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Potential Sticking Points between EU Accession Requirements and National Interests in Serbia, with Special Reference to Geopolitical and Minority Issues

It is worth examining the current state of Serbia's accession to the European Union in a wider socio-historical and economic-political context. The country contacted the EU on 24 November 2000, when it joined the Stabilisation and Association Process as the Federal Republic of Yugoslavia. The aim of this paper is, on the one hand, to present the impact of the EU's priorities on Serbia's domestic policy that have a major impact on cooperation between the two sides: the rule of law, fundamental rights, strengthening democratic institutions, the fight against organised crime, economic development and increased competitiveness, and the recognition of Kosovo's independence. On the other hand, this paper aims to outline the difficulties caused by geopolitical events and the obstacles to accession. While Serbia has primarily an economic interest in accession, the EU needs to take into account geo- and security policy aspects in order to maintain the stability of its own borders and those of the continent, and to preserve its position in global politics. As President-in-Office of the EU Council, Hungary will not only have the opportunity to boost the accession process of the Western Balkans, but also to put the region's concerns at the top of the EU's political agenda, in line with the criteria for accession to the EU. Geographically, Serbia is situated at the intersection of three civilisations – Western Christianity, Eastern Orthodoxy and Islam. On the one hand, as a consequence of the Austro-Hungarian Empire's influence, the presence of "Western" values is already perceptible, and on the other hand, due to the country's history, the Orthodox Christianity and Islam also strongly influence its attitude to certain socio-political issues. This dichotomy, among others, has left its mark on the country's relations with minorities, its relationship with Kosovo, and its attitude to the Russian–Ukrainian war. Successful EU accession is not just about complying with the technical rules of integration, but about commitment to and compliance with the principles of EU law.

Keywords: Serbia, European Union, geopolitics, minorities, Kosovo, Russia

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Introduction

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The relationship between the Socialist Federal Republic of Yugoslavia and the European Union's predecessor started in the 1970s. After the country broke apart, however, the agreements concluded earlier terminated, and the resumption of contacts took place in October 2000, when the new democratically elected president, Vojislav Kostunica, was invited to the EU summit in Biarritz. On 24 November 2000, Kostunica signed the Stabilisation and Association Process Agreement at the Zagreb Summit. This was followed by the Thessaloniki EiT Summit in June 2003, which confirmed the EU perspective of the Western Balkan countries. Then, on 22 December 2009, Serbia submitted its application for EU membership. On 1 March 2012, the European Council granted Serbia candidate status and, on 21 January 2014, accession negotiations were opened in Brussels.

As the above description shows, it took many years for Serbia to obtain candidate status and start accession negotiations with the EU. This is partly due to internal tensions in the country, but also to the EU's enlargement fatigue. It can be established that the EU has reached its civilisational limits. The countries of the Western Balkans have different socio-economic, political, cultural and historical backgrounds from the majority of the member countries.

Methodologically, due to the complexity of the topic, I follow the principle of interdisciplinarity. In writing this paper, I took the relevant legal, sociological, statistical, demographic, political, economic and historical aspects into account. When analysing Serbia's accession prospects and its place in the enlargement policy, I have focused on an analysis of the comments contained in the accession documents, which describe the current status of political, economic and social integration.

This paper is divided into four chapters. In the first chapter, I will examine the EU accession requirements and the possibilities for meeting them, in the second the situation of national minorities in Serbia, in the third the relationship of Serbia with the European Union and Kosovo, and in the fourth chapter the country's position on Eastern and Western civilisation and the feasibility of a possible third way.

EU accession requirements and their implementation options in Serbia

Since the opening of Serbia's accession negotiations on 21 January 2014, 22 of the 35 chapters have been opened and are the subject of a separate analysis. Two of these chapters have been temporarily closed.² The overall pace of negotiations will continue to depend mainly on progress in implementing rule of law reforms and the normalisation of relations between Serbia and Kosovo.

The European Commission (hereafter: Commission) prepares an annual report on events in the country. The assessment is based on compliance with the Copenhagen criteria, taking into account the stability of institutions guaranteeing democracy, the

² European Commission 2023: 3.

rule of law, respect for and protection of human and minority rights, a functioning market economy and the capacity to cope with competitive pressure within the EU, as well as the aspiration of legal harmonisation. On the other hand, particular emphasis is placed on the examination of the independence of the judiciary, organised crime, corruption, cooperation with the International Criminal Court in The Hague, the socio-political assessment of war crimes, free and fair elections, freedom of expression and freedom of religion.

According to the Commission's 2023 report, Serbia has not met EU requirements in some areas. In this part of the paper, I will discuss the controversial issues. According to the report, parties wishing to join the EU must align themselves with the Community's foreign, security and defence policy, participate in EU actions and apply agreed sanctions and restrictive measures.

