

**The Influence of Domestic Political Factors on Foreign Policy
Formation in an EU Member State:
The Case of Slovakia and the Kosovo Status Process**

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Thesis submitted for the degree of Doctor of Philosophy

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I, Katarína Lezová, declare that the work presented in this thesis is my own.

*To my parents, Lyn Reed and
sensei Garry Lever – an extraordinary man who lives by example.*

Abstract

This thesis examines how Slovakia formulated its foreign policy regarding the unilateral declaration of Kosovo's independence in February 2008. Even though considerable external pressure to recognise Kosovo was brought to bear on Bratislava by the United States and key members of the European Union, particularly during its non-permanent membership in the United Nations Security Council (2006-2007), the thesis shows how the decision not to recognise Kosovo was ultimately driven by domestic political factors.

Moreover, it demonstrates that the prevailing external view that Slovakia's position was shaped by concerns over the issue of the ethnic Hungarian minority is incorrect. Instead, the foreign policy-making process was primarily driven by the leader of the Slovak opposition, Mikuláš Dzurinda, as he sought to regain domestic political power. While the Hungarian minority issue did play a role in the debate, its significance extended only to cementing the Slovak position and preventing any re-consideration of its view.

Thus, although the Slovak non-recognition policy was the result of an interaction between several factors, this thesis shows that it was, in essence, an internal affair to Slovakia. Although key members of the European Union, as well as the United States, sought to secure EU unity on the question of Kosovo, this thesis shows that there are limits to the EU's ability to shape the foreign policies of its members – even smaller and newer ones – when strong domestic opposition to a particular course of actions exists in those states.

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This PhD has taken longer to complete than I initially expected but I believe that as a result of this somehow longer journey it is better than it would have been otherwise. The PhD experience has helped me to grow and I came out of it as a different person. However, I would never be able to do so without the guidance and support of some inspiring people. In truth, I was very fortunate to have met a number of them and without their help this thesis would not be completed.

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ABBREVIATIONS

CFSP	Common Foreign and Security Policy
EC	European Community
EU	European Union
EBRD	European Bank for Reconstruction and Development
ESDP	European Security and Defence Policy
EULEX	European Union Rule of Law Mission in Kosovo
EUSR	European Union Special Representative
FIDESZ	Alliance of Young Democrats
FRY	Federal Republic of Yugoslavia
GAERC	General Affairs and External Relations Council
ICJ	International Court of Justice
ICR	International Civilian Representative for Kosovo
IMF	International Monetary Fund
KDH	Christian Democratic Party
KFOR	Kosovo Protection Force
KLA	Kosovo Liberation Army
KMAT	Hungarian Autonomous Council of the Carpathian Basin
LS-HZDS	People's Party-Movement for a Democratic Slovakia
MFA	Ministry of Foreign Affairs
NATO	North Atlantic Treaty Organisation
OSCE	Organisation for Security and Cooperation in Europe
PES	Party for European Socialists
SDKÚ-DS	Slovak Democratic and Christian Union-Democratic Party
SFPA	Slovak Foreign Policy Association
SMER-SD	Direction-Social Democracy

SMK	Party of the Hungarian Coalition
SNS	Slovak National Party
TASR	The News Agency of the Slovak Republic
UDMR	Democratic Alliance of Hungarians in Romania
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNOSEK	United Nations Office of the Special Envoy for Kosovo
UNSC	United Nations Security Council
US	United States of America
WB	World Bank

KEY ACTORS

United Nations

Ahtisaari, Martti
Special Envoy for the Future Status of Kosovo,
2005-2007

European Union

Ischinger, Wolfgang
Troika EU Representative, 2007

Russia

Churkin, Vitaly
Permanent Representative of Russia to UN,
2006-

Hungary

Orbán, Viktor
Prime Minister of Hungary, 1998-2002; 2010-
Sólyom, László
President of Hungary, 2005-2010

Slovakia

Burian, Peter
Permanent Representative of Slovakia to the
UNSC, 2006-2007
Csáky, Pál
Chairman of SMK, 2007-2010
Duray, Miklós
Member of SMK
Dzurinda, Mikuláš
Slovak Minister of Foreign Affairs, 2010-2012;
Slovak Prime Minister 1998-2002, 2002-2006
Fico, Róbert
Slovak Prime Minister, 2006-2010; 2012-
Gašparovič, Ivan
President of Slovakia, 2004-
Kubiš, Ján
Slovak Minister of Foreign Affairs, 2006-2009
Kukan, Eduard
Slovak Minister of Foreign Affairs, 2002-2006
Lajčák, Miroslav
Slovak Minister of Foreign Affairs, 2009-2010,
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2009

United States of America

DiCarlo, Rosemary
United States' Deputy Assistant Secretary in the
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2008

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Organizations for the United States Government,
2005-2008

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2008

Vallee, Rodolphe M.
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Obsitnik, Vincent
US Ambassador to Slovakia, 2007-2009

INTRODUCTION

*'...in Kosovo, history is not really about the past, but about the future.
As always in the Balkans, and elsewhere, for that matter
the truth is not what matters, it is what people believe it to be.'*¹

1. Aims

This thesis examines the interaction between domestic factors and external pressures from the EU and other international actors in the formation of an EU member's foreign policy. Specifically, this will be shown in the case of Slovak foreign policy adopted towards Kosovo's independence.

In February 2007 Martti Ahtisaari, the UN Special Envoy for Kosovo and former Finnish President, submitted his proposal on the final status of Kosovo. In it he recommended 'supervised independence'. One year later, on 17 February 2008, Kosovo unilaterally declared independence from Serbia, a move that was recognised shortly afterwards by the United States, Great Britain, France, Germany and Italy.² Since then, many other states, including the majority of European Union states, have joined them. However, this step was rejected by Serbia and major international actors such as Russia, India and China.

The hope was that settling Kosovo's status would complete the 'unfinished stories' left by the violent disintegration of the former Yugoslavia in the 1990s.³ However, it has neither succeeded in resolving the Serb-Albanian dispute, nor has it settled the

¹ Tim Judah, *Kosovo: War and Revenge* (London: Yale Nota Bene, 2002), p. 2.

² As Rosemary DiCarlo, Deputy Assistant Secretary of State for European and Eurasian affairs, indicated during a meeting with Slovenian counterparts in December 2007, 'the session of the Kosovo Parliament, in which they pass the declaration of independence, were to be on Sunday, since this way the Russian Federation would not have the time to call for the UN Security Council. In the meantime, the first recognitions would already have happened'. Indeed, 17 February 2008 was a Sunday. See Tomaz Mastnak, 'Kosovo: A New Versailles?', *Foreign Policy In Focus*, 7 March 2008.

³ Alexandros Yannis, 'The Politics and Geopolitics of the Status of Kosovo: the Circle is Never Round', *Southeast European and Black Sea Studies*, 9 (2009), 161-70 (p. 162).

future of the region including Kosovo.⁴ International opinion still remains divided on the issue and as of 24 June 2013, only 100 out of 193 UN members recognised Kosovo as an independent state.⁵ These differences extend to the EU where five countries – Cyprus, Spain, Romania, Greece and Slovakia – do not recognise Kosovo’s statehood. There are some claims that the five EU members have taken this stance because the issue has an indirect influence on their national security and it is not just a question of their foreign political orientation.⁶ It has been argued that the independence of Kosovo ‘has become a much more complicated story than the West anticipated’ and ‘the EU’s role cannot fully develop as long as it remains divided over Kosovo’.⁷ Despite the argument that the position of the five EU non-recognisers is ‘one of constructive abstention’, in practice, however, it is still considered to be ‘a drag on European leadership’.⁸ Unlike the case of Montenegro’s independence in 2006, when EU members agreed on a common approach to recognising Montenegro when it seceded from Serbia, a different approach had been taken to the recognition of Kosovo.⁹ On 18 February 2008 the General Affairs and External Relations

⁴ Yannis, ‘The Politics and Geopolitics of the Status of Kosovo’, p. 162. Considering the current social and economic situation in Kosovo, Sláviková argues that after the declaration of independence, Kosovo’s isolation only further deepened. See Eliška Sláviková, ‘Nekonečný příběh kosovské nezávislosti’, *Zahraničná Politika*, 2 (2012), 7-9 (p. 9). In view of Kosovo’s path to the EU, Ker-Lindsay and Economides note that without Kosovo’s declaration of independence its way to become an EU member would have been easier, particularly if one considers that under the UN administration Kosovo was widely accepted. In this sense, Kosovo’s institutions could have eventually substituted the UN control, thus avoiding a number of issues created after the unilateral declaration of independence. See James Ker-Lindsay and Spyros Economides, ‘Standards before Status before Accession: Kosovo’s EU Perspective’, *Journal of Balkan and Near Eastern Studies*, 14 (2012), 77-92, p. 88.

⁵ However, some of these recognitions remain contested, for instance those by Sao Tome and Principe, Nigeria or Uganda. See Edona Peci, ‘Dispute Arises over Kosovo’s 98th Recognition’, *BalkanInsight*, 10 January 2013. In order to take a seat in the UN, Kosovo needs to secure a recommendation by the SC and support of two thirds majority of the 193 UN General Assembly members.

⁶ See ‘Kosovo/EU: Pressure eases on anti-independence five’, *Oxford Analytica*, 4 January 2010, p. 1; Shpend Kursani, ‘Western Balkans and Europe: waiting for the Mediterranean breeze from Greece’, *Art of the Possible: The Cambridge University Journal of Politics*, 13 February 2011, available at <<http://artofthepossible-cambridge.com/index.php?a=12&title=1297598745.html>> [accessed 7 June 2011].

⁷ ‘Kosovo/EU: Pressure eases on anti-independence five’, *Oxford Analytica*, 4 January 2010, p. 1. It was also argued that the five EU members’ refusal to recognise Kosovo seriously weakened the position of the International Civilian Representative for Kosovo (ICR) and EU Special Representative (EUSR). See Stephan Keukeleire, Arben Kalaja and Artan Çollak, ‘The EU and Kosovo: Structural Diplomacy in Action - but on the basis of one-sided paradigms?’, *Jean Monnet Multilateral Research Network on “The Diplomatic System of the European Union”*, Policy Paper 4, February 2011, pp. 2-3. Notably, ICR’s supervision of Kosovo – under the Dutch diplomat Pieter Feith – officially ended in September 2012. See ‘Kosovo declared “fully independent”’, *BBC News Europe*, 10 September 2012.

⁸ European Council on Foreign Relations (ECFR), ‘European Foreign Policy Scorecard 2013’, Justin Vaïsse and Susi Dennison with others, January 2013, p. 68.

⁹ ‘Kosovo: International Law and Recognition’, A Summary of the Chatham House International Law Discussion Group meeting held on 22 April 2008, Chatham House, p. 4. Notably, as Miroslav Lajčák, the Slovak Minister of Foreign Affairs, commented, ‘unlike Montenegro, which decided to engage in a difficult dialogue with Serbia before declaring independence and to accept compromises in order to consolidate its independence at a later stage in a relatively comfortable manner, Kosovo’s leaders chose the opposite way – a simpler road at the beginning, but with the risk of great complications after the separation’. See ‘Self-Determination and Territorial Integrity: Awkward bed-fellows’, Speech of the Minister of Foreign Affairs of the Slovak Republic Miroslav Lajčák, Chatham House, London, 20 April 2009.

Council of the EU agreed that the recognition of Kosovo was a matter for national governments to decide ‘in accordance with national practice and international law, on their relations with Kosovo’.¹⁰ As a result, the EU did not show unity on this issue.¹¹

This thesis examines the position of Slovakia as one of the five EU member states that has not joined the majority of the EU in the recognition process and has not reconsidered its view to date, although some expected this to happen with the change of Slovak government in June 2010. So why did Slovakia decide not to recognise the independence of Kosovo? This is the central research question that this thesis sets out to answer.

Given the relatively recent nature of events, there have been few studies on how each EU member state has developed its views on what is an extremely complex and contested issue. Kosovo’s independence and its impact on the region has been widely debated in literature, however there has not been a detailed study analysing the evolution of the Slovak position over a prolonged period of time. Indeed, other events in Slovak foreign policy have attracted wider international debate, such as the political transformation after the fall of communism and the dissolution of Czechoslovakia; Mečiar’s government between 1994-1998; Slovakia’s non-accession to NATO in the first wave in 1999; or the process referred to as ‘catching up’ with Europe, after Slovakia was initially allocated to the second group of candidate countries for EU membership.¹² As for Kosovo, there have been articles on the subject, but these have focused either on specific periods in the evolution of the Slovak view or on one particular event without going into great detail (for instance the passing of the ‘Declaration of the National Council of the Slovak Republic on the

¹⁰ ‘General Affairs and External Relations: External Relations’, *Council of the European Union*, 2851th Council Meeting, *Press Release*, 6496/08 (Presse 41), Brussels, 18 February 2008, p. 7.

¹¹ Ahtisaari argued that it does not matter that many countries did not recognise Kosovo; rather, it mattered that the economic clout of nations (such as the US and majority of Western Europe) did so. Ahtisaari further added: ‘It really doesn’t matter if Paraguay hasn’t recognised. Well over 65% of the wealth of the world has recognised. That matters’. See Julian Borger, ‘Kosovo state inevitable, says Nobel laureate’, *The Guardian*, 18 October 2008, p. 28.

¹² See for example, Tim Haughton, ‘Vladimír Mečiar and his Role in the 1994-1998 Slovak Coalition Government’, *Europe-Asia Studies*, 54 (2002), 1319-38; Vladimír Bilčík, *Can Slovakia Catch Up? The Implications of EU Accession Talks a Year After the Helsinki Summit* (Copenhagen: Danish Institute of International Affairs, 2001); Tim Haughton, ‘Facilitator and Impeder: The Institutional Framework of Slovak Politics During the Premiership of Vladimír Mečiar’, *Slavonic and East European Review*, 81 (2003), 267-90; Karen Henderson, ‘The Slovak Republic: Explaining Defects in Democracy’, *Democratization*, 11 (2004), 133-55.

Solution of the Future Status of the Serbian province Kosovo' in March 2007; tensions in Slovak-Hungarian relations; or the reaction to the Advisory opinion of the International Court of Justice (ICJ) on Kosovo's declaration of independence).¹³ This thesis, however, examines a longer period of time with the aim of discussing key stages of Slovak foreign policy towards the Balkans in the 1990s, which will provide a necessary background to the main period under review, and will give a detailed account of the evolution of the view on the Kosovo issue in Slovakian politics, which eventually led to the decision not to recognise Kosovo in 2008.

The Slovak position on Kosovo represents an important case study of foreign policy-making with broader implications for the EU. The search for European unity on foreign policy has been a key theme in discussions on the European Union.¹⁴ The Balkans, and Kosovo in particular, have represented cases where unity was perceived as crucial – and yet a number of EU countries, including Slovakia, refused to conform.¹⁵ The decision by Bratislava is worthy of study for a number of reasons. First, it exposes the limits of the EU's ability to shape the policies of member states when strong opposition to a particular course of action exists in those states. The concept of European unity and the ability of the EU to forge unity in similar circumstances then become uncertain. Second, by highlighting the impact the Slovak position had on debates around Kosovo's statehood and on its contribution to the EU's non-unity on this question, this research underlines the importance of a small state's foreign political decision.¹⁶ Finally, as outlined above, no detailed study on this issue exists.

¹³ See for instance, Kai-Olaf Lang, 'Slowakei: Keine Anerkennung, aber Partnerschaft', *Südosteuropa*, 56 (2008), 435-40; Eliška Sláviková, 'Ako SDKÚ zachránila slovenskú reputáciu', *Strategické štúdie*, 3 (2007), 3-6; Milan Šagát, 'Slovak Foreign Policy towards the Western Balkans: Potemkin Villages', *International Issues & Slovak Foreign Policy Affairs*, 17 (2008), 45-62; Július Lörincz, 'Assisting the Painful Process of Coming in Terms with the Past', *International Issues & Slovak Foreign Policy Affairs*, 17 (2008), 63-71. For a brief discussion of the Slovak non-recognition of Kosovo see also Jozef Bátora and Veronika Pulišová, 'Slovakia: Learning to add value to EU foreign policy', in *The New Member States and the European Union: Foreign Policy and Europeanization*, ed. by Michael Baun and Dan Marek (London: Routledge, 2013), pp. 68-83.

¹⁴ See for example, John Peterson and Helene Sjursen (ed.), *A Common Foreign Policy for Europe? Competing visions of the CFSP* (London: Routledge, 1998); Dieter Mahncke and Sieglinde Gstöhl (ed.), *European Union Diplomacy: Coherence, Unity and Effectiveness* (Oxford: P.I.E. Peter Lang, 2012); Daniel C. Thomas (ed.), 'Special Issue: The Negotiation of EU Foreign Policy', *International Politics*, 46 (2009), 335-504.

¹⁵ See 'Spain, Romania, Cyprus, Slovakia lead pack of countries refusing to violate international law', *Kosovo Compromise*, 19 February 2008; Aristotle Tziampiris, 'Greek Foreign Policy with Regard to Kosovo's Independence', *Südosteuropa*, 56 (2008), 403-6.

¹⁶ As political scientist Christos Kassimeris points out, in the post-Cold War era the foreign policy formation of small states represents a worthwhile topic because the actions of these states have a greater impact on world politics. See Christos Kassimeris, 'The Foreign Policy of Small Powers', *International Politics*, 46 (2009), 84-101 (p. 85).

This thesis aims to develop an understanding of foreign policy-making beyond the case of Kosovo. This is particularly linked to the fact that literature examining states' behaviour in recognition issues, and specifically decisions related to non-recognition policy, is relatively limited.¹⁷ Due to the absence of the EU's collective action towards Kosovo's statehood, EU members took their decisions individually. When it comes to the recognition of states, it is a country's own decision to judge which territory to recognise as an independent state, and why and when to do so.¹⁸ As a result, there is no official way that would oblige a state to recognise a country, and the reasons countries refuse to do so vary.¹⁹ Importantly, as Ker-Lindsay states, 'we appear to be moving into a strange new era in which there are states that are recognised as such by some countries but not by others'.²⁰ Considering that several EU states now face secessionist movements,²¹ it is vital, and indeed timely, to understand how states respond to declarations of independence and, importantly, why they do so. The Slovak case study is crucial as it provides an understanding for why a small EU member state decided to go against the mainstream and even resisted the pressure coming from the US and key EU diplomats to reconsider its position. In this respect, by presenting an account of 'why' Slovakia refused to recognise Kosovo, this thesis adds to the existing scholarship. As will be shown, apparent reasons for the Slovak decision widely identified in the literature – specifically related to ethnic minority issues – lack an in-depth understanding of the

¹⁷ Literature dealing with recognition of states includes, for instance, Richard Caplan, *Europe and the Recognition of New States in Yugoslavia* (Cambridge: Cambridge University Press, 2005); Nina Caspersen, *Unrecognised States: The Struggle for Sovereignty in the Modern International System* (Cambridge: Polity Press, 2012); Nina Caspersen, 'From Kosovo to Karabakh: International Responses to De Facto States', *Südosteuropa*, 56 (2008), 58-83; Nina Caspersen and Gareth Stansfield (ed.), *Unrecognized States in the International System* (London: Routledge, 2011); Beverly Crawford, 'Explaining Defection from International Cooperation: Germany's Unilateral Recognition of Croatia', *World Politics*, 48 (1996), 482-521.

¹⁸ James Ker-Lindsay, *The Foreign Policy of Counter Secession: Preventing the Recognition of Contested States* (Oxford: Oxford University Press, 2012), p. 7. This book is an excellent and first comprehensive account of why parent states prevent recognition of territories that unilaterally seceded. It focuses on the cases of Serbia, Cyprus and Georgia and their attempts to prevent the recognition of Kosovo, the 'Turkish Republic of Northern Cyprus', South Ossetia and Abchazia respectively. For a section on non-recognition in international politics, see particularly pp. 12-14.

¹⁹ Ker-Lindsay, *The Foreign Policy of Counter Secession*, pp. 12-13.

²⁰ Ker-Lindsay, *The Foreign Policy of Counter Secession*, p. 18.

²¹ Indeed, in 2014, two European regions – Scotland and Catalonia – will hold referendums on independence from the UK and Spain, respectively. In September 2014, the Scottish voters will be asked to answer the following referendum question: 'Should Scotland be an independent country?' See Andrew Black, 'Scottish independence: Referendum to be held on 18 September, 2014', *BBC News*, 21 March 2013; Giles Tremlett, 'Catalonia joins Scotland in push for 2014 independence vote', *The Guardian*, 13 December 2012; 'World is watching Scotland, says former UK minister', Interview with former UK minister Mark Malloch-Brown, *BBC*, 20 February 2013. Likewise, a secessionist movement is on the rise in Belgium (Flanders).

specific political context. As Katzenstein suggests, ‘there is a great difference between understanding-a-thing-on-its-own and understanding-a-thing-in-context’.²²

What made Slovakia’s position especially significant was that between 2006 and 2007, it was a non-permanent member of the United Nations Security Council (UNSC).²³ It was in early 2007 that Kosovo’s future status received special attention from Slovak politics. Kosovo was high on the agenda of the UNSC and thus Slovakia was directly involved in debates on the subject.²⁴ At that time, Slovakia’s position stood in marked contrast to the position adopted by the four other members of the EU on the SC (Britain, France, Italy and Belgium),²⁵ all of whom were broadly in favour of independence. In this context, Slovakia’s position was seen as key to preserving EU unity.²⁶

As will be examined in this thesis, in March 2007, after five initial proposals and a heated debate, the Slovak Parliament passed a Declaration on Kosovo’s future status, taking a position against independence if no consensus was reached between Belgrade and Pristina. When, in February 2008, Kosovo unilaterally declared independence, Slovakia ‘took note’ of Kosovo’s act but did not change its position, despite lobbying from the US and its EU partners to reconsider. In September 2008, Ján Kubiš, the Minister of Foreign Affairs of Slovakia, met in New York with Richard Holbrooke, the former US Ambassador to the UN, and Frank Wisner, the former Special Representative of the US Secretary of State to the Kosovo Status

²² Peter J. Katzenstein, ‘Small States and Small States Revisited’, *New Political Economy*, 8 (2003), 9-30 (p. 9).

²³ Russia was UNSC president in January 2007. Slovakia took up presidency in the SC in a crucial time of February 2007 when Kosovo’s status was high on the agenda. According to International Crisis Group, supporters of a ‘quick solution’ for Kosovo, particularly Ahtisaari and the US planned to come up with a decision in March 2007. See International Crisis Group, ‘Kosovo’s Status: Difficult Months Ahead’, Policy Briefing Nr 45, 20 December 2006, p. 6. After the Russian and Slovakian presidency in January and February 2007 respectively, South Africa was president in March, followed by the UK in April and the US in May. Belgium held the presidency in June and China in July 2007.

²⁴ In a leaked confidential cable from a meeting of the US Ambassador to Finland, Marilyn Ware, with Martti Ahtisaari, sent from the Embassy Helsinki, Ware stated: ‘Ahtisaari is also directly lobbying EU member states and current or incoming UN SC members. Some (he named South Africa, Spain, Romania, Sweden and Slovakia) have needed more persuading than he would have expected [...]’. See ‘Ambassador Ware’s Meeting with President Ahtisaari’, Embassy Helsinki, reference ID 06Helsinki1252, 8 December 2006, available at <<http://wikileaks.ch/cable/2006/12/06helsinki1215.html>> [accessed 15 May 2011]. The UNSC discussions on Kosovo’s status eventually ended without passing any resolution as it became clear that in the case of a UN vote Russia would use its veto right.

²⁵ In addition to the five permanent UNSC members (China, France, Russia, the UK and the US), the non-permanent members in 2007 were: Belgium, Congo, Ghana, Indonesia, Italy, Panama, Peru, Qatar, South Africa and Slovakia.

²⁶ See ‘Slovakia will not discuss status issues during UNSC UNMIK meeting’, US mission UN New York, reference ID 07USUNNEWYORK, 17 March 2007, available at <<http://wikileaks.org/cable/2007/03/07USUNNEWYORK215.html>> [accessed 3 May 2012].

Talks. Although both American representatives called upon Slovakia to recognise the independence of the former Serbian province, Kubiš confirmed that the Slovak stance would not change.²⁷ This is of great significance as it was expected that, sooner or later, Slovakia would give in to these pressures. This study aims to explain why these attempts did not lead to a substantive change in Slovakia's policy.

In August 2008, Serbia asked the General Assembly of the UN to request an advisory opinion from the International Court of Justice (ICJ) on whether the unilateral declaration of Kosovo was in accordance with international law.²⁸ In October 2008, the General Assembly adopted a resolution in favour of referring the matter to the Court.²⁹ Countries were invited to submit their comments on the request for an advisory opinion and Slovakia sent a written statement to the Court explaining its view; however, it did not participate at the hearings.³⁰ In July 2010, almost two years after the request was initiated, the ICJ issued its verdict which concluded that 'the adoption of the declaration of independence of 17 February 2008 did not violate general international law, Security Council resolution 1244 (1999) or the Constitutional Framework. Consequently the adoption of that declaration did not violate any applicable rule of international law'.³¹ However, the ICJ did not touch upon the questions of independence as such and of recognition, and, as a result, the countries that had not recognised Kosovo were given no reason to change their

²⁷ 'J. Kubiš sa stretol s R. Holbrookom a F. Wisnerom', *The News Agency of the Slovak Republic (TASR)*, 22 September 2008.

²⁸ 'Request for the inclusion of a supplementary item in the agenda of the sixty-third session: Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law', *United Nations General Assembly*, A/63/195, 22 August 2008.

²⁹ The draft resolution was adopted by a vote of 77 in favour, 6 against (incl. Albania, Marshall Islands, Federated States of Micronesia, Nauru, Palau, United States) and 74 abstentions. As for Slovakia, it voted in favour of the resolution. See 'Backing request by Serbia, General Assembly decides to seek International Court of Justice ruling on legality of Kosovo's independence', *United Nations General Assembly*, 63rd Session, 22nd Plenary Meeting, GA/10764, 8 October 2008.

³⁰ 'Statement by the Slovak Republic for the International Court of Justice on the request made by the United Nations General Assembly (resolution A/RES/63/3 of 8 October 2008) for an advisory opinion on the question 'Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?', No. 2225/2009 NLVV, The Hague, International Court of Justice, 16 April 2009. Interestingly, Slovakia sent the statement only one day before the time limit fixed by the Court for the written statements. Document available at <<http://www.icj-cij.org/docket/files/141/15626.pdf>> [accessed on 15 April 2010].

³¹ 'Accordance with international law of the unilateral declaration of independence in respect of Kosovo', Advisory Opinion, The Hague, International Court of Justice, 22 July 2010, p. 43. The final verdict was supported by 10 out of the 14 judges. However, 5 out of the 14 judges initially voted against the decision to give advisory opinion and were of the view that the Court should have declined the request. For a detailed advisory opinion of the Vice-President of ICJ judge Tomka (from Slovakia) who voted against the verdict, see his declaration appended to the Advisory Opinion, 'Declaration of Vice-President Tomka', 22 July 2010, available at <<http://www.icj-cij.org/docket/files/141/15989.pdf>> [accessed 15 May 2011].

position.³² Despite stating that the unilateral declaration of independence was not contrary to international law, the ICJ's non-binding opinion did not judge whether Kosovo's declaration had led to the creation of a state nor whether other countries acted legitimately in recognising Kosovo's independence.³³ Unsurprisingly, the Slovak stance did not change and the newly appointed Minister of Foreign Affairs in Slovakia, Mikuláš Dzurinda, who was the main initiator of the 2007 Slovak Parliament's Declaration on Kosovo's status, confirmed this by saying that the solution of the status question should be based on the consensus of both parties or on the decision of the UNSC.³⁴ With regards to the latter, considering the Russian position and its veto right on the SC it was clear that this would not happen.³⁵

As will be shown, the position taken by Slovakia was clearly decided by its political elite. This type of elite reacts to domestic popular pressure. To explain a political leader's behaviour we need to consider not only the institutional context but also her/his tactical calculations.³⁶ As Putnam suggests, 'insofar as political decisions matter, political decision makers do, too'.³⁷ The role of the political elite in this issue is important in understanding the decision-making process over a longer period of time. Therefore, this thesis will primarily focus on the actions of the political elite. As Suzanne Keller states, 'powerful, influential elites as the pivotal actors on the social stage continue to be the critical gatekeepers for modern societies'.³⁸ In this respect, this study explains why the leader of opposition, Mikuláš Dzurinda, despite

³² James Ker-Lindsay, 'Legal or not, this has not solved issue of recognition', *The Independent*, 23 July 2010, p. 21.

³³ John Cerone, 'The World Court's Non-Opinion', *Opinio Juris*, 25 July 2010, available at <<http://opiniojuris.org/2010/07/25/the-world-court%E2%80%99s-non-opinion/>> [accessed 18 June 2011]. See also Robert Howse and Ruti Teitel, 'Are We Really Secessionists Now?', *Project Syndicate*, 26 July 2010, available at <<http://www.projectsyndicate.org/commentary/are-we-really-secessionists-now->> [accessed 29 August 2012]. In general, however, the issue with unilateral steps and solutions enforced externally is that they do not lead to long lasting settlements. Therefore, only a negotiated agreement by both parties would have the potential to settle the status question effectively. See Spyros Economides, James Ker-Lindsay and Dimitris Papadimitriou, 'Kosovo: Four Futures', *Survival*, 52 (2010), 99-116 (p. 111).

³⁴ 'Dzurinda: Aj tak ho neuznáme', *SME*, 23 July 2010, p. 10. The Slovak Ministry of Foreign Affairs stated that 'opinions of the International Court of Justice are advisory in nature, which means that they are not legally binding. The opinion will not have a direct impact on the position of the Slovak Republic to the unilaterally declared independence of Kosovo'. See 'MZV SR k poradnému posudku o nezávislosti Kosova', *Ministry of Foreign Affairs of the Slovak Republic*, 22 July 2010.

³⁵ In regard to the Russian position, Yannis notably remarked: 'Geopolitical considerations left Russia open to, rather than against or in favour of, independence. This was either not fully understood or Kosovo was not worth bargaining over. Were Russia to have played along, would the rest have played differently?' See Yannis, 'The Politics and Geopolitics of the Status of Kosovo', p. 167.

³⁶ Robert D. Putnam, *The Comparative Study of Political Elites* (New Jersey: Prentice Hall, 1976), p. x.

³⁷ Putnam, *The Comparative Study of Political Elites*, p. ix.

³⁸ Suzanne Keller, *Beyond the Ruling Class: Strategic Elites in Modern Society*, rev. edn (New Brunswick: Transaction Publishers, 1991), p. xv.

his previously very pro-American views, so openly opposed Kosovo's independence without Belgrade's consent and why he mobilised other parties in support of his view. These questions have not been addressed.

Although respect of international law was presented by the Slovak officials as the prime reason for the Slovak stance, this thesis argues that, in fact, the most important factors in understanding Slovakia's foreign policy towards Kosovo are: firstly, a tactical factor related to internal politics and the role of political party opposition in Slovakia; and, secondly, a principled factor connected to the ethnic Hungarian minority in Slovakia and Slovak-Hungarian relations. They were both of high importance for the Slovak political elite, and therefore the reasons for the failure of all attempts for a 'common' EU foreign policy on Kosovo. As a result of these aspects, Slovak politicians elevated national interests above EU interests and resisted pressure from EU actors. Both factors will be considered in turn.

The first important factor in explaining Slovakia's policy on Kosovo concerns the role played by the political party opposition. In other words, the issues between political parties in the domestic context impacted on this foreign political decision. It will be argued that it was a tactical step of the leader of one of the parties in opposition, the Slovak Democratic and Christian Union-Democratic Party (SDKÚ-DS), to bring up the topic of Kosovo's independence and express the necessity for an official statement by the Slovak Parliament represented by the Declaration on Kosovo's status passed in March 2007.

It is this element of tactical calculus, i.e. inter-party rivalry, which impacted on the evolution of the situation. In 2006 there was a change of government and SDKÚ-DS, formerly in the government, became part of the opposition.³⁹ However, prior to 2006, the Kosovo issue was not raised in the debates and no domestic actors paid much attention to it. Nevertheless, at the beginning of 2007, when the Ahtisaari plan was presented, Dzurinda, the leader of the opposition party SDKÚ-DS, decided it

³⁹ After the 2006 elections, the governing coalition was built by Direction-Social Democracy (SMER-DS), Slovak National Party (SNS) and People's Party-Movement for Democratic Slovakia (ĽS-HZDS). The opposition parties included: Slovak Democratic and Christian Union-Democratic Party (SDKÚ-DS), Party of the Hungarian Coalition (SMK) and Christian Democratic Movement (KDH).

was the right moment to turn this issue into a political tactic and challenge the coalition.

Because the government was not united on this issue and the Minister of Foreign Affairs, Ján Kubiš, saw Kosovo's independence as inevitable, it appeared to be a 'suitable topic' for an attack on the ruling coalition, arguing that coalition leaders were not dealing with an issue so important for Slovak state interests. In turn, the leading coalition party, Direction-Social Democracy (SMER-SD), responded tactically by putting the Kosovo issue high on their agenda.

However, at the EU level, the Slovak position was a surprise, even more so because the initiator of the debate was SDKÚ-DS, and notably its leader, Mikuláš Dzurinda. Dzurinda was the Prime Minister in the previous two governments (1998-2006) and his politics were very EU and NATO oriented. It was during his term of office that Slovakia entered both the EU and NATO in 2004. However, his aim of regaining domestic political power, ultimately leading to a parliamentary declaration on Kosovo, considerably limited the manoeuvring space of the Slovak Ministry of Foreign affairs in the question of Kosovo's independence. In the end, the parliamentary Declaration led to a change of policy and non-fulfilment of the Ministry's main intent – remaining with the EU on Kosovo and demonstrating its role as a responsible EU, UNSC and NATO member. This shows the importance of political party opposition and its impact on Slovak policy, exposing how an internal party political issue ended up having a considerable impact on a key foreign policy decision. Even calls for unity on the EU level did not persuade Slovak political representatives to change their course of action.

The second argument, that the recognition of Kosovo could be used by the Hungarian minority in Slovakia for its own autonomist aims or secessionist tendencies is an important aspect that needs to be explored. However, once again, one needs to look at it in a particular political context.

There is a historical and numerical significance to the Hungarian minority in Slovakia. From a historical perspective, the break-up of the Austro-Hungarian Empire and post-World War I settlements, particularly the 1920 Treaty of Trianon,

considerably cut Hungary's territory and population. As a result, more than three million Hungarians became minorities in neighbouring countries, and Slovakia (then part of Czechoslovakia) was one of the states to which they were allocated. Hungarians still perceive Trianon as an injustice and Hungarian politicians have unsuccessfully attempted to annul the legislation several times. On the other hand, Slovaks bitterly remember the last period of the Kingdom of Hungary. From the 1870s the non-Hungarian nationals of the multi-national Kingdom were subject to the so-called process of Magyarisation.⁴⁰ These briefly outlined examples of historical events have impacted on the relations between Slovakia and Hungary. More recently, tensions in Slovak-Hungarian relations were caused due to difficulties related to the Gabčíkovo-Nagymaros dam,⁴¹ and disagreements over Hungarian minority rights in Slovakia.⁴²

From a numerical perspective, according to the last census from May 2011, the Hungarian minority accounts for about 8.5 percent (i.e. 458,467) of the total population and lives predominantly in the southern part of Slovakia.⁴³ It represents a

⁴⁰ Slovakia, known as Upper Hungary, was between 1000 and 1918 ruled by the Kingdom of Hungary. From 1879, the Magyar language was compulsory in all people's schools and the teaching of Slovak was dramatically reduced which eventually led to the registration of Slovak children as Magyars. During the last census in the Kingdom which took place in 1910, people were asked to identify their mother tongue; however, this was not considered to be the tongue one learnt from the mother but one that a person spoke best and most willingly. Considering the political situation, for many Slovaks it was dangerous to write that the Hungarian language was not dear to them. See Ladislav Deák, 'On the Reliability of the Hungarian Nationality Statistics from 1910', in *Insight into Slovak-Magyar Relations*, ed. by Ján Doruľa (Bratislava: Slovak Committee of Slavists in cooperation with the Institute of Slavonic Studies of Ján Stanislav of the Slovak Academy of Sciences, 2009), pp. 7-9. Furthermore, from 1898 Slovak officials were forced by law to magyarise their surnames, which was strongly criticised by the British historian and political activist, Robert W. Seton-Watson. For more on this and a detailed account on the 1910 census, see Vladimír Jancura, 'Slováci, dajte si pozor na sčítacích komisárov', *Pravda*, 24 July 2010, pp. 30-31.

⁴¹ 'The conflict is rooted in a 1977 treaty between Hungary and then Czechoslovakia to build a series of dams on the Danube River. After Hungary abandoned its work in 1989, citing potential long-term environmental damage, Slovakia completed a modified version of the complex entirely on its territory. Under pressure from the European Union (EU), in 1993 the two sides filed suit against each other at the ICJ; Hungary sued Slovakia for trans-boundary environmental damage, applying the precautionary principle to international law, while Slovakia sued Hungary for treaty violations. Remarkably, the dispute has now survived the collapse of communism, the disintegration of Czechoslovakia, successful political and economic transitions, and NATO and EU membership'. See Stephen Deets, 'Constituting Interests and Identities in a Two-Level Game: Understanding the Gabčíkovo-Nagymaros Dam Conflict', *Foreign Policy Analysis*, 5 (2009), 37-56 (p. 38). For more on the judgement, see also Peter H. F. Bekker, 'Gabčíkovo-Nagymaros Project (Hungary/Slovakia). Judgement', *The American Journal of International Law*, 92 (1998), 273-78.

⁴² Ivo Samson, 'Slovakia: Misreading the Western Message', in *Democratic Consolidation in Eastern Europe. Volume 2. International and Transnational Factors*, ed. by Jan Zielonka and Alex Pravda (Oxford: Oxford University Press, 2001), pp. 363-82 (p. 378). Dispute over the Gabčíkovo-Nagymaros dam was officially resolved by the International Court of Justice (ICJ) in 1997. However, as the decisions by the ICJ are not binding, the resolution has still not been implemented and continues to be a subject of continued negotiations between Slovakia and Hungary. Nevertheless, as Samson notes, since 1999 this issue has not been a major focus of political discussions between the two countries; rather, it is the Hungarian minority issue that has been subject of attention. See Samson, 'Slovakia', p. 378.

⁴³ 'Základné údaje zo sčítania obyvateľov, domov a bytov 2011: Obyvateľstvo podľa národnosti', *Štatistický Úrad Slovenskej Republiky*, Bratislava, July 2012. In comparison, in 2001, the Hungarian minority accounted for

substantial percentage and any questions that consider an increase in self-governance of the Hungarian minority in Slovakia have been a source of tension between Slovakia and Hungary.

More recently, the Slovak political scene in 2007 was influenced by other factors: changes in the leadership of Slovakia's Hungarian minority party – the Party of Hungarian Coalition (SMK); a deteriorating relationship with Hungary; SMK's cooperation with the right-wing political party Alliance of Young Democrats (FIDESZ) in Hungary; supportive statements on Kosovo's independence made by representatives of the Hungarian minority party; and the revival of the subject of autonomy for ethnic Hungarians in the political discourse of the SMK, particularly by Miklós Duray, one of its representatives. Furthermore, in the second half of 2007 the SMK initiated debates on various aspects of the Hungarian minority's status in Slovakia.

It will be argued that all these elements shaped Slovakia's firm stance and prevented it from re-considering its position. The fear of precedent has to be understood in this political context. In different political circumstances the Kosovo issue may not have been as important as it was. In addition to the above factors, the change of government in Hungary in April 2010, when the political party FIDESZ came to power, was also crucial. The following month, Hungary changed its citizenship law with the aim of making it easier for ethnic Hungarians to apply for Hungarian citizenship. All political parties in Slovakia, with the exception of the Hungarian minority party, were against this amendment. As a retaliatory measure, Slovakia changed its own citizenship law. After the change, if Slovak citizens voluntarily decide to obtain another citizenship, in most cases, they would lose their Slovak citizenship.

This political context was central to the Hungarian minority playing a role in the Kosovo issue.⁴⁴ Only in the setting described above can one understand the political

9.7 percent. See 'Sčítanie obyvateľov, domov a bytov v roku 2001', *Štatistický Úrad Slovenskej Republiky*, Bratislava, 2004. Table on the population by nationality available at <<http://portal.statistics.sk/showdoc.do?docid=6366>> [accessed 20 March 2011].

⁴⁴ For instance, in the case of Bulgaria, the minority issue did not play a role. On 20 March 2008 – relatively soon after Kosovo's unilateral declaration of independence – Bulgaria recognised Kosovo's statehood despite its large Turkish minority.

decisions made. The bilateral relations between Slovakia and Hungary and the domestic implications of Hungarian activism represent important aspects that need to be taken into consideration.

2. Methodology, Methods and Sources

It is important to note that whilst the findings of this thesis are predominantly empirical, the insight and arguments have been informed by theory. This study adopts an area studies approach and draws on theoretical literature from different disciplines to contribute to an understanding of the empirical puzzle of the case study in question. These disciplines include politics, sociology and history, albeit a very recent history usually referred to as ‘history of the present’.⁴⁵ In terms of the methodology – based on an examination of primary sources and available archival documents – this work is positioned at the intersection of contemporary history and politics.⁴⁶

Les Back sees writing as ‘a movement of imagination’. As he notes, ‘on the page we take our readers to places, often to situations where our research has led us, to things we have seen and people we have listened to’.⁴⁷ With this in mind, this thesis aims – particularly through Chapters 4 and 5 where the main arguments are presented – to take the reader to a particular time and place, thus introducing the necessary political context for understanding the Slovak refusal to recognise Kosovo and in doing so, explaining matters that were unfolding. ‘A sense of uncertainty about the things that everyone is so certain about’, as Rachel Dunkley Jones put it to Back,⁴⁸ was what led to conducting this research and investigating issues that appeared to be so widely understood.

⁴⁵ Timothy Garton Ash supports the idea that we should not wait until the archives of our period will open but start writing the history of our times. See Timothy Garton Ash, *History of the Present: Essays, Sketches and Dispatches from Europe in the 1990s* (London: Allen Lane, Penguin Press, 1999). The term ‘history of the present’ was originally introduced by American diplomat and historian George Kennan in his review of Ash’s book *The Uses of Adversity: Essays on the Fate of Central Europe* (London: Random House, 1989). See George Kennan, ‘Witness’, *The New York Review of Books*, 1 March 1990.

⁴⁶ Ole R. Holsti noted that there is a general tendency to separate scholars in disciplines and the convergence areas between diplomatic historians and political scientists have been underexploited. See Ole R. Holsti, ‘Theories of International Relations’, in *Explaining the History of American Foreign Relations*, ed. by Michael J. Hogan and Thomas G. Paterson (Cambridge: Cambridge University Press, 2004), pp. 51-90 (p. 51).

⁴⁷ Les Back, ‘Take your reader there: some notes on writing qualitative research’, available at <<http://www.dur.ac.uk/writingacrossboundaries/writingonwriting/lesback/>> [accessed 31 August 2012].

⁴⁸ See Les Back, *The Art of Listening* (Oxford/New York: Berg, 2007), p. 173.

A significant proportion of this research is based on semi-structured interviews, particularly interviews with political elites (diplomats, members of parliament, representatives of the government and other officials) who may be considered strategic to the Kosovo policy. This thesis benefited from unprecedented access to officials directly involved in policy-making. Their first-hand accounts and insights brought new evidence to bear on the Slovak position towards Kosovo's statehood. For the purpose of this study, Keller's identification of the so-called strategic elites has been used:

Whereas elites are important in some social and psychological contexts, only some are important for society as a whole. These must somehow be distinguished from the rest. [...] Certain elites may arouse momentary attention, but only certain leadership groups have a general and sustained social impact.⁴⁹

Two criteria have determined who belongs to this strategic (politically) elite group. The first decisive criterion for considering interviewees to be strategic elite members is that they have been actively involved in the Kosovo issue and the Balkan region either from the Slovak or the European perspective. In other words, they have direct knowledge and/or first-hand experience of the Kosovo case. This group includes: Slovak Ministers of Foreign Affairs, officials from the Slovak Ministry of Foreign Affairs working on the Balkan region, Slovak MPs involved in debates on Kosovo, Slovak and foreign diplomats, and EU representatives who observed the position of individual member countries on the recognition of Kosovo and/or were involved in the Kosovo status process negotiations. The opinions of this community have either had a direct impact on the official position of Slovakia or their views have been widely discussed and had a considerable influence on the debate on Kosovo. The second criterion is based on the power element. As Burnham and his colