17-Plus, a coalition government with the radicals was possible. See: "Ilić Wont Rule out Coalition with Radicals", *B92 News*, 13 March 2008

¹⁷ Some rumours indicated that Kostunica held talks with Hague indictee, radical leader Vojislav Seselj about a potential coalition government. Other sources indicated that Koštunica decided on the government's fall only after Nikolić declined his support for a national minority government and offer support for a coalition with DSS following new elections. See "DSS, SRS agree on new government", *B92 News*, 11 March 2008; "Koštunica: no Deal with SRS, Elections in Kosovo", *B92 News*, 14 April 2008.

¹⁸ "Tadić: Coalition based on five principles", *B92 News*, 2 April 2008.

¹⁹ *Ibid.*

²⁰ Furthermore, if DS and LDP end up joining forces after the elections, it would be difficult to see DSS and SPS joining such a coalition.

²¹ "DS Remains Open to Offers", *B92 News*, 23 April 2008.

²² DS has also declared that cooperation with the SPS "is possible, but unlikely". See "Delić Potential Candidate for Prime Minister", *B92 News*, 24 March 2008.

Dačić has declared himself to be against European integration if that means giving up Kosovo and has refused further cooperation with the ICTY on the prosecution of Milosevic's family. Furthermore, SPS has recently ruled out entering a coalition with Tadić's coalition partners Čanak and Drašković,²³ and has instead expressed its predisposition to form a coalition with the DSS.²⁴

In the end, election results and potential coalition talks will depend on developments on three interrelated fronts: First, voter turnout, given that high participation has tended to favour pro-democratic forces in the past. This also explains the predisposition of progressive forces and European officials to present the elections as a referendum on Serbia's future²⁵ second, the political preferences of the voters on the margins, especially the self-proclaimed nationalists who used to vote for Koštunica but whose inclination for the welfare associated with European integration has placed them closer to Tadić's pro-democratic bloc (these are the voters being disputed by the DS and DSS); finally, developments elsewhere, particularly in Brussels and Kosovo, as Kosovo's unilateral declaration of independence has made nationalist sensitivities and social frustration more readily available for nationalists.

But elections will ultimately depend on how successful candidates are in convincing voters how to reconcile - if this is indeed possible - the management of the two most delicate issues in the political and economic agenda, namely Kosovo's final status and Serbia's European perspective.²⁶ Even if support for the EU is widespread in Serbia,²⁷ which suggests that parties need to somehow support the European perspective, post-Kosovo independence polls indicate that Serbs are profoundly divided over the issue of Kosovo. In fact, when asked to choose between Kosovo and Europe, Serbs seem to be evenly divided, with 43 percent picking Kosovo and 43 percent Europe.²⁸ This division seems to have impacted parties' strategies in the campaign; while President Tadić has presented the elections as a referendum on the European perspective bringing Kosovo and Europe on the same ticket - with the difficulty of reconciling both issues in a highly polarised campaign -, Koštunica has sought to portray the elections as a decisive referendum on Kosovo, appealing to a population that while supportive of the European project, is deeply torn when confronted with the choice between the EU and Kosovo.

²³ "SPS rules out cooperation with DS", *B92 News*, 1 April 2008.

²⁴ "SPS Identifies DSS as Post-Election Ally", *B92 News*, 21 April 2008.

²⁵ Loza, Tihomir, "Serbia: the Missing Candidate", *Transitions Online*, 15 April 2008.

²⁶ Reconciling both agendas has proven rather more problematic for the pro-democratic forces as a result of the polarised, inflammatory political campaign. Furthermore, Tadić's coalition has failed to provide a specific plan of action to reconcile both agendas, except for a vaguely defined strategy based on an emphasis on the economic benefits attached to rapprochement to the EU and the risks associated with political isolation; a stress on the fabricated, misleading dichotomy created around the issue of European integration and Kosovo's status; and engaging in mutual accusations against the radicals.

²⁷ Around 70 percent supports further EU integration, mostly because of the associated economic benefits.

²⁸ See International Crisis Group, "Will the Real Serbia Please Stand Up?" Update Briefing, Europe Briefing No. 49, Belgrade/Pristina/Brussels, 23 April 2008.

External dynamics and EU's policy

EU strategy in the run-up to the elections has again revolved around the support of EU-oriented political forces either through direct public statements²⁹ - playing at times into the rhetoric used by domestic actors³⁰ - or the offer of specific concessions such as the signing of the Stabilisation and Association Agreement (SAA) and changes in the visa regime which will be presented to Serbia's authorities on May 7. Such support has been based on the belief that a high turnout in the elections - which can be triggered by presenting the contest as a referendum on Serbia's future - will likely benefit pro-democratic forces. But though this policy has enjoyed some results in past elections, the incompatible nature of the EU's agenda in the region has proven on this occasion more difficult to reconcile than ever before, not only because of the highly polarised political climate around the process of EU accession, but also, and most importantly, because of the unresolved situation in Kosovo.

Thus, the EU's policy towards Serbia, which has generally faced three main shortcomings, has become all the more problematic in the run-up to the elections. These weaknesses include: (1) the entrenched in-house divisions about how to bring Serbia closer to Europe without undermining the conditionality framework; (2) inherent contradictions and dilemmas derived from the EU's policy towards both Serbia and Kosovo; and (3) additional problems of credibility attached to so-called enlargement fatigue. Such inconsistencies have not only weakened the broad EU policy approach towards the Balkan country, but have also undermined the European perspective in the run-up to the elections. While the signing of an SAA before the elections could help the chances of pro-democratic forces, the EU's inconsistencies and pervasive dilemmas have tended to send the wrong message. Furthermore, other Euro-Atlantic related developments such as NATO's offer of "intensified dialogue" have not helped the pro-European cause either. Though such developments represented a supportive sign for Serbia's Euro-Atlantic integration, the fact that NATO membership is still regarded with reticence among Serbs - with barely 30 percent support - means that this gesture is unlikely to have much impact in the upcoming elections. This in turn leaves the EU alone in trying to balance its internal dilemmas with the management of a policy aimed at garnering increasing pro-European support amidst increasing domestic polarisation and a party system mired in political turmoil. All in all, and despite the EU pledges to keep a low profile during the elections, support for the European perspective could bring positive results if such a message is firmly displayed in coherence with the overall conditionality framework.

But the EU's internal divisions have indeed been very prominent in the run-up to the election. In fact, while the EU has asked Serbia to stand firm behind the European perspective and show clear signs of its resolute support for the European project, Europe itself has remained more divided and irresolute than ever in finding ways to entice Serbia into the European path and to reconcile the two incompatible agendas in the region. Very early in the campaign some European officials such as the High Representative Javier Solana voiced the need to sign the SAA before the elections, but countries such as the Netherlands and Belgium expressed concern about applying double standards in the region and bypassing the ICTY conditionality. In an attempt to overcome internal dilemmas, Bulgaria launched an innovative initiative in early April that could allow Serbia to sign the SAA before the elections, making ratification strictly dependent upon further, proven cooperation with the ICTY. The initiative has gathered widespread support within the EU, including members of the European Parliament and the HR Javier Solana, but the Netherlands, Belgium and Germany (who will decide after the expected report from Chief Hague Prosecutor Serge Brammertz who recently made an official visit to Serbia) are undecided on how much the EU should concede to support a victory of democratic forces. The initiative will be discussed in the upcoming meeting of EU foreign ministers on April 28 in Luxembourg.

²⁹ Public statements have indeed abounded with EUHR Javier Solana as well member states such as France, Luxembourg and Slovenia declaring to commit everything in their power to help the pro-European bloc in the upcoming elections. See "Brussels: Support for Pro-European Bloc", *B92 News*, 30 March 2008.

³⁰ Enlargement Commissioner Olli Rehn has for example stressed that "Serbia now needs to make a crucial choice for a European future, or open itself to the danger of self-isolation". See: "EU Political Deal on the Table", *B92 News*, 11 March 2008.

Though pressure is being exerted and recent developments indicate that the Netherlands could give a green light to the initiative, ongoing in-house divisions have prompted the EU to repeatedly send mixed signals to Serbia. Open exposure of the EU's internal dilemmas, however, does not send the right message to a still dithering Serbia. Furthermore, even if the EU manages to get the green light for the signing of a SAA before the elections - clearly an important step in furthering the way for Serbia's European integration - there remains the question of applying double standards in the region and allowing the EU to be swayed by domestic forces' inability to muster the necessary support for a genuine domestically driven reform agenda. As has been argued elsewhere, the EU's shifting approach and irresolution in dealing with key policy dilemmas in the region have tended to diminish its upper hand regarding developments in the region.³¹ Furthermore, nationalist forces have already declared that if a SAA is signed, the parliament will not ratify it, suggesting that Serbia's nationalist forces remain unreceptive to any offer coming from the EU, and this in turn affects the leeway pro-democratic forces have in trying to move ahead with the EU reform agenda.

In addition to EU divisions, the incompatible agenda setting in the Balkans has further undermined the European perspective in the elections and further fuelled inflammatory rhetoric in the campaign. Furthermore, the EU's efforts to keep Kosovo separate from the issue of European accession has often been challenged by European officials themselves, hinting at widespread in-house confusion about how to deal with the Serbian case. Javier Solana's declarations about the need to sign a SAA before the elections, in order to send a clear sign to the Serbian people and muster support for the pro-EU forces, for example, met with a strong outcry among nationalist forces, who accused the high-ranking official of meddling in Serbia's internal affairs and using the European card to persuade Serbia to recognise Kosovo's independence. President Tadić also spoke out on this matter, stating that while "any support for Serbia from the European Union is welcome ... I will never welcome anyone's interference in Serbia's internal affairs."³² In addition to Solana's statements, the open letter written by France' and Slovenia's foreign ministers in support of Serbia's European perspective³³ led nationalist forces to suggest the EU was using double standards and adding new conditions to the accession process, including the recognition of EULEX and the development of good relations with Kosovo. European Commissioner Olli Rehn's remarks that all candidate countries in the Western Balkans are bound to good neighbourly relations have not helped the pro-EU cause either. Outgoing PM Koštunica reacted to such comments by reiterating how the EU's official position was intimately related to the undermining of Serbia's integrity.³⁴

The debate over the signing of the SAA before the May elections has also triggered a chain of mutual accusations between domestic forces that have added fuel to the inflammatory rhetoric and increased confusion about what Serbia needs to accomplish in order to advance towards Europe. While pro-democratic forces have expressed readiness - and actively lobbied in Brussels³⁵ - to sign the agreement before the elections, arguing that the decision was already made by the government in its full capacity before the call for the elections, nationalist forces have accused Tadić and other coalition partners of proceeding illegally and easily surrendering to EU demands to recognise Kosovo's independence. Despite EU efforts to clarify that the signing of the SAA does not imply recognition of Kosovo's independence - given that the agreement was initialised in November 2007 when Resolution 1244 was in full operation,³⁶ increasing polarisation over the

³¹ Sebastian, Sofia., "The Stabilisation and Association Process: Are EU Inducements Failing in the Western Balkans?" Working Paper No. 53, FRIDE, February 2008.

³² "Tadić Speaks Against Interference in Elections", *B92 News*, 9 April 2008.

³³ See "Open letter by Minister Rupel and Minister Kouchner: New focus on the Western Balkans", 2 April 2008, available at <http://www.mzz.gov.si/nc/en/tools/news/cns/news/article/6/24263/?cHash=6b334ccde0> [accessed on April 14, 2008].

³⁴ "Rehn: Good Neighborly Relations with Kosovo", *B92 News*, 23 April 2008.

³⁵ Which contradicts Tadić's declarations against EU meddling in Serbia's internal affairs.

