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Serbia – US Relations in the Two Decades Since the Democratic Changes

Abstract

The paper analyzes relations between Serbia and the US which went through several phases: the phase of rising cooperation (2000–2004), the phase of both cooperation and worsening (2005–2008), the phase of cooling and silent confrontation (2008–2010), the phase of mild recovery, routinization and moderate distancing of the US from the region (2010–2017), the phase of the unsuccessful attempt of the US to lead the mediation process in the dialogue between Belgrade and Prishtina (2018–2020). The central problem in mutual relations was caused by the leading role of the USA in encouraging and recognizing the unilateral declaration of independence of Kosovo, which led to a cooling of relations. In spite of this, the previously achieved forms of cooperation did not suffer. After the adoption of the joint text of the resolution of Serbia and the EU countries on Kosovo and Metohija in the UN General Assembly (2010), relations between Serbia and the US improved. Relations between the two countries became routinized except for the brief period of the last two years of the Trump presidency. Since then, the US has returned to its role of supporting the EU integration process of the region as well as EU efforts to mediate in the Beograd – Prishtina dialogue.

Keywords:

International relations, USA, Serbia

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INTRODUCTION

The relations between Serbia and the USA in the previous two decades took place in the context of major events that had deep and lasting consequences for both countries¹.

In the US, the terrorist attacks of September 11th 2001, triggered US wars in Afghanistan and Iraq, neither of which came close to achieving set goals. The financial crisis of 2008, which threw the whole world into recession, undermined the credibility of the Anglo-Saxon model of capitalism which had served as a model for a significant number of countries up to that point.

Combining the effects of these events, the first decade of the 21st century cannot be rated as particularly favorable for the US. Since then, the leaning to unilateralism in international relations present in the Bush administration became the central feature of US foreign policy under the Trump administration. This has led to a perception of the US as a major revisionist and destabilizing power in terms of the post WWII established international order, paradoxically the very order that the US had a major role in shaping. Only this year's Russian aggression on the Ukraine has somewhat mitigated this perception.

In the post-Milošević era, Serbia returned to international institutions and had struggled to alleviate the devastating consequences of the isolation and wars of the 1990's. There was a significant increase in the standard of living. The inevitable process of transition was undertaken. On the foreign policy front, a clear commitment to achieving full membership in the EU was proclaimed enduring as a priority in official policy statements of all Serbian governments to this day. The referendum in Montenegro resulted in its independence in 2006, thus putting an end to the joint state with Serbia. In 2003, Serbia's prime minister Djindjić was assassinated. This shock

¹ There is hardly any literature on relations between the two countries covering the indicated period. An exception was the published master's thesis of Aleksandra Joksimović, *Srbija i SAD – bilateralni odnosi u tranziciji*, Krug komerc, 2007. For the analysis of the relationship between Serbia and the USA in the previous period (from literature in the Serbian language), two books by Živorad Kovačević – *SAD i jugoslovenska kriza*, Centar za antiratnu akciju, Beograd, 2000, and *Amerika i raspad Jugoslavije*, Filip Višnjić, Belgrade, 2007 are significant. See also, Ivan Vujačić „Sjedinjene Američke Države – Mene u odnosima” in Borivoje Erdeljan (editor), *Srbija i Svet*, Evropski pokret u Srbiji, Beograd, 2010, pp. 17–23; Ivan Vujačić, „Odnosi Srbije i SAD u periodu 2002–2012. Novi početak i nasleđe prošlosti”, in the collection of papers: Dragan Simić, Dragan Živojinović (editors), *Politika Sjedinjenih Američkih Država prema regionu zapadnog Balkana i Republici Srbiji*, Fakultet političkih nauka, Univerzitet u Beogradu, Beograd, 2015, pp. 207–219, ISBN 987-86-6425-003-0.

was followed by violent riots of Albanians in Kosovo aimed against the Serb minority population in 2004. In 2008, after negotiations organized by the international community, Kosovo unilaterally declared independence and was immediately recognized by the US and EU countries save five member states. Since then Serbia had achieved candidate status for EU membership (in 2012) and opened the process of negotiations in 2014. As the rest of the region it has not achieved much in this process. Since that time there has been a huge erosion of democracy, rule of law, media freedom and independence of institutions as measured by all independent European or American institutions that monitor developments in these areas.

