



Weekly Briefing

**Serbia external relations briefing:
Bitter pill – voting in the Council of Europe
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Bitter pill – voting in the Council of Europe

Summary

With 33 votes in favor, 7 against and 5 abstentions, the Committee of Ministers of the Council of Europe (CoE) accepted the request of the so-called “Kosovo” for membership and initiated the accession process by requesting the Parliamentary Assembly of the Council of Europe to prepare an opinion on membership. Besides Serbia, countries that voted against were Azerbaijan, Georgia, Romania, Cyprus, Spain and Hungary, while Armenia did not vote.

Introduction

The CoE is an international organization established on May 5, 1949 with aim to provide institutional framework for cooperation among states devoted to respect of the rule of law and human rights as it inherent part¹. The CoE comprises 46 member countries (Belarus and Russian Federation are not among them) and there are 5 observer countries (Canada, Holy See, Japan, Mexico, USA), including Israel with observer status within the CoE Parliamentary Assembly. During the past membership grew, but also changed in a reverse following the development of the international relations.² Example of following reverse development, or, in other words, an example of negative trend in the CoE orientation is biased attitude towards principle of territorial integrity and sovereignty. The most recent example is voting on membership of so called Kosovo.

Serbian struggle in the CoE for its territorial integrity

After the dissolution of the Socialist Federative Republic of Yugoslavia, the Republic of Serbia begun its new membership period since April 3rd 2003³. Before this new round of membership, Serbia has cooperated with the CoE Office opened in Belgrade on 16 March 2001.

¹ “Statute of the Council of Europe”, London, 5.V.1949, *European Treaty Series - No. 1*, Council of Europe, <https://rm.coe.int/1680306052>, accessed on: 27/04/2023.

² Russian Federation withdrew from the Council of Europe in March 2022 after 26 years of membership. Russian Federation made such decision after being suspended only a day after the operation in Ukraine has started. See more at: <https://www.dw.com/sr/%C5%A1ta-zna%C4%8Di-to-%C5%A1to-je-rusija-istupila-iz-saveta-evrope/a-61165258>, accessed on: 27/04/2023.

³ See more at: <https://www.mfa.gov.rs/en/foreign-policy/serbia-international-organizations/council-europe>, accessed on: 27/04/2023.

Scope of this Office was cooperation with the Government of the Republic of Serbia and other competent institutions, with a special focus on reforms in the field of justice, support for the functioning of parliament and local self-government, improvement of the higher education system, strengthening capacities in combating serious crime and other areas.

As in other international organizations, Republic of Serbia in the CoE also leads continuous struggle to defend its territorial integrity and sovereignty which was jeopardized first by NATO bombing, then with introducing bias international governance in Kosovo and Metohija and, as the latest, by unilateral proclamation of the independence of southern Serbian province.

Despite the support of European and world officials regarding of so called Kosovo's support for membership in international organizations, Kosovo still has not achieved its goals such as membership in the CoE, the EU, NATO, Interpol, the United Nations and UNESCO. That fact confirms that, luckily, there still are states faithful to the international law and its principles of territorial integrity and sovereignty. Still, as mentioned before, apparently there are countries that support so called Kosovo and push it towards the membership in international organizations.

Thanks to that type of countries, the demand for full membership in CoE was at the agenda of an extraordinary meeting of the Committee of Ministers held on April 24.⁴ As was rumored among diplomats, that was result of the pressure made by so called Qinta countries⁵ and their request.

The draft of decision on which should be voted is referring to the Brussels Agreement of February 27th and the Ohrid Agreement since February 18th which both contains the line that “Serbia won’t object membership of (so called) Kosovo in international organizations”⁶.

It was assumed that the main reason for such hurry was the fact that on April 24th also began session of the Parliamentary Assembly of the Council of Europe and because of that several states intended to push procedure of application in order to make possible representatives of member states to vote if the application will be transmitted to the Committee

⁴ Ministerial Committee of the Council of Europe accepts Kosovo’s application for membership, European Western Balkans, April 25, 2023, <https://europeanwesternbalkans.com/2023/04/25/ministerial-committee-of-the-council-of-europe-accepts-kosovos-application-for-membership/>: accessed on:27/04/2023.

⁵ The Quint is an informal decision-making group consisting of the United States and the Big Four of Western Europe (France, Germany, Italy and the United Kingdom). It operates as a "directoire" of various entities such as NATO, OECD and the G7/G20.