³⁶ Article 135 of the SAA with Serbia states that Kosovo "is under temporary UN administration, based on UN Security Council Resolution 1244. Both pro-EU forces and European officials have stated that "signing the SAA does not predetermine the province's status". See: "EU: SAA to Remain Unchanged", *B92 News*, 17 April 2008.

issue of European integration have prompted President Tadić, in a move designed to appeal to indecisive nationalist voters, to explicitly reject the process of European accession if such a project means the definitive loss of Kosovo.³⁷

Finally, widespread reluctance and lack of enthusiasm over the broader process of EU enlargement³⁸ - which is usually referred to as enlargement fatigue - has also undermined European influence in the elections and provided nationalist forces with an opportunity to play the EU card to their political advantage. As a case in point, outgoing PM Koštunica has talked down the importance of EU membership, provided that Serbia could only eventually join in “many, many years”.³⁹ Radical leader Nikolić has similarly stressed that European integration has always been a matter of “seven years” since the demise of Milosevic; but “as years go by, it’s always seven years”.⁴⁰ These statements reveal the accuracy of some European officials’ insightful remarks when asked about the impact of the enlargement fatigue on developments in the Balkan region: “They know that major reform is unpopular and the EU is not offering a short-term perspective but is a long way off, so it does not give the actors incentive to move forward.”⁴¹ Uncertainties about the prospect of European membership have thus tended to benefit non-reform oriented domestic players in Serbia.

Kosovo-related dynamics

The run up to the parliamentary elections has also been highly influenced by developments in Kosovo. As RFE/RL’s director of the South Slavic service Gordana Knezevic has suggested, “if any major incident were to happen between now and May, [that] could turn Serbian voters in the wrong direction”.⁴² Indeed, given the volatility of the situation and the little time to further assuage anxieties over Kosovo before the May elections, any incident - which domestic and external forces fear could be activated by anti-Tadić forces - could trigger an emotionally charged response and have a major impact on the chances of pro-EU forces.⁴³ This fear is partially founded, given the outbreak of violence in mid-March when local Serbs seized a UN courthouse in Northern Kosovo,⁴⁴ triggering accusations from both local and international sources that Serbia’s security forces were behind it.⁴⁵ Additionally, DS has accused DSS and particularly Serbia’s Kosovo minister Samardžić of other misdemeanors, including the distribution of funds to selected municipalities in Kosovo according to party affiliations.⁴⁶ All in all, the nationalists’ strategy seems to have focused on keeping Kosovo in the headlines and maintaining sensitivities and frustrations alive,⁴⁷ which has been greatly facilitated by external forces’ pervasive divisions and coordination problems on the ground. Also, Serbia’s pledge - supported by the Russians - to organise parliamentary and local elections in Kosovo despite widespread international opposition, has added further controversy and fuzziness to the already complex dilemmas.⁴⁸ The international community remains indecisive about a course of action in the event that local elections are held in Kosovo.

³⁷ On April 18, President Tadić stated in an interview with The Belgrade Daily Standard: “If, at the end of my presidential mandate, I’m forced into choosing between a European future and the country’s integrity, I’ll choose the country’s integrity.” See: “Tadić: Integrity before integration”, *B92 News*, 18 April 2008.

³⁸ See Sebastian, Sofia., “Are EU Inducements Failing”, op.cit.

³⁹ “PM: Serbia not Choosing Between Russia and West”, *B92 News*, 25 March 2008.

⁴⁰ “Nikolić: Radicals are Ready to Lead”, *B92 News*, 16 March 2008.

⁴¹ Quoted from Sebastian, Sofia., “Are EU Inducements failing”, op. cit.

⁴² “Early Elections Could Force Belgrade’s Hand”, RFE/RL, 10 March 2008.

⁴³ Todoric, Vladimir., “Serbs Face Hard Question in May”, *Balkan Insight*, 13 March 2008.

⁴⁴ One policeman died and 60 people as well as 30 NATO peacekeepers were injured.

⁴⁵ A local official confirmed to *Balkan Insight* that “for every move there is direct support and planning from Belgrade”. See: Gashi, Krenar., and Lazić, Nikola., “Serbia’s Hand Suspected in Kosovo Riots”, *Balkan Insight*, 19 March 2008. UNMIK spokesperson Alexander Ivanko also stressed, “we have rock-solid proof that officials of the (Serbian) Ministry of Interior were present at the courthouse”. See: Gashi, Krenar., “Uneasy Peace Returns to Northern Kosovo”, *Balkan Insight*, 24 March 2008.