In its resolution of 9 November 2023,³ the European Parliament adopted a similar position, calling for stricter implementation of EU sanctions against Russia and expressing concern that Moscow, with the help of Serbia, China, Turkey, the United Arab Emirates and other countries, is able to circumvent EU restrictive measures and obtain Western products that can also be used in the defence industry. According to the Commission's assessment, Serbia's alignment with the EU's foreign, security and defence policy has declined compared to the previous year. The country has aligned itself with a number of EU positions on the Russia–Ukraine war in international fora (including the UN General Assembly); it condemned Russia's attack on Ukraine but is still unwilling to impose sanctions against the Russian Federation. The report also states that Serbia supports the territorial integrity of Ukraine, provides humanitarian assistance and will continue to receive refugees from Ukraine as it did in 2022.⁴ As an aggravating circumstance, it was established that Serbia continues to maintain close political and economic relations with Russia, contrary to EU guidelines; certain statements and actions by high-ranking Serbian officials directly contradict the EU's foreign policy position, and a part of the Serbian media has started a strong pro-Russian disinformation campaign. The Serbian leadership was called upon to take urgent action to prevent the foreign manipulation of information and the distribution of anti-EU narratives. Serbia's leaders do not wish to join the sanctions because of Russia's support for its Kosovo policy as a permanent member of the UN Security Council, on the one hand, and its dependence on Russian energy resources, on the other. This view is supported by the results of a survey conducted by the Belgrade-based Institute for European Affairs⁵ between June and September 2023.⁶ On the question "Should Serbia join the EU regarding the introduction of sanctions against Russia?" 63.7% of respondents answered no, 15.8% yes (20.5% did not know how to respond). The EU has not opened any new negotiating chapter since 2021⁷ due to the refusal to impose sanctions on Russia.

³ European Parliament 2023b.

⁴ European Commission 2022: 8.

⁵ The Institute for European Affairs (formerly the Youth Commission for Education) is an organisation independent of government agencies and political parties, founded in Belgrade in 2010 by a group of young professionals.

⁶ Institut za evropske poslove 2023.

⁷ Bogdanović–Gajić 2023.

As in previous years' country reports, the EU says the intense political and economic pressures on the media remain a cause for concern.⁸ They called on the Serbian leadership to take urgent steps to curb the dissemination of anti-EU narratives by the mass media and the emergence of manipulative disinformation on the Russia-Ukraine war. This is necessary because a number of Russian state-supported channels sanctioned by the EU broadcast radio and multimedia programmes in the country, including Russia Today (RT). According to the Commission's assessment, the channel also promoted military recruitment by the Wagner paramilitary group, which is prohibited by Serbian law but the Prosecutor's Office still did not investigate the case. The Commission believes that such media contents have a major impact on public opinion, not only in Serbia, but also in the region. This claim is also supported by a case study published in July 2023,⁹ which shows that there are several pro-Russian media platforms in Serbia, including the "News Front", the content of which is often cited by other media in Serbia and Bosnia and Herzegovina. A further cause for concern is that, compared to last year, Serbia has dropped 12 places in the 2023 press freedom map of the Reporters Without Borders.¹⁰ Serbia is currently ranked 91st out of 180 countries on the list.

Despite criticism from EU bodies, the Serbian Government has continued to set EU membership as a strategic goal. The pace of reforms set by the government formed in 2022, following the parliamentary and presidential elections, was negatively affected by the tragic shootings in Belgrade, Malo Orašje and Dubona in May 2023.¹¹ Following the violence, which resulted in the death of nineteen people¹² (including nine children), opposition parties organised a mass rally called "Serbia against violence". The protesters demanded the resignation of the government and the President of the Republic and for new elections to be held. The main source of the problem is the large number of weapons left in the hands of the civilian population after the South Slavic war in the 1990s. Following the incident, the Serbian Government announced that it will introduce stricter measures on the possession of weapons and will amend the Law on Weapons and Ammunition within a set deadline.

The events described above led to a slower than expected implementation of measures aimed at strengthening the independence and accountability of the judiciary. The Commission's 2023 and earlier¹³ reports also noted that there is still great pressure on the work of the judiciary and the prosecution. Firstly, because press releases on ongoing investigations and trials are still mainly approved by politicians and representatives of the Ministry of the Interior, rather than by the prosecution and/or the police. Second, because government representatives, including some at the highest levels, and members of parliament continue to comment publicly on ongoing proceedings and the work of some prosecutors and judges.

In the fight against corruption, the 2023 report assesses that Serbia has made limited progress in implementing last year's recommendations. Widespread corruption

⁸ European Commission 2018: 13.

⁹ Brey 2023: 8.

¹⁰ Reporters Without Borders 2023.

¹¹ Radio Slobodna Evropa 2023.

¹² European Commission 2023: 3.

¹³ European Commission 2018: 14.

continues to be a concern. It needs a strong political will to tackle corruption issues effectively, as well as a strong criminal justice response to corruption affecting higher levels of the social hierarchy.

The Commission also mentions "limited progress" in the fight against organised crime, in particular in the detection and prevention of migrant and people smuggling. According to the report, the number of investigations and prosecutions increased; however, the number of convictions at first instance and in a final judgment fell. According to the report, cooperation with Europol is very good, particularly in the fight against arms and drug trafficking and organised crime groups. However, they pointed out to the government that the current Criminal Procedure Act allows for secret interception of communications by the Security Information Agency (BIA) and the Military Security Agency. The document called on the authorities to examine its consistency with EU practice as soon as possible.¹⁴

The report warns that Serbia continues to attack the judgments delivered by the International Criminal Court concerning the former Yugoslavia in public, including by the highest levels of the government. It is estimated that, in the last few years, the pace of processing war crime cases in Serbia has "significantly deteriorated". The document states that there must be a real commitment to resolving cases, including those of high-profile suspects. Convicted war criminals continue to distribute hate speech in the public space. Some politicians continue to deny the genocide in Srebrenica, states the document.¹⁵

The report also stresses the importance of tracking down and investigating networks recruiting foreign fighters (especially those linked to the Russian–Ukrainian war) and prosecuting them.¹⁶ The EU criticises Serbia's visa policy, since it is not in line with legislation adopted in the EU.

EU bodies also monitor the relationship between the Serbian Government and civil society. It was established that, as in previous¹⁷ years, verbal attacks on and defamation of several NGOs and their funding, including by senior officials, continued. NGOs critical of the authorities, especially in relation to the rule of law, such as the "Serbia Against Violence" movement, protests against the glorification of war criminals, and environmental protection, have come under pressure.