RELATIONS BETWEEN SERBIA AND THE US IN THE 2000–2020 PERIOD

Relations between Serbia and the US have gone through several phases during the previous two decades. These phases are not strictly demarcated, but should be understood more as analytical labels, the reason being that in international relations often conflicting processes take place simultaneously. In other words, these phases should be seen as distinct in the sense that they highlight the basic and dominant characteristics of the relationship between the two countries, rather than the relationship as a whole. Historians of the relations between the two countries may have a different view of these phases, but from today's perspective, this demarcation seems to me to be well founded. These phases are as follows :

1. Phase of the rise of cooperation and upward swing in relations (2000–2004).
2. Phase of cooperation and simultaneous worsening (2005–2008).
3. Phase of cooling off and quiet confrontation (2008–2010).
4. Phase of mild recovery, routinization and a slight distancing of the US from the region (2010–2017).
5. Phase of the US attempt to restore the dominant role in the Belgrade-Pristina dialogue (2017–2020).
6. Phase of return to previous mode of support to EU efforts in the region.

The phase of the rise of cooperation and upward swing in relations (2000–2004)

In the first phase, the desire to normalize relations and raise cooperation to a higher level was dominant. Normalization in this context meant overcoming the legacy of the 1990's. The favorable atmosphere for the improvement of cooperation was further strengthened by the fact that new leaders elected in both countries were not personally burdened by past events (i.e. the

bombing of Serbia and the breaking of diplomatic relations). In the US, the new leadership had not participated in the making of foreign policy decisions during the period of armed confrontation. Considering the manner in which the Milosevic regime fell, it is obvious that no one in the new leadership in Serbia had participated in the decisions that had led to military confrontation.

The significant write-off of the Paris Club debt and the support in international financial institutions were the first major moves by the US that were directed both towards helping the alleviation of postwar conditions in Serbia and opening the possibilities for cooperation at a higher level. Solving the problem of unfreezing company funds and the frozen funds of the National Bank of Yugoslavia was somewhat a more complicated task due to different interests, potential legal snags and interpretations. Company funds were unfrozen in late 2002, although certain bureaucratic procedures remained. However, the funds of the National Bank of Yugoslavia remained frozen, primarily due to the objections of some former Yugoslav republics. Nevertheless, at the beginning of 2003, these problems were also overcome thanks to the decisive attitude of the American administration, which released the frozen funds and distributed them according to the formula previously defined by the International Monetary Fund. This decision was purposefully and undoubtedly in favor of Serbia and Montenegro.

The status of a nation that threatens the national interests of the US was abolished by a decree of President Bush in the spring of 2003. At approximately the same time, a presidential decree lifted the ban on arms exports to Serbia and Montenegro, effectively removing the country from the list of so-called "rouge states". Various legal complications and their interpretations made it difficult to restore Normal Trade Relations, until the fall of 2003. In the fall of 2004, the country was granted the Generalized Scheme of Preferences, which enabled the export of around 4,000 products from Serbia and Montenegro to the US without customs duties. This phase is also significant for the largest influx of American investments into Serbia. The arrival of US Steel, BAT and Philip Morris, to mention only the more prominent companies of American origin, made them the largest foreign investors in Serbia during that period.

During this period, a Serbian Caucus was formed, for the first time, in the US Congress, which enriched the content of the relations between the two countries and gave them a new quality. A large number of staff members of various congressmen, as well as five senators, visited Serbia in November 2004. It was an important event in the building of Serbia's relationship with the US legislative branch. Since a negative image prevailed for many years, the formation of the caucus significantly contributed to the significant improvement of Serbia's image on Capitol Hill.

However, there were also major problems that were related to the lack of progress in cooperation with the Hague Tribunal for war crimes committed in Yugoslavia. Official US aid was conditioned by the US Congress on certification by the US Secretary of State that the cooperation of Serbia with

the Hague Tribunal was meeting the highest standards. At certain times this led to suspension of aid. The problem was overcome by raising the level of cooperation with the Tribunal. However, the US never used its influence in the International Monetary Fund or the World Bank in order to exert additional pressure on Serbia.

The tragic murder of Prime Minister Đinđić in March 2003 was greatly regretted and caused concern in the US administration. Secretary of State Colin Powell, upon his arrival in Belgrade at the beginning of the war in Iraq, personally expressed his condolences to his family and offered support to the Serbian government, expressing the readiness of the US to support the foreign policy goals and internal stability of Serbia. This support was also manifested by the invitation to the Prime Minister of Serbia, Zoran Živković, to visit Washington, together with the Minister of Foreign Affairs, Goran Svilanović. The following year, the newly elected President of Serbia, Boris Tadić was also welcomed in Washington.

In March 2004, violence broke out in Kosovo aimed at the Serbian minority living there as well as Christian Orthodox churches and monasteries. Regardless of the robust reaction of the American troops, significant weaknesses in the coordination and reaction of KFOR units became obvious. Among the Serbs in Kosovo there arose serious mistrust regarding the credibility of the international community's role in providing for their security and the protection of their rights. A consequence of these Albanian led riots was that the US reassessed its original policy of insisting on reaching standards on human and minority rights before the negotiations on the status of Kosovo were to commence. The policy described as standards before status, was transformed to a policy of standards and status. Shortly, it went through another metamorphosis becoming a policy of status and standards, thus radically reversing the order of priorities of the original policy.

This period should be assessed as the most successful in terms of advancing the relations between the two countries since democratic changes in Serbia. In a short period, trust was restored which enabled potential cooperation in a number of sectors that were previously unavailable.

The phase of cooperation and simultaneous worsening of relations (2005–2008)

In the period from 2005 to 2008 cooperation was enhanced in several areas. Firstly, Serbia's cooperation with the Hague Tribunal was stable and more than adequate. This resulted in the admission of Serbia to the Partnership for Peace at the end of 2006, a goal of all governments since the re-establishment of diplomatic relations in 2000. Thanks to the admission to the Partnership for Peace, military cooperation became both broader and deeper and has steadily advanced till this very day. Military cooperation was institutionalized through the partnership of the Serbian Army with the National Guard of Ohio.

Also, during this period, Belgrade and Chicago became sister cities, and Serbia and Illinois became sister states. These arrangements provide numerous opportunities for cooperation that have unfortunately not been sufficiently used to date.

In spite of these achievements, relations were overshadowed by the commencement and the conclusion of the negotiations on the status of Kosovo. The negotiations were largely initiated and conducted in formats designed by the US. Regardless of Serbia's intense diplomatic activity, and that at the highest level – Serbian President Boris Tadić and Serbian Prime Minister Vojislav Koštunica were on a working visit to the US – it became obvious that the negotiations were structured in a way that guaranteed their failure and would lead to a unilateral declaration of independence. Moreover, the US had become the chief promoter of the independence of the Republic of Kosovo. For reasons of space US motives for adopting this policy and promoting it with vigour cannot be discussed here. Kosovo unilaterally declared independence in February 2008 and was quickly recognized by the US and all but five members of the EU, with more countries following somewhat later.

This US policy necessarily led to the cooling of relations and the turning of the leadership of Serbia towards finding other points of support, primarily, but not only, in the Russian Federation. As the Russian Federation felt stronger towards the end of this period and had significantly cooled relations with the US, to the Serbian leadership it appeared as a possible guarantee, not without grounds, that the status of Kosovo would remain unresolved within the UN Security Council and that Kosovo's aspiration of becoming a member of the UN would be indefinitely blocked. This gave some hope to the Serbian leadership that at some point it would be possible to renew the negotiations on the status of Kosovo that would lead to a more acceptable solution.

This phase of the relations between the two countries was extremely beneficial and would probably have been considered most successful had it not been for the negotiations on the final status of Kosovo that ended with the unilateral declaration of independence of Kosovo.

The phase of cooling off and silent confrontation (2008–2010)

In this phase, there was a quiet confrontation although neither country officially named it as such. On the contrary, the common American phrase of “agreeing to disagree” was gladly accepted in order to avoid aggravating relations.

The confrontation was a consequence of Serbia's diplomatic struggle with the aim of limiting the number of countries that would recognize Kosovo's declared independence. A Serbian campaign for a new resolution in the UN General Assembly denying the right to unilateral secession ensued. In the opinion of the Serbian leadership this would potentially lead to a new

negotiation at some point. The confrontation was not only with the USA, but in an even quieter form with the leading countries of the European Union. Greater hopes for the possibility of continuing partial negotiations stemmed from the absence of a unified EU position due to the refusal of five member states to recognize the unilateral declaration of independence of Kosovo.

The opinion of the International Court of Justice on the issue of legitimacy of the unilateral declaration of independence of Kosovo, which was announced in the summer of 2010, was unfavorable for Serbia. However, it should be kept in mind that the opinion of the ICJ could not be legally binding given the nature of this particular case. In other words, the opinion of the ICJ was unfavorable from a purely political point of view. The hope for a favorable outcome was linked to the strategy of mitigating the conflict with the US and leading EU countries, while placing the problem in the international institutional framework. The goal was to gain time in order to gather support for actions within the framework of the United Nations to condemn the unilateral declaration of Kosovo's independence in a less heated atmosphere.

Estimating that the vote in the UN General Assembly on the text of the Serbian resolution would be uncertain, the leading EU countries focused on diplomatic pressure on Serbia on a bilateral basis. In August 2010, the foreign ministers of Great Britain and Germany visited Belgrade in order to secure the withdrawal of the Serbian resolution. This was not difficult to achieve as Serbia was determined to apply for candidate status in the EU in the immediate future. The turn in Serbia's policy was manifested by the withdrawal of its own version of the resolution in the UN General Assembly and its support, at the last minute, of the EU version of the resolution on Kosovo. Furthermore, an agreement to a dialogue on technical issues with Prishtina was reached.

The visit of Secretary of State Hillary Clinton in October 2010, took place in a significantly better atmosphere than the one during the visit of US Vice President Joseph Biden in 2009. The atmosphere of the visit radiated optimism regarding the relationship between the two countries, with the emphasis on the US's support for Serbia's aspirations towards European integration. In other words, this phase ended with a renunciation of a direct (albeit quiet) confrontation with the USA and leading EU countries regarding Kosovo. However, Serbia simultaneously and firmly maintained its position of nonrecognition of Kosovo while maintaining institutional ties with Serbian municipalities in Kosovo and opening a dialogue on technical issues. All this meant that the EU would take the leading role in the Belgrade – Prishtina dialogue. This became the starting point of the fourth phase.

At the same time, the foreign policy orientation and position of Serbia underwent a fundamental transformation. There was a shift to a greater reliance on the Russian Federation, a closer relationship with Turkey and the gradual strengthening of relations with China. They would all increase their influence in the following years.

The phase of mild recovery, routinization and slight distancing of the USA from the region (2010–2017)

The description of this phase should not mislead. Not everything went smoothly in the relations between the two countries. There were serious frictions. The aggravation of the conflict at the Jarinje and Brnjak administrative crossings between Serbia and Kosovo, demonstrations, barricades, the burning of the Jarinje border crossing and the murder of a Kosovo police officer in the spring and summer of 2011 caused a new strain in relations with the USA and leading EU countries. The perception of the EU and the US that the Serbian government was partially behind the blocking of the crossings and that it was signaling that some kind of partition of Kosovo could be on the table, contributed to a certain delay in the restoration of better relations.

One should always keep in mind the special interest of the US in the stability of the region and especially of Kosovo. The American role during the Milošević era, NATO bombing, involvement in the period of peacekeeping and finally and an *a priori* strong support for the unilateral declaration of independence of Kosovo, makes the USA feel responsible for the fate of Kosovo, primarily in terms of ensuring peace and stability. Kosovo was largely created by the political and military involvement of the US, so in a certain way it represents a partial test of the success of the policy of several American administrations.

This phase is characterized by a slight distancing of the US from the region, leaving the primary role to the EU. The major goal of US foreign policy in the Western Balkans region could be reduced to stability based on a long-term strategic vision of “Europe as whole, free and at peace”.² Thus, the EU became the driver of both the integration process of the Western Balkans into the EU, but also the chief mediator in the Belgrade – Prishtina dialogue.

In August 2011, during her visit to Belgrade, Angela Merkel, reacting to the aforementioned unclear signals from Belgrade and the tension that prevailed around the border crossings, ultimately demanded the dismantling of parallel institutions in the parts of Kosovo that were not controlled by the authorities in Prishtina. The stalemate in the dialogue on these topics and the lack of progress in relations with Prishtina resulted in the refusal of the EU to grant Serbia the status of a candidate for full membership in December 2011. The decision was postponed until March 2012, when Serbia finally received this status, but without a date for the start of negotiations.

The linking of the EU integration process of Serbia to the results of the Belgrade-Prishtina dialogue became a method of exerting influence. With the

² The first formulation of this doctrine can be found in a speech by George HW Bush held in Mainz on May 31, 1989. The text of the speech can be accessed at <http://usa.usembassy.de/etexts/ga6-890531.htm>

ascent of the Serbian Progressive Party to power, this method gained intensity. For a constructive approach in the dialogue between Belgrade and Pristina and the signing of the Brussels Agreement, which at least on paper claimed to resolve a whole series of issues between Belgrade and Prishtina, Serbia was rewarded by opening the process of negotiations on full membership. In order to institutionalize this linkage, Serbia's integration process acquired a special new chapter (no. 35) which includes a legally binding agreement between Belgrade and Prishtina as a prerequisite for completing Serbia's accession to full membership.

All this means that by the end of 2017, the relations between the US and Serbia have become stable and routine. The disagreement over Kosovo has been pushed to the background, and all previously established forms of cooperation include excellent military cooperation through a partnership with the Ohio National Guard, a general system of preferences in trade that is regularly renewed, cooperation in the fight against terrorism and international organized crime, cooperation with the Serbian caucus in the US Congress and many others, have become part of the daily routine cooperation between the two countries. In the meantime, Prime Minister Vučić visited the US in June and September 2015, as well as in July 2017 as the president of Serbia. Both times he had conversations, aside of those in the administration and Congress, with the vice presidents of the US, Biden and Pence.

The phase of the US attempt to regain a dominant role in the Belgrade-Pristina dialogue (2018–2020)

In the second half of US President Trump's term, there was a new type of involvement of the US in the Western Balkans. This was prompted both by an impasse in the Belgrade – Prishtina dialogue and the specific transactional approach to international politics of the Trump administration.

After the freezing of negotiations between Belgrade and Prishtina, following the introduction of prohibitive taxes by Prishtina (Haradinaj government) on imports from Serbia and Bosnia and Herzegovina, the EU demonstrated a total lack of leverage in getting Kosovo to comply with the Central European Free Trade Agreement (CEFTA) rules of which it is a member. Furthermore, it was powerless to rekindle the dialogue frozen by Serbia in protest over this unilateral action by Prishtina.

The Trump administration not only put open pressure on Pristina to cancel taxes and continue the dialogue, but threatened to downgrade relations and withdraw support in the area of security. Furthermore, the US appointed two special envoys for the region. Matthew Palmer was appointed as special envoy of the Secretary of State for the Balkans, while Richard Grenell was appointed as a special envoy of the President for the dialogue between Belgrade and Prishtina. It became obvious that the White House had taken

control of the dialogue between Belgrade and Prishtina not only from the EU, but from the State Department as well.

The rhetoric was also transformed with a call for “creative solutions” as a basis for a permanent agreement. Moreover, the appointment of John Bolton, who was once an opponent of the recognition of the unilateral declaration of independence of Kosovo, to the position of national security advisor to the president, created expectations that a permanent solution between Belgrade and Prishtina could be reached by a direct agreement between president Vučić and Thaci. This fit perfectly into the transactional approach to international relations as applied by the Trump administration in numerous international settings. In Serbia, *demarkation* became the new term used for a permanent settlement between Belgrade and Prishtina. This ambiguous term used by Vučić was intentionally left undefined, but an informed observer could easily assume that it meant a partial land swap between Serbia and Kosovo. Consequently, there was speculation that the European Commission had dropped its opposition to changing existing borders.

In retrospect, it is obvious that the US administration had encouraged the two sides to come to what seemed to them to be an acceptable solution and then submit this to the US administration for consideration. It seems that the European Commission also toyed with the idea under the leadership of Federica Mogherini - the High Representative of the Union for Foreign Affairs and Security Policy at the time, although this was never officially commented on. Among the EU member states there were various reactions to this type of thinking – from tacitly supportive and agnostic to vehemently opposed. There was a general opposition to “border adjustments” of this sort among the countries of the Western Balkans. To counter US initiatives, the European Council quickly appointed Miroslav Lajcak as EU Special Representative for the Belgrade–Prishtina Dialogue and other Western Balkan regional issues (in April 2020). Furthermore, Germany forcefully objected to any options that would involve any kind of border changes. This momentarily put the issue to rest.