⁴⁶ “DS Accuses Samardžić of using Kosovo”, *B92 News*, 3 April 2008.

⁴⁷ Montgomery, William., “Serbia Decides its Future”, *B92 Analysis*, 16 March 2008.

⁴⁸ UNMIK chief Joachim Rueker has declared that only UNMIK can organise local elections in Kosovo, to which Serbia has responded by demanding the UN body strip itself of this competence in the last summer.

In relation to the issue of Kosovo, the EU fears two interrelated scenarios - a shift in voter preference towards more radical positions and a change in government that makes the situation in Northern Kosovo more complicated. It has thus sought a two-pronged strategy for both domestic and European consumption respectively: (1) to dissociate Serbia's integration with developments in the new self-proclaimed state; (2) to keep the recognition of Kosovo and the operation of EULEX as separate matters, so that the EU's internal divisions do not weaken Europe's position on the ground. Both approaches have been undermined, however, by developments in both Belgrade and Brussels. On the one side, domestic polarisation and EU rhetoric have kept both issues intimately related during the campaign. On the other, despite EU efforts to bring consensus and alleviate divisions, some EU members such as Spain have already claimed they will not participate in EULEX "until UNMIK transfers its jurisdiction to this mission",⁴⁹ which will be difficult given Russia's likely veto of any transfer.

Furthermore, the legitimacy of EU presence through EULEX is being questioned not only by EU members but also by actors such as Serbia, Russia as well as other international actors.⁵⁰ EULEX is also running into serious dilemmas, especially in the northern part of Kosovo, as a result of the multiple operational and coordination challenges that are pervasive between EULEX and UNMIK, which continues to operate under Resolution 1244. Highly dependent on the presence of K-FOR (which is inclined to avoid partition at all costs), the EULEX mission continues to be deployed, but it is uncertain whether it will be able to begin work in mid-June as scheduled and most importantly whether it will be able to deploy in northern Kosovo. Irrespective of all the uncertainties plaguing the EU's future role in the country, news stories pointing to the international community's lack of strategy in Kosovo and the pervasive coordination problems between the three main actors on the ground, namely EULEX, K-FOR and UNMIK, continue to proliferate.

As for Russia, though its role in the elections has not been as prominent as the EU's, it has aided the nationalists' campaign, contributing to keeping Kosovo on the frontline and provoking further confrontation between the two main players over the Gazprom deal.⁵¹ In relation to Kosovo, Russia has continued to put pressure on both the EU and the UN. On April 16, Russia's Ambassador to the EU, Vladimir Chizhov, warned Europeans against EULEX's deployment in Kosovo, especially in Serbian-populated areas: "We are warning the EU not to proceed with that mistaken course of action."⁵² Russia has also warned Western powers about their determination to block Kosovo's membership in international organisations such as the UN and OSCE. Russia thus remains the piece on the chessboard that has proven most difficult to deal with, given its veto power in prominent international fora; its energy assets; and its new foreign policy approach that has become increasingly weary of NATO's expansion, resulting at times in strained relations with the West.

Some additional external factors have also become entangled in the campaign, keeping the heated debate over Kosovo in the news. Significant developments have included the clash between K-FOR and UNMIK forces and local Kosovo Serbs in Mitrovica on April 17; the acquittal of former PM and KLA commander Ramush Haradinaj of war crimes charges on April 3 (which could also undermine Serbia's cooperation with the Hague); and President Bush's authorisation of the delivery of arms to Kosovo in what the US claims to be a sign of intergovernmental relations between two independent countries. These issues have not only kept the struggle for Kosovo

⁴⁹"No Spanish EULEX Participation until UNMIK Transfer", *B92 News*, 29 March 2008.

⁵⁰The UN recently confirmed UNMIK as the only international power in Kosovo, on the basis of Resolution 1244. See United Nations Security Council, "Report of the Secretary General on the United Nations Interim Administration Mission in Kosovo", 28 March 2008, S2008/211.