Serbia's legislative and institutional framework for the respect of fundamental rights shows an improving trend. The country has adopted new strategies to combat discrimination and integrate Roma, and has developed action plans to tackle gender inequalities. According to the Equal Opportunities Commissioner's evaluation, the situation of women in the labour market in Serbia remains unfavourable compared to that of men. The employment rate for men (aged 20–64) is 13.9 percentage points higher than for women.¹⁸

No progress has been made on the draft law on same-sex partnerships and the Ombudsman's proposal to regulate the legal recognition of genders. Difficulties continue

¹⁴ European Commission 2023: 54.

¹⁵ European Commission 2023: 30.

¹⁶ European Commission 2023: 63.

¹⁷ European Commission 2019: 8.

¹⁸ European Commission 2023: 119.

in implementing the amendments to the Civil Status Act, which would allow the inclusion of data on gender reassignment in the civil status certificate. Due to a lack of trust in institutions, cases of violence and discrimination against LGBTQI people often remain unreported.

Chapters 23 and 24 of the Commission's report form the basis for the accession negotiations. If no progress is made in these chapters, no positive movement can be expected in the EU integration process, which could result in an even more serious setback.

As regards Serbia's economic situation, economic integration with the EU continues to remain at a high level. The EU is the country's largest trade and investment partner. In 2022, it counted for 58.7% of its total trade and 32.9% of its FDI. In 2021, Serbia's main trading partners after the EU were China (8.7% of total trade), Russia (5.8%) and Bosnia and Herzegovina (5.3%). In 2021, trade with the Central European Free Trade Agreement (CEFTA) signatories accounted for 15.8% of total exports and 4.4% of imports.¹⁹ Serbia is also involved in several regional cooperation initiatives, such as the Energy Community, the Transport Community, the South-East European Cooperation Process (SEECP) and the Regional Cooperation Council.

Good neighbourly relations and regional cooperation are an essential part of Serbia's European integration process. Serbia will continue to work closely with Bosnia and Herzegovina, Croatia, Montenegro and Serbia in the framework of the Sarajevo Declaration, which aims to find appropriate solutions for the persons displaced as a result of the armed conflicts in the 1990s in the former Yugoslavia. Relations with neighbouring EU countries, especially Hungary, Romania and Bulgaria, are balanced. In June 2023, a Strategic Cooperation Council was established with Hungary, which held its first meeting and signed 12 agreements at the same time.

As far as bilateral agreements with third countries are concerned, the Partnership, Trade and Cooperation Agreement with the United Kingdom of Great Britain and Northern Ireland formally entered into force on 15 July 2021. Serbia has announced the conclusion of free trade agreements with the United Arab Emirates and Egypt. Negotiations on new bilateral investment treaties are also ongoing with South Korea, Angola and Bahrain. The EU has stipulated that any agreement negotiated by Serbia must ensure compatibility with EU law. Long-term industrial investment projects must fully comply with EU environmental rules. In the Commission's report, Brussels expressed "strategic concerns" about the agreement signed between Serbia and China in October 2023.²⁰ The EU's position is that any agreement with a third country should include sunset clauses, guaranteeing that the country can terminate the agreement when it joins the EU.

The Commission considers that Serbian law is still not fully compliant with the Stabilisation and Association Agreement. The EU deplores that the legal framework for the acquisition of real estate and agricultural land in Serbia still does not ensure equal treatment of EU citizens and Serbian citizens. In the area of public procurement, it was highlighted that intergovernmental agreements with third countries and their implementation do not follow EU principles of equal treatment, transparency,



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¹⁹ European Commission 2023: 84.

²⁰ European Commission 2023: 147.

non-discrimination and competition in a great part of the value of public contracts.²¹ This prevents EU companies from participating in large infrastructure projects implemented in the country. Small and medium-sized enterprises face many challenges. For them, the main issue is the lack of even playing field compared to large companies and foreign investors. From the above, it can be concluded that the success of Serbia's EU integration, besides enhancing its economic competitiveness, depends to a large extent on its spirit of compromise in political terms.

Serbia's accession to the EU will be significantly affected by its unstable relations with Kosovo, its attitude to the Russian–Ukrainian war and its relations with China, Turkey and other third countries, as well as with NATO. I will discuss these dimensions in more detail in later sections of this paper.

The labyrinths of multiculturalism – The socio-economic status of national minorities

With the emergence of the modern state, the issue of relations between national minorities and ethnic groups has become increasingly important, and went out of the exclusive competence of individual states and became the subject of attention of international organisations. A central issue was how the state could align the needs of the national minorities living on its territory with the interests of the nation that created the state. Experience showed that the benefits of European integration did not on its own resolve the mistrust between countries and between minority and majority nations, nor the homogenising aspirations of states. The EU has been confronted with the specific problems of national minorities on several occasions during its enlargement. The EU has already experienced, during the Central and Eastern Europe enlargement, the extent to which the constitutional systems of the "new" democracies were able to deal with ethnic tensions. In several cases, the EU and other international organisations had to intervene to resolve ethnic conflicts. The EU's enlargement process in the Eastern and Western Balkans has often been accused of double standards regarding the enforcement of national minority rights. While the candidate countries must guarantee the rights of national minorities living on their territory, no valid legal act applicable to earlier members was enacted.

The assessment of the national minorities' status in the country reports was criticised by several authors in the literature. Among other things, it is considered problematic that the reports: a) were cherry-picking in their coverage of minority issues; b) were characterised by numerous inconsistencies; and c) often displayed casual political considerations.²²

The country reports deal with the situation of individual minority groups inconsistently, and do not apply any objective set of criteria that would make the changes that occurred to the countries during the period under observation traceable and comparable.

