




Weekly Briefing

Croatia external relations briefing:
How will Robert Golob's election as Prime Minister of Slovenia
impact the country's relations with Croatia?
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Summary

Croatia and Slovenia have been entangled in a border dispute since they claimed independence from former Yugoslavia. This ongoing dispute over both land and maritime territories has evolved throughout the years and the nature of the dispute is largely determined by the political environment in each country at a particular time. On the 24th of April 2022, Robert Golob was elected Prime Minister of Slovenia in favour of the incumbent Janez Janša. In order to understand the effect that this will have on Croatian-Slovenian relations, one must consider the history of the border dispute thus far and how former Prime Minister Janša influenced relations between the two countries. In this way, one might decipher whether and, if so, how these relations will change with the election of a new Prime Minister.

Introduction

The border dispute has been the predominant cause of hostility between Croatia and Slovenia. In the 1990s, Croatia and Slovenia both seceded from Yugoslavia and supported each other's claim to independence,¹ setting the foundation for positive, future relations². However, while Yugoslavia's somewhat ambiguous, internal borders between each republic³ did not cause conflict between Croatia and Slovenia, they certainly hindered the development of positive, international relations.

The dispute is largely centered around maritime territory in the Gulf of Trieste. Slovenia claims that the border should include an area of sea which would allow for its maritime territory

¹ Vedran Pavlić. Croatia and Slovenia- Once Friends, And Now; <https://www.total-croatia-news.com/politics/15892-croatia-and-slovenia-once-friends-and-now>. Last visited 22.05.2022

² Andrew, Geddes & Andrew Taylor. "Those Who Knock on Europe's Door Must Repent? Bilateral Border Disputes and EU Enlargement." *Political Studies* 64, no. 4 (December 2016): 930–47. <https://doi.org/10.1111/1467-9248.12218>, p936.

³ Vedran Pavlić. Croatia and Slovenia- Once Friends, And Now; <https://www.total-croatia-news.com/politics/15892-croatia-and-slovenia-once-friends-and-now>. Last visited 22.05.2022

to directly access international waters, as well as Croatian and Italian waters. On the other hand, Croatia considers this same maritime territory its own.

This disagreement has certainly been influenced and, arguably, exacerbated by the two countries' relations with the European Union. For example, Slovenia became an EU member in 2004, nine years prior to Croatia, enabling it significant control over the border dispute. Indeed, Slovenia's tactic was to stall Croatia's accession into the EU⁴, thereby pressuring Croatia to acknowledge the disputed maritime territory as rightfully Slovenia's. In 2009, Croatia's accession negotiations were resumed when it was agreed upon by both countries that the Permanent Court of Arbitration would resolve the intricacies of the disagreement. However, allegations against Slovenia further complicated the situation, when it was discovered that a Slovenian arbiter was accused of cooperating with Slovenian politicians in order to achieve an award in their favor, thereby compromising his independence. Although those involved in the scandal resigned, Croatia continues to deny the legitimacy of any arbitration award, including the final award decided in 2017 which granted Slovenia its desired maritime border, following the aforementioned incident.⁵ Some consider that this territory was granted to Slovenia as compensation for allowing the continuation of the process of Croatian accession into the EU in 2009.⁶

Nevertheless, despite this, both Croatian and Slovenian police regard the territory as their own and act accordingly. Therefore, the border dispute remains de facto unresolved. Some problems which occur often as a result include the fining of boats, since both countries regard vessels from their neighboring country as having illegally entered their waters.⁷ This has certainly enhanced both frustration and confusion, thereby worsening relations between the two. As it did in 2009, Slovenia is continuing to use its political influence to persuade Croatia to accept the legitimacy of the arbitration award. Indeed, Slovenia has certainly been challenging Croatia in the EU again, this time hindering Croatia's accession into the Schengen

⁴ Andrew, Geddes & Andrew Taylor. "Those Who Knock on Europe's Door Must Repent? Bilateral Border Disputes and EU Enlargement." *Political Studies* 64, no. 4 (December 2016): 930–47. <https://doi.org/10.1111/1467-9248.12218>, p938.

⁵ *ibid.*

⁶ Eva Kassoti. *Between a Rock and a Hard Place. The Court of Justice's Judgment in Case Slovenia v. Croatia*; <https://www.europeanpapers.eu/en/europeanforum/between-rock-hard-place-court-justice-judgment-case-slovenia-croatia>. Last visited 22.05.2022

⁷ Janša and Plenković talk gas, nuclear energy cooperation. <https://sloveniatimes.com/jansa-and-plenkovic-talk-gas-nuclear-energy-cooperation-2/> Last visited 22.05.2022

zone, of which Slovenia is already a part of.⁸ Moreover, with this in mind, in order to understand how Golob's election might impact current Croatian-Slovenian relations, one must first consider the nature of these relations under the former Prime Minister, Janez Janša.

How Janša affected Slovenia's relations with Croatia?