⁶ “Tekst Aneksa sporazuma o putu ka normalizaciji”, *N1*, 19. April 2023, <https://n1info.rs/vesti/tekst-aneksa-sporazuma-o-putu-ka-normalizaciji/>: accessed on: 27/04/2023.

of Ministers to decide further. Next session of the Committee was scheduled for May 16th and 17th in Reykjavik.

According to media, Germany and Italy insisted to include the issue of Kosovo application even earlier, but the chairlady of the Committee of Ministers, ambassador of Iceland, managed to refuse those pressures, so application came on table on April 24th. Therefore, what was on the agenda of the Council of Europe on April 24, 2023, was the continuation of the violation of the international legal order. If we look a little into the past, the genesis is clear. First, the Albanian separatist leaders were armed and encouraged to revolt, then they got a wind in their backs with the criminal NATO aggression in 1999, only to be rewarded for all their (mis)deeds with the recognition of some kind of fake state in 2008.

At the extraordinary session of the Committee of Ministers, it was decided that Kosovo's request for admission to the Council of Europe will be forwarded to the Parliamentary Assembly of this organization for further proceedings.

Representatives of 33 countries voted for this decision, seven were against (Serbia, Azerbaijan, Georgia, Romania, Cyprus, Spain and Hungary), while five abstained (Greece, Slovakia, Moldova, Ukraine and Bosnia and Herzegovina). Armenia did not vote.

Spain, a member state of the EU and NATO, has been very principled from the very beginning on the point of view that it does not recognize the so-called Kosovo. Moreover, athletes representing organizations from Pristina have serious problems when they have to compete in Spain, and it was certainly recorded how Spanish footballers, among the world stars of this sport, referred to the national team of the football association from Pristina as their national team, avoiding that they even use the name under which our southern province competes.

Apart from Spain, respect for international law also came from Cyprus, which itself has serious problems with its territorial integrity. This country was admitted to the EU with that multi-decade issue, but despite that, when it comes to the sovereignty and territorial integrity of our country, Cyprus is very consistent in defending not only Serbia, but the entire international legal order. The same should be said for Romania while Hungary is certainly one of the most pleasant surprises at the same time, although somewhat expected. Despite they recognized the unilaterally proclaimed independence of Kosovo and Metohija, Hungary repeatedly abstained or opposed it when Serbia needed to prevent the territory under the authority of the temporary government institutions in Pristina from being admitted to some international organizations.

The position of Georgia is already known, it is a country always voting consistently for the respect of all norms recognized everywhere in the world. Friendship with the countries of the Caucasus region was also reflected in the fact that Azerbaijan is also always on Serbia's side when it comes to its policy of preserving not only the integrity of Kosovo and Metohija, but the entire law that prevents the whole world from slipping into chaos.

The attitude of Armenia, which left the vote, was certainly disappointing for Serbia. This is certainly something that needs to be worked on more seriously in the future, because the Serbian and Armenian people have significant historical ties. A similar disappointment can be felt when it comes to Slovakia, a country that supports the integrity of Serbia, does not recognize Pristina's unilateral decision on independence, but still showed insufficient firmness in this test. Greece, on the other hand, has been on a seesaw for a long time. From the country that was our most stable international friend, that helped the Serbian people both during the civil war in the former Yugoslavia and during the NATO aggression, now has a calculating government in Athens. Bosnia and Herzegovina is certainly a story in itself. Serious analysts have already noticed that this attitude of Bosnia and Herzegovina would be put to the test when a vote was taken on the admission of Republika Srpska into an organization of this type.

Finally, Ukraine and Moldova, carried by the promises of the political West, also abstained from voting. Both are rapidly hoping to join the European Union and perhaps NATO, and to become a buffer against Russia's expansion. By the way, the irony is that both countries themselves have a problem with their territorial integrity, but their foreign policies are apparently conducted somewhere outside of Kyiv and Chisinau. The case of Ukraine is quite indicative. The representatives of this country voted only after consulting with the diplomatic representatives of the United States of America and Great Britain, and then they abstained from voting. Ukraine and Moldova are countries that do not recognize the self-proclaimed independence of the southern Serbian province, and the fact is that they have always been consistent in this. Whether this vote is a simple desire not to hold grudges against anyone and yet do something for their Western allies, or a hint of a change in policy, remains to be seen.

After the voting, Serbian delegation left the hall immediately, with the statement that Serbia will reconsider the models of further participation in the organization.

Conclusion

It is clear that the unity of the Council of Europe has been destroyed and that even the meaning of this organization has been called into question. However, this and such over voting in SE represents a violation of the international legal order. Duplicity and double standards in the countries of the political West and their allies have come to the fore again. Speaking of Serbia, there is no doubt that foreign policy strategy must be reconsidered.