²¹ European Commission 2023: 151.

²² VIZI 2013: 103–104.

The accession to the EU of the Western Balkan countries, including Serbia, was no longer only made conditional on the fulfilment of the 1993 Copenhagen criteria, but other conditions were also set. In the area of national minority rights, three elements were highlighted: 1. the right to establish and maintain their own educational, cultural and religious institutions, organisations and associations; 2. adequate opportunities for minorities to use their mother tongue before the authorities and courts; 3. protection of refugees and displaced persons in areas where they live as minorities.²³

As in its 2022 Country Report, the Commission also concluded in 2023 that, despite the legal obligation to take the population's ethnic composition into account, national minorities continue to be under-represented in public administration. Although the report drew parallels between the ethnic composition of the population and the under-representation of national minorities in the public administration, the document did not cover the examination of the country's demographic and population movements.

According to the 2022 Serbian census data, the country's population decreased drastically compared to 2011.²⁴ While in 2011 the country had 7,186,862 inhabitants, in 2022 only 6,647,003. This population decrease is also reflected in the number from national minorities. The most recent census data show that the ethnically diverse country is becoming more homogenised as the population declines. In numerical terms, this means that 80.64% of Serbia's population is of Serbian nationality. In the multi-ethnic Autonomous Province of Vojvodina, people belonging to the dominant ethnic group make up 68.43% of the population. The largest ethnic minority in the province is Hungarian, with 10.48%. They are followed by the Roma population with 2.35% and the Slovak minority with 2.29%.²⁵

The Commission also pointed out that the inclusion of the country's dominant ethnic group in the integration of national minorities is key, as is the need to make minority groups open up to each other. This problem was examined in detail by the Belgrade-based Centre for Ethnic Identity Research in the volume *Participation of National Minorities in Serbia's Social and Political Life.*²⁶ It was concluded that multiculturalism in Serbia had taken a segregationist form, which did not help the social integration of national minorities. Communities organised along ethnic, linguistic and religious lines isolate themselves from each other and, at the same time, create parallel societies. As an example, the website of the Serbian Ministry of Human, Minority and Social Dialogue states that there are 24 national minorities registered in the country, 23 of which have national councils: Albanians, Ascalians, Bulgarians, Bunjevci, Bosniaks, Vlachs, Goranians, Greeks, Egyptians, Hungarians, Macedonians, Germans, Poles, Roma, Romanians, Russians, Ruthenians, Slovaks, Slovenes, Ukrainians, Croats, Montenegrins and Czechs. The executive body of the Community of Jewish Communities in Serbia performs the function of the Jewish National Council.²⁷

²³ Vizi 2013: 104.

²⁴ Republički zavod za statistiku 2023: 12.

²⁵ Republički zavod za statistiku 2023: 28–29, 31.

²⁶ Đordević et al. 2018: 11.

²⁷ The data can be found on the website of the "Ministarstvo za ljudska i manjinska prava i društveni dijalog" (https://www.minljmpdd.gov.rs/lat/nacionalni-saveti-nacionalnih-manjina.php).

Serbia is thus gradually becoming a gathering place for monocultural communities, where contact between members of national minorities is weakening. This can lead to a number of negative consequences, such as distrust of each other, the emergence of new ethnic stereotypes, an increase in the number of ethnic-based incidents and total alienation.

It is important to point out that the ethnic structure of the country was significantly influenced by the number of Serbs who migrated to Serbia from the areas affected by the South Slavic war and the number of Hungarians and other national minorities who emigrated from Vojvodina during the same period. The emigration of skilled workers due to social and economic hopelessness created a huge gap in the labour supply of Serbia, including Vojvodina. Their absence is still felt today in the advocacy capacity of national minorities. The changes in ethnic structure brought about by migration processes also had a major impact on the behaviour of the population. The changed circumstances turned into a source of tension and conflict. At the same time, the number of incidents on the grounds of nationality was also on the rise. In most cases, the authorities were slow to react, with officials often blaming staff shortages. The consequence of this is a loss of trust in state bodies among national minorities. It is important to note that, in the 2000s, Serb and Roma refugees from Kosovo were accommodated in the Hungarian settlements of Vojvodina. Newspaper articles of the time reported that these people experienced problems with integrating into their new environment with different cultural traditions and social values.²⁸ With this move, the Tadić Government violated Article 78 of the 2006 Serbian Constitution,²⁹ which prohibits the implementation of any process as a result of which the ethnic structure of areas mainly inhabited by national minorities could be artificially changed. This move led to a loss of political power for the national minorities living in isolation, including Hungarians. The assimilation processes then accelerated even more.

Serbian researchers observed that the agitation against national minorities is closely linked to Serbia's Kosovo policy. Serbia seeks to prove that it is pursuing the right minority policy, but it is not able to deal with the deflections of nationalists, exasperated by the loss of the country's territory. Far-right, extreme nationalist pressures again intensified in the country. It can be assumed that, with the independence of Kosovo, pressure on Vojvodina and national minorities in other parts of Serbia will gradually increase.

Social stability is a state interest, which can be achieved in a multi-ethnic country by fostering and strengthening relations between ethnic groups. This can be achieved through decentralisation, the use of various forms of autonomy, and the sharing of minority self-government powers between regions. In many cases, neither territorial nor personal and cultural autonomy is a complete solution for ensuring the linguistic and cultural self-government of a national minority community and the preservation of its identity. It may therefore be necessary to find a solution where elements of territorial and personal autonomy are applied simultaneously to the same nationality within

²⁸ Borsányi 2005.