Janša largely improved Croatian-Slovenian relations. This is because, until Janša, previous Slovenian prime ministers insisted Croatia recognize the arbitration award. Janša, on the other hand, had a different approach. At the beginning of his prime ministerial term, he felt "that some manoeuvring space exists that would allow Croatia to get a bilateral agreement and Slovenia a border that would make more sense than the one determined in arbitration".⁹ Janša and the current Croatian Prime Minister, Andrej Plenković, enjoyed good relations, characterized by cooperation and mutual support. For instance, in the wake of the Russian invasion of Ukraine, the two prime ministers worked together in order to decrease both countries' dependence on Russian energy. Additionally, Janša supported Croatia's impending acceptance into the Schengen zone and the Organisation for Economic Cooperation and Development¹⁰.

Therefore, although it has been argued that Prime Minister Janša prompted democratic backsliding in Slovenia, his electoral victory in 2020 was, in many ways, particularly beneficial for Croatia. He had a more pragmatic approach to the border dispute and did not strive to enforce the arbitration award in the same way as his predecessors and prior governments. Prime Minister Janša's attitude indicated that, for him, cooperative, international relations with his neighbors was more significant than implementing the arbitration award.

⁸HINA, Slovenia Will Block Croatia's Schengen Entry, Daily Says; <https://www.total-croatia-news.com/politics/62792-slovenia-will-block-croatia-s-schengen-entry-daily-says>. Last visited 22.05.2022

⁹ STA. Jana Interviewed on Croatian Border Dispute, European People's Party. <https://www.total-slovenia-news.com/politics/3259-jansa-interviewed-on-croatian-border-dispute-european-people-s-party>. Last visited 23.05.2022.

¹⁰ Janša and Plenković talk gas, nuclear energy cooperation; <https://sloveniatimes.com/jansa-and-plenkovic-talk-gas-nuclear-energy-cooperation-2/>. Last visited 22.05.2022.

How will the current politicians holding office in Slovenia affect Slovenian-Croatian relations?

On the other hand, newly-elected Prime Minister Robert Golob has implied that his government will more adamantly persuade Croatia to abide by the arbitration award. However, he has also asserted that he aims to sustain positive, bilateral relations between the two countries. While from his assertions one can deduce that Prime Minister Golob supports the legitimacy of the arbitration agreement, he has been rather vague regarding the details of his plan to resolve the border dispute with Croatia (by implementing the arbitration award) and simultaneously maintain positive relations. He has emphasized that his prime ministerial approach will differ from Janša's, rather undemocratic, approach. Indeed, Prime Minister Golob has asserted that Slovenian politics in general, including Croatia's relations with Slovenia, will be influenced, not only by his own stance, but by that of the Slovenian parliament. He has stressed that political decisions will be based on a reached upon consensus, rather than the personal perspective of one man.¹¹

Moreover, it is important to consider other Slovenian politicians and their attitude towards Croatia. The next Minister of Foreign Affairs, Tanja Fajon, who supports the validity of the arbitration award has expressed that Croatia's acceptance into the Schengen zone will indeed depend on whether they accept or continue to deny its legitimacy.¹² Minister Fajon has confirmed that Slovenia will continue to use its leverage as a more 'consolidated' EU member state, to threaten Croatia's advancement within the EU. This particular political stance can be explained by the new government's general, political ideology. Indeed, some consider that because the leftists need to prove their patriotism more so than right-wing politicians like Janša, the new Slovenian government is striving to do so by defending Slovenia's right to the disputed maritime territory.¹³ Considering that, according to the European commission Croatia has already fulfilled the necessary demands required to become a member of the Schengen zone, the new members of the Slovenian government are a direct threat to Croatia's political progression. Furthermore, increased hostility between the two countries is, to some extent,

¹¹ N1 Zagreb, HINA, Slovenia's Robert Golob; Croatia's agreement to border ruling remains key; <https://hr.n1info.com/english/news/slovenias-robert-golob-croatias-agreement-to-border-ruling-remains-key/>. Last visited 23.05.2022

¹² Damir Petranović. Slovenija se sprema na žestok zaokret: Tko je sve u novoj vladi, što obećavaju i gdje je tu Hrvatska. <https://www.tportal.hr/vijesti/clanak/slovenija-nova-vlada-robert-golob-tanja-fajon-luka-mesec-foto-20220518>. Last visited 25.05.2022.

¹³ *ibid.*

likely, particularly considering the current attitudes towards Croatia amongst Slovenian politicians.

Conclusion

In sum, one might expect Croatian and Slovenian relations to somewhat deteriorate. Discussions regarding the arbitration agreement will resume, which may indeed reinvigorate tensions between the two. However, at this point, this is merely a prediction of the effect that Prime Minister Golob, his government and the Slovenian parliament might have on Slovenia's overall approach regarding the border dispute. Indeed, it is too soon to determine exactly what might eventuate. However, aforementioned, the general sentiment is that the election of a new prime minister and the formation of a new government could either reanimate past political tensions or definitively settle an unresolved dispute.