⁵¹Russia and Serbia signed an energy agreement on 25 January 2008 that included the construction of the South Stream pipeline through Serbia and the sale of a 51 percent stake in NIS (Serbian Oil Industry) to Gazprom for 400 million euros. The agreement is pending ratification but the caretaker government has been unable to ratify it. Nationalist forces have accused the DS of jeopardising the agreement while the pro-EU bloc has accused the nationalists of "wanting to sell the Serbian Oil Industry for a shamefully low price". See: "Gazprom in search of guarantees", *B92 News*, 18 April 2008; "LSV: DSS-NS Giving Away NIS", *B92 News*, 18 April 2002.

⁵²"Russia Again Warns EU over Kosovo", *RFE/RL Newslines* Vol.12, No. 72, Part II, 16 April 2008.

alive but have also become critical cards for the nationalists to garner further support for their cause. As a case in point, Koštunica declared in early April, “if the EU still believes that after Ramush Haradinaj’s acquittal the Hague Tribunal remains a credible and competent institution that can set conditions to assess Serbia’s cooperation with the EU... the EU would also assume responsibility for the Tribunal’s decision to find Haradinaj innocent.”⁵³ Similarly, in response to US decision to approve delivery of weaponry to Kosovo, Koštunica expressed concerned for the creation of the “world’s first NATO state”, which “can only further aggravate the problems caused by the violation of UN Security Council Resolution 1244.”⁵⁴

Even if the significance of these sideline events will fade away to a certain degree as the elections draw nearer, Kosovo has not only submerged the country into further political turmoil but has also prompted political leaders to make promises that are misleading and to take unilateral decisions that will be difficult to implement after the elections. Tadić, for example, has advocated “new legal measures” to fight for Kosovo, in particular to seek UN backing “to raise the issue of legality of Kosovo Albanians’ unilateral declaration of independence before the International Court of Justice.”⁵⁵ He has also insisted that a compromise on Kosovo can still be reached,⁵⁶ though no specifics are given about the form of such a compromise or how Serbian authorities plan to achieve it. In addition, he has suggested that the fight for Kosovo would be better served within the EU rather than outside, giving Serbia the chance to block Kosovo’s European accession once a member with full rights, although such a strategy is unlikely to be welcome by the EU.⁵⁷ On the other side, the DSS agenda on Kosovo has been centered on the demand that the EU recognise Kosovo as an integral part of Serbia before further EU negotiations take place, which is also highly unlikely. DSS Kosovo Minister Samardžić has also presented Rossin with a draft Agreement on Common Implementation of UNSC Resolution 1244 between UNMIK and Serbia that could create a functional and institutional separation of Serbs and Albanians. Though Serbia has not received any official answer yet, this initiative is likely to meet international opposition. These proposals have also prompted increased polarisation and nationalist rhetoric, with radicals accusing pro-democrats of wanting to recognise Kosovo as a way to get a ticket to Brussels and democrats accusing nationalists of trying to lay the basis of a de-facto partition in Kosovo, which according to them was rejected as state policy when the government had full control.

⁵³ “Prosecution to Review Haradinaj Verdict”, *B92 News*, 4 April 2008.

⁵⁴ “Koštunica Denounces Bush Arms Delivery”, *B92 News*, 20 March 2008.

⁵⁵ “Tadić Advocates New Legal Measures”, *B92 News*, 27 March 2008.

⁵⁶ See for example: “Đelić: not Too Late for Compromise”, *B92 News*, 15 April 2008.

⁵⁷ The president has stated that: “As a EU member, Serbia would have the possibility to prevent other countries from becoming members”. See:

“Tadić: I Would Sing SAA today”, *B92 News*, 6 March 2008.

Conclusions

Irrespective of the results on May 11, Serbia will continue to struggle over Kosovo's status, delaying the much-needed undertaking of the reform agenda, including economic modernisation, institutional adjustment to European standards, the fight against corruption and the overcoming of the legacies of the past, which are very much related to promoting further cooperation with the ICTY.

Five different scenarios, however, could set Serbia off on a different footing to face the upcoming challenges. A pro-European government with a resolute mandate to address the EU reform agenda would be the most desired outcome, especially in the eyes of the EU, but it is unlikely that pro-democratic forces receive such strong mandate given the current polarisation. The second scenario is a minority pro-democratic government but such a possibility is regarded with concern given the likelihood of new elections in which pro-democratic forces could appear significantly weakened. A minority government could also lack the necessary consensus that is required to move the country ahead and leave behind the heavy backward-looking baggage that the country has been carrying since the demise of Milosevic in 2000. The third and most likely scenario includes a tight electoral result between pro-democratic and nationalist forces, leading to protracted coalition negotiations which would keep Serbia on hold for several months⁵⁸ and have Koštunica play puppet master once again. Under such circumstances, there is potential for a DS-DSS coalition government, but it will be similarly constrained as the outgoing government especially if Kostunica manages to keep the PM post.

Another possible scenario is a nationalist government with Kostunica as the likely PM (to which the SPS could join). This scenario could have severe consequences not only for the pace of the reform process but also for the economic prospects of the country given that recent analyses have suggested that foreign capital is fleeing the country at the prospect of a nationalist government.⁵⁹ Finally, there is also potential for political forces not being able to reach an agreement and calling for new elections, which would keep both Serbia and the EU in limbo for a substantial period of time.

In addition to the potential challenges involved in each of the above-mentioned scenarios, the EU will also need to tackle three pending issues in relation to Serbia. First, the EU will be faced again with the question of how to balance Serbia's accession process with Kosovo's final status. If a pro-EU government manages to gain office, it is likely that a tacit agreement not to discuss Kosovo's final status in relation to Serbia's European accession process will be agreed upon. In the absence of a government that is resolute about the European perspective, the EU will need to try to engage all forces or face numerous dilemmas, including stalled accession negotiations, direct challenges to the EULEX mission⁶⁰ and further obstacles to cooperation with the ICTY. Rather more serious are the dilemmas the EU will be facing in relation to Kosovo, especially with respect to EULEX. Some of these challenges include internal divisions; lack of international consensus on Kosovo's final status; further negotiations between Belgrade and Pristina⁶¹ prevailing coordination and operational dilemmas between the three actors on the ground; a de-facto partition in Kosovo between EULEX and UNMIK; and likely instability triggered by Kosovo Albanians if further negotiations and uncertainty ensue.

The final challenge facing EU policy in the aftermath of the elections will be the urgent need to infuse the European perspective with new energy in the whole Balkan region. Though a final domestic agreement on police reform has cleared the way for the signing of a SAA with

⁵⁸ PA new government will need to be formed and functional in mid-September.

⁵⁹ See Marinković, Jelena., "Foreign Investors Flee Unstable Serbia", *Balkan Insight*, 15 April 2008.

⁶⁰ Even if recognition of Kosovo's independence is unlikely to happen under a pro-democratic government, such a government could accept the presence of EULEX if granted by a UN resolution.

⁶¹ The UN will send the head of the Department of Peacekeeping Operations (DPKO), Jean-Marie Guehenno, to discuss developments in Kosovo, particularly on UNMIK's status, with both Pristina and Belgrade.

BiH, further challenges lie ahead, including the fragile political situation in Macedonia and the slow reform process in BiH. All of these factors require the EU to pay further attention to the upcoming challenges and muster the needed support within the EU to bring substantial benefits to the region.

All in all, and irrespective of the results, both Serbia and the EU will need to find common ground to deal with both Kosovo and the accession process so that Serbia's chances to move ahead with the reform agenda are not impaired. Serbia also needs to reach consensus on a strategy to move the country ahead and send a clear, undemanding signal to the EU that it is ready to take on the EU-reform agenda irrespective of developments in Kosovo. Even though the elections will not bring a definitive resolution of the multiple dilemmas confronting both Serbia and EU policy, how the two deal with their respective internal dilemmas as well as with each other will determine how soon the Stabilisation and Association Process can lead the way to regional stability.

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