²⁹ Ustav Republike Srbije 2006.

a given country.³⁰ This is most appropriate when the members of the ethnic/nationality community not only live in one area, but are spatially concentrated and also dispersed within the country. If, for example, the minority language could only be used within the autonomous area, members of the minority living outside that area would not be able to exercise their rights to use their mother tongue. This could only be remedied by moving to a minority autonomous area. Not having the opportunity to use a language means self-surrender and inevitable assimilation for members of the minority. In such cases, a cooperative majority state might use personal autonomy to help members of the minority living outside its territorial autonomy to avoid forced emigration or assimilation and to preserve their identity.³¹

The above case, namely how the cultural and linguistic rights of national minorities living outside territorial autonomy are violated, is illustrated in the section of the Commission's report on public service broadcasting in minority languages. According to the report, the selection of programmes is still inadequate at national level, except for a few local broadcasters in Vojvodina.

The Commission is concerned that national minorities were attacked in the media by senior government officials and members of parliament. The document specifically mentions the case of the President of the National Council of the Albanian National Minority, who brought a case against a minister for using hate speech. The report reveals that, in December 2021, the Court of Appeal upheld the decision of the first instance court, dismissing the action brought by the President of the National Council of the Albanian National Minority. The case was subsequently referred to the Constitutional Court. The document also reports that, in March 2023, the Equal Opportunities Commissioner publicly reacted to a mayor's statement targeting the Roma minority, which he described as strongly discriminatory.³²

In January 2023 Serbia joined the action entitled "Combating Discrimination and Promoting Diversity in Serbia".³³ The action is being implemented with the support of the European Union and the Council of Europe. Its objective is to provide continued support for implementing legislative and policy reforms to protect the rights of national/ethnic/ linguistic minorities, to combat hate speech and hate crime, and to protect the rights of vulnerable groups in society, specifically young people, Roma and LGBTQI people.

The expected outcomes of the project include racism and hate speech being curbed, the rights of vulnerable groups protected, national minorities engaged in social dialogue and decision-making processes, and ethnic diversity being accepted.

If the Serbian Government is actually committed to EU integration, one of the prerequisites is respect for human and minority rights and good diplomatic relations with the mother countries of national minorities.

³³ More information about the project can be found on the website of "Kancelarija Saveta Evrope u Beogradu" (https://www.coe.int/sr/web/belgrade/combating-discrimination-and-promoting-diversity-in-serbia).



³⁰ Manzinger–Törő 2016: 105.

³¹ Manzinger–Törő 2016: 105.

³² European Commission 2023: 51.

Europe or Kosovo?

When examining the relationship between Serbia and Kosovo, one must not ignore the historical fact that the Serbs regard this area as the cradle of their religious and spiritual culture. For the Serbian people, Kosovo is not only a territorial and political issue, but above all an entity forming integral part of their national identity. On the one hand, because the most important events in the history of the medieval Serbian state took place in the territory of today's Kosovo. On the other hand, in addition to its historical and cultural heritage, it is also important to mention Kosovo's economic importance. In the era of the medieval Serbian state, gold, silver, copper and tin were extracted on a continuous basis from the mines of Trepča, Janjevo and Novo Brdo.³⁴ Thirdly, at the time of the medieval Serbian state, the majority of the population of Kosovo was still of Slavic nationality. The changes that led to the current situation started with the expansion of the Ottoman Empire. The Albanian population in Kosovo's current territory increased steadily throughout the 20th century, while the Serb population gradually decreased. Shifting ethnic proportions played a major role in shaping the political-geographical processes of the region. The advocacy capacity of the increasingly significant and powerful Albanian community gradually increased.³⁵

4 May 1980, the death of Josip Broz Tito, President of the Socialist Federal Republic of Yugoslavia, was the end of an era. Shortly afterwards, protests broke out in Kosovo. The Albanian majority population already demanded independence for the territory. The conflict peaked in 1989, when Slobodan Milošević came to power. The Constitution of the Federal Republic of Yugoslavia, adopted on 27 April 1992, deprived the provinces of the right to draft constitutions and laws and abolished the provinces' autonomous financial resources. The highly centralised power held all decision-making capacity in its hands. Meanwhile, in Kosovo, ethnicity-based incidents became daily occurrences and increasingly serious. The escalating situation led to bloodshed. The first public appearance of the Kosovo Liberation Army (KLA) was on 27 November 1997, in the Drenica region, considered a centre of resistance against the Serbs. From then on, the KLA exercised informal power in this area, and its entry by representatives of the Serbian state carried risks. On 22 January 1998, a Serbian municipality representative, and on 8 February 1998, four police officers were killed.³⁶ The violence brought retaliation from the Serbian police, which eventually led to an escalation of the conflict. The international community also reacted to the incident. On 5 March 1998, British Foreign Secretary Robin Cook communicated the EU position to Milosevic in Belgrade: Kosovo cannot be considered an exclusively Serbian internal affair.³⁷ The Serbian President stuck to his own position, that this was a domestic matter for Serbia and indicated that he wanted to eliminate the terrorists. This meeting was followed by a series of peace talks, but the Serbian and Kosovar parties were unable to reach an agreement. So, on 24 March 1999, NATO started bombing Serbia to prevent a humanitarian disaster. During the peace talks, the

³⁴ Márkusz 2022: 62.

³⁵ Reményi 2019: 238.

³⁶ Márkusz 2022: 375.

³⁷ Márkusz 2022: 376.