To avoid further rifts with the EU in finding a lasting solution within the Belgrade-Prishtina dialogue, the Trump administration shifted to supposedly economic issues. This engagement ended with the signing of what has been called the Washington Agreement in September 2020, later described as the Kosovo and Serbia economic normalization agreements. In effect, the whole affair is a misnomer as in reality what was signed was a letter of intent by each party in the presence of the US president. Some provisions had to do with resources in Kosovo, others with future investment in infrastructure, while still others had to do with subjects totally unrelated to the relations between Serbia and Kosovo. These included a range of subjects from relations between Israel and Kosovo, moving the embassy of Serbia to Jerusalem, removing 5G equipment from mobile networks provided by what was termed “untrusted vendors”, designating Hezbollah as a terrorist organization and supporting

the decriminalization of homosexuality around the world and a few others that not only do not have anything to do with the relation between Serbia and Kosovo, but are also totally unrelated subjects amongst themselves. In short, not only can the signed documents not be called an agreement, but will serve as a unique example of a diplomatic document that is fit for a parody on diplomatic agreements. There is no need to elaborate further on the nature of this document, as most of its elements have gone to the wayside in the meantime.

This whole endeavor was an unnecessary waste of time and energy. The US should not have encouraged the parties to search for solutions that were unacceptable to the EU. In other words, without securing the principled support of the EU and leading EU countries for changing the parameters and principles of negotiations, these negotiations, even under the leadership of the US, were doomed to failure. The leaders of Serbia and Kosovo should a profound lack of realism in assessing the prospects for the success of such negotiations.

The EU, with the support of France and Germany, returned mediation in the dialogue between Belgrade and Prishtina to its fold. Setting the pace in these talks did not lead to a solution, but it did exclude the US from further independent initiatives on this front. By doing so, implicitly, along with explicit diplomatic phrases about working together with the US to solve the open problems between Belgrade and Prishtina, the EU quite sharply deprived the US of the leading and dominant role in the dialogue. This put an end to this phase.

CONCLUSION – BACK TO THE FUTURE

The defeat of Trump in his bid for reelection and the election of Biden in 2020, came as relief to the vast majority of EU leaders given the unpredictability and tumultuous relations that they had experienced with the Trump administration.

It is obvious that the Biden administration is more supportive of EU policy and the European aspirations of the countries of the Western Balkans. From that perspective, the role of the US would still be significant, primarily in material and political support for the accession process of Serbia and other countries of the EU region. In this light, the role of the US could rather be reduced to using its influence on Prishtina, which is large for obvious historical reasons, to accept solutions that are in line with EU policy in the region. In short, it can be assumed that the US will once again leave the leading role in the Western Balkans to the EU, i.e., to its leading countries.

Summarizing the analysis of the relations between the USA and Serbia in the two decades since the democratic changes in Serbia, it can be concluded that they have been brought to a level that is good and relatively routinized.

It is difficult to assume that there would be a return to a period of sharp confrontation and that the institutional cooperation arrangements of the two countries would suffer.

Foreign policy, however, is not always constant, although powerful nations try to stick to long-term strategies. It is certain that the intensity of the crisis in relations between the US and Russia and the EU and Russia will greatly affect Serbia, not only in terms of international but also domestic politics.

When it comes to the relations between the US and Serbia, what can be observed from the analysis of the period in question, is that the inherited problems create significant limitations for relations between countries, even when the ruling political elites had no part in their creation. These limitations are difficult to overcome, even when there is a desire by both sides to improve and strengthen relations. In the context of relations between Serbia and the US in the observed period, what is encouraging is that, despite a certain cooling and deterioration in relations caused by the recognition of the unilateral declaration of independence of Kosovo, there was no revision of institutional and other forms of cooperation that resulted from the previous period of normalization, expansion and the deepening of relations between the two countries. Simply put, the relations between the countries are good, stable and routine. In view of the historical circumstances it would have been overambitious to ask for more.

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