Serbian side wanted the UN to lead the peacekeeping mission in Kosovo rather than NATO. In parallel with the peace talks, NATO continued to bomb Serbia, putting strong pressure on the Serbian leadership. The Kumanovo Agreement was finally signed on 9 June. On 10 June, UNSC Resolution No. 1244 was adopted. The document placed Kosovo under the supervision of the international community for an indefinite period, without questioning the territorial integrity of the Federal Republic of Yugoslavia. The question of settling its status was left open.³⁸ This open possibility led to several new conflicts between the two sides until Kosovo unilaterally declared independence on 17 February 2008. Serbia has not recognised the legal effects of the declaration. It considers this secession to be an act in violation of international law. The unilateral declaration of independence also divided EU member states. To date, five of the 27 members have not recognised Kosovo's independence (Cyprus, Greece, Romania, Slovakia and Spain).

Serbia's accession to the EU is conditional on the settlement of its relations with Kosovo. The dialogue between the two sides, mediated by senior EU officials, started in March 2011 but has not yet led to any result. After initial successes, the Belgrade-Pristina dialogue stalled. The dialogue first broke down in 2015, when the two sides reached an agreement, including on the establishment of a community of Serb-majority municipalities in northern Kosovo, but this agreement created a backlash from the Kosovo opposition and population. Kosovo's Constitutional Court temporarily suspended the agreement, and later ruled that it was compatible with the constitution, with one proviso: the institution could not have executive powers.³⁹ Subsequently, in 2017, the election of Ramush Haradinaj, leader of the Alliance for the Future of Kosovo party and former guerrilla commander of the Kosovo Liberation Army as Prime Minister of Kosovo only further escalated tensions between Belgrade and Pristina. In 2018, the relationship between the two parties seemed to settle down for a short period. Serbian head of state Aleksandar Vučić and Hashim Thaci, head of state in Kosovo, did not reject the possibility of territorial revision with a view to reaching a lasting settlement of the conflict. The Serb-majority municipalities in northern Kosovo would join Serbia, while the Preševo Valley in southern Serbia would join Kosovo.⁴⁰ Members of the international community expressed their disapproval of the idea and indicated that they did not support it. After the unsuccessful attempt, the situation between the parties became even more tense. The move by the Kosovo Government to impose a 100% tariff on products from Serbia and Bosnia and Herzegovina created a further stir.⁴¹ The immediate reason for this was Serbia's blocking Kosovo's becoming a member of Interpol. Following Haradinaj's resignation, Albin Kurti became the new Prime Minister of Kosovo in 2020. The Belgrade–Pristina dialogue again reached a dead end in autumn 2023. Kurti has insisted on de facto recognition of Kosovo, while the Serbian President has prioritised the creation of a community of Serb-majority municipalities. The EU proposed that these processes should run in parallel. Kurti was still not ready to accept the foundation of a community of Serb-majority municipalities. Vučić accepted

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³⁸ Márkusz 2022: 424.

³⁹ Ördögh 2020: 237.

⁴⁰ Ördögh 2021: 145.

⁴¹ Ördögh 2020: 239.

the EU proposal on parallel implementation.⁴² Relations between Belgrade and Pristina worsened following an armed clash in northern Kosovo on 24 September 2023. Senior EU politicians called for an investigation into the matter and for the two sides to meet again as soon as possible. As the parties did not take steps to resolve the situation despite numerous appeals, the EU also outlined the prospect of imposing sanctions. The European Parliament, in its resolution of 19 October 2023⁴³ on recent developments in the dialogue between Serbia and Kosovo, including the situation of settlements in the northern part of Kosovo, condemned the Serbian leadership and called on the authorities, senior political representatives and officials to refrain from belittling rhetoric on the EU-facilitated negotiation processes, EU policies for the Western Balkans and the EU's overall enlargement process. According to the resolution, such behaviour could undermine support for EU policies and EU enlargement in general.

This suggests that the prospect of sanctions does not help to ease the tension between Belgrade and Pristina, nor encourage the parties to implement the above-mentioned agreement and promote Serbia's European integration. This is confirmed by the results of the latest survey conducted by the Serbian Ministry for European Integration. To the question if a referendum were held tomorrow on the question of whether Serbia should join the EU, 43% of respondents said yes and 32% no (13% would not vote and 12% did not know how to answer).

These data show that the percentage of Eurosceptics among Serbian citizens is high. Due to the ongoing internal political struggles in the country, the "Western" pressure on the adoption of the Ohrid Agreement and the situation in the Russian–Ukrainian war, the President of Serbia called early parliamentary elections for 17 December 2023. With early elections, Vučić wants to buy time (he can postpone the dialogue with Pristina until the new government is in place, relying on internal issues), consolidate his power and establish a stable government to achieve his political goals, suppressing Eurosceptic voices.⁴⁴

As can be seen from the above, Serbia's history is closely intertwined with that of Kosovo; from the emergence of the medieval Serbian state, through the rise of the Ottoman Empire and the Austro–Hungarian Empire, to the formation of the Socialist Federal Republic of Yugoslavia and its bloody break-up, and the declaration of independence of Kosovo. Over the centuries, the Serbian state has fought many battles for that territory. Boris Tadić,⁴⁵ the former Serbian head of government and then head of state, who was declared a "friend of Europe", has repeatedly stated that he would never recognise Kosovo as an independent country. The fundamental dilemma facing the EU is that there is very little prospect of enlargement at present, thus it is almost impossible to motivate Serbia and Kosovo to make concessions. The distrust, the uncompromising atmosphere and the narrative of the "Evil Other" are emblematic of decades of strained

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⁴² ZSIVITY 2023a.

⁴³ European Parliament 2023a.

⁴⁴ ZSIVITY 2023b.

⁴⁵ See statement by Boris Tadić, former Serbian head of state (https://www.hirextra.hu/2008/02/17/ koszovo-fuggetlen-es-szabad/).

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relations between the two sides. At the moment, both Kurti and Vučić are playing for time and continue their political cat-and-mouse game.⁴⁶

Until the outbreak of the Russian–Ukrainian war, a lasting settlement of the conflict between the two sides did not constitute a priority for the EU. The war on the continent and the crisis in the Middle East have shown that Serbia is a key and inescapable partner for the EU when it comes to stabilising the Western Balkans. On the other hand, it can also be a source of danger because of the relations it has maintained with Russia. Due to the geopolitical situation, the EU and the USA are trying to put pressure on Serbia to recognise Kosovo's independence de facto. It is important to note that the U.S. geopolitics towards Europe have two dimensions: at the political level, it seeks to contain Chinese and Russian influence and their negative effects. The military dimension aims to strengthen NATO, encourage European partners to share economic burdens and weapons and provide training if necessary.⁴⁷

The only solution to the situation between Serbia and Kosovo would be the demilitarisation of the northern Kosovo region and an increased presence of peacekeeping forces. The incidents in northern Kosovo show that paramilitary organisations not only cause internal conflicts, but can also lead to the destabilisation of the entire region. Furthermore, the lessons of the past have shown that it is unacceptable to reorganise and unify countries in the region on ethnic grounds, as this would have unforeseeable consequences, not only for the Western Balkans but also for the entire European continent.

On the border between East and West – Can there be a third way?

Geographically located at the crossroads of Eastern Orthodox, Islamic and Western civilisations, Serbia is a focus of attention for major and regional powers.

The post-World War II bipolar world order and the upheaval of the balance of power after the break-up of the Soviet Union changed the perception of Yugoslavia in the West. There were no longer any Western interests regarding its survival, and the economic aid that had kept the country together dwindled. This eventually led to the break-up of Yugoslavia. The great power plays continued at the time of the South Slav crisis. The United States, the European Union and Turkey, as a member of KFOR and then as head of the organisation's mission in Kosovo, have all played a role in the conflict. China is present because of its economic interests, while Russia is linked to China by cultural and religious roots, in addition to political and economic interests.

According to the results of a poll conducted by the KOMS, the Serbian Youth umbrella organisation in 2023, 41% of young people do not support Serbia's accession to the EU, 36% support it and a third are undecided. 39.5% of young people think that Serbia should balance between East and West, 13.6% think that Serbia should rely on

⁴⁶ Džihić 2023.

⁴⁷ WINOGRAD et al. 2023: 5.

the EU and the USA, and 28.2% think that Russia and China are the right foreign policy partners. If they really had to choose, 54.9% of young people would choose the East and 45.1% the West. As for the issue of the Russian–Ukrainian war, 59.2% of young people think that Serbia should not condemn or impose sanctions against Russia, while 17.1% think that the government should only impose sanctions if not doing so would have too serious consequences for Serbia.⁴⁸

These data show that the majority of young people are characterised by Euroscepticism. The reasons for this are to be found in the EU accession process, which has been dragging on for years with uncertain outcomes, in the society's prevailing values and the impact of the media on the mindset of citizens.

Relations between Serbia and Russia are mainly based on energy and security policy and cultural and religious cooperation. Russian energy companies (e.g. Gazprom, Lukoil) hold a significant share of the energy market in the Balkan countries.⁴⁹ Serbia is also a key military partner of Russia in the Western Balkans. Military cooperation takes the form of joint military exercises, military cooperation agreements and the purchase of Russian military equipment. Serbia is the only state in the region that does not wish to become a NATO member.⁵⁰ By not recognising Kosovo's independence, Russia remained one of Serbia's key political allies. With the outbreak of the Russian–Ukrainian war, this was complemented by the operation of pro-Russian news agencies, which seek to shape public opinion in accordance with Russian interests.⁵¹ In its 2022 and 2023 Country Reports, the Commission criticised some of the Serbian media for portraying the EU and its institutions in a negative light, while publishing inaccurate information on the Russian-Ukrainian war.

China is Serbia's second most important ally after Russia. The cooperation between the two countries is based on the relationship with the Socialist Federal Republic of Yugoslavia. Relations between the two states were intense during the South Slavic crisis. The basis for closer cooperation with China in the Western Balkans and Central and Northern Europe was laid by the "16 + 1 Initiative", launched in 2012. The cooperation involves ten EU countries (including Slovenia and Croatia) and five non-EU countries (Serbia, Montenegro, Albania, Bosnia and Herzegovina, Macedonia). This form of cooperation, aimed at strengthening economic relations, tourism, infrastructure, energy, cultural and educational cooperation, was the basis for the region's inclusion in the One Belt, One Road (OBOR) initiative launched by Chinese President Xi Jinping in 2013.⁵² Among the Western Balkan countries, China considers Serbia a priority partner, with interests in several projects in the transport and energy sectors. In its 2019 study on EU–China relations, the European Commission expressed concern that while Chinese investment has contributed to economic growth in the Western Balkans, environmental and sustainable financing requirements are ignored.⁵³ Alongside the increasingly close

⁴⁸ Stojanović et al. 2023: 150–152.

⁴⁹ VINCZE 2019: 113.

⁵⁰ Note: Despite Serbia's membership and active participation in NATO's Partnership for Peace (PfP) since December 2006, it does not intend to join NATO.

⁵¹ Brey 2023: 11.

⁵² VINCZE 2019: 115.

⁵³ European Commission 2019.

economic ties, political cooperation is also perceptible. One of the main drivers of Serbian–Chinese relations is China's consistent policy on Kosovo. As a permanent member of the UN Security Council, China supports Serbia's position on Kosovo. In international fora, the Serbian Government does not support initiatives that criticise China. Meanwhile, the EU is concerned about China's penetration in the region.

Turkey's presence in the Western Balkans has always been significant. Its relations with the region are based on shared historical background. Turkey was an active participant in peacekeeping missions during the South Slavic crisis and has close ties with Muslim communities in the Balkans. In the autumn of 2023, Turkish Major General Özkan Ulutas took over as KFOR Kosovo Mission Commander. He stated that his priority is to contribute to a constructive dialogue. He stressed that KFOR, under his command, would continue to carry out its mission "with complete impartiality and professionalism". The piquancy of the situation is that, on the one hand, there has never been an example of Turkey taking over the command since the existence of KFOR, and on the other hand, Turkey was one of the first to recognise the independence of Kosovo, and thirdly, the current situation may provide more and more space for the expansion of its influence in the region.⁵⁴

Serbia, looking for other potential economic partners, held a trilateral meeting with the leaders of Hungary and the United Arab Emirates in autumn 2023, with the aim of presenting the benefits of Serbian-Hungarian economic cooperation.

There are also statements in the Serbian media that Serbia needs to revisit its relations with the EU. "It should not seek membership, but join the European Economic Area, which consists of EU members and other European countries such as Switzerland and Norway", said Serbian People's Party President, Vuk Jeremić. According to him, the probability of Serbia becoming a full member of the EU in the foreseeable future is low for two reasons: 1. the acceptance of the "Franco–German" proposal was set as a condition for the continuation of accession negotiations, which is unacceptable; 2. the EU's lack of willingness to enlarge.⁵⁵ Jeremić says the country should preserve its military neutrality, and joining NATO is not advisable. The country should not wage war against NATO, but should not take part in wars launched by NATO.

Jeremić's approach is not alien to Serbian political life. Yugoslavia opted for non-alignment after World War II until its break-up. With the collapse of the socialist Eastern Bloc and the unification of Germany, Yugoslavia's geopolitical importance disappeared. The great powers lost interest in preserving the South Slav state and left the country to its own internal conflicts.⁵⁶

The above illustrates how the protection of sovereignty and territorial integrity has played a major role in the country's history. In Serbia's case, this is why any initiative by the EU to recognise Kosovo's independence de facto is considered counterproductive. The

⁵⁴ ZSIVITY 2023c.

⁵⁵ Danas 2023.

⁵⁶ Životić 2009: 131.

refugee crisis, the Russian–Ukrainian war, the conflict in North Kosovo and the Middle East all point to the country's increased geopolitical importance. It plays an important stabilising role in the Western Balkan region. It is therefore important that the EU encourages Serbia to conclude carefully considered agreements with a view to achieving EU membership. Despite having embarked on the path of European integration, the country is open to long-term cooperation with other economic and political actors that are less or not at all favoured by the EU.

Serbia's EU integration in the light of the Hungarian EU Presidency in 2024

According to the results of the opinion poll conducted in November 2023, of the Serbian voters who took part in the survey and answered the question "Do you support Serbia's accession to the EU?" 38.8% answered yes, 32.5% no, 11.1% yes rather than no, 8.5% no rather than yes, while another 9.1% were unsure of the question. As for the relations with Russia, China and other non-EU countries, 63.4% of the respondents answered yes, 9.3% no, 13.3% yes rather than no, 6% no rather than yes the question "Do you support Serbia's closest possible relations with Russia, China and the BRICS countries?".⁵⁷

In the light of the above, it can be concluded that Hungary, as a neighbouring state of the EU and Serbia, can play a key role in keeping Serbia on the EU's integration path. This is also in the foreign and security policy interests of Hungary and the continent.

During its EU presidency, Hungary may have the opportunity to draw attention to the geo- and security risks of the Western Balkans, including Serbia, remaining outside the EU. These risks include migration and the strengthening of China, Russia and Islamic centres of power in the region.

Based on Hungary's own experience of accession in 2004, it can make proposals to the Commission on how to draw lessons from the previous enlargement to Central and Eastern Europe and on transitional arrangements to facilitate the integration of the Western Balkans while maintaining the competitiveness criteria for the countries concerned. In this context, the situation of the SME sector and public services can be identified as a critical area. For the latter, the development of rail transport in the Western Balkans is of pan-European importance.

Hungary has a special responsibility to take the initiative in developing an EU system for the protection of minorities, and it may use the opportunities offered by its Presidency. A system of minority protection within the EU could ensure that ethnic conflicts in the integrating Western Balkans do not undermine the security of the whole continent.

⁵⁷ ZSIVITY 2023d.

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The war between Russia and Ukraine, the armed conflicts in North Kosovo, the South Caucasus and most recently the Middle East woke the EU up of its enlargement slumber. These events highlighted both the vulnerability of the European continent to external factors and the need to assert the rights of minorities and marginalised and oppressed groups.

The only solution to the situation between Serbia and Kosovo would be the demilitarisation of the northern Kosovo region and an increased presence of peacekeeping forces. Furthermore, the state's monopoly on the use of force must not be allowed to be broken. The incidents in northern Kosovo show that paramilitary organisations not only cause internal conflicts, but can also lead to destabilisation of the entire region. It is unacceptable to reorganise and reunite countries in the region on ethnic grounds. This would have unforeseeable consequences not only for the Western Balkans region, but also for the entire European continent.

The EU leaders' prospect of sanctions against Serbia will not improve its willingness to cooperate. On the contrary, the country will look for new economic and political allies to further strengthen its presence in the region. EU enlargement can therefore be seen as a geostrategic investment in peace, security and stability. Otherwise, escalating conflicts could lead to alienation from the EU and the rise of Russia and other external actors in the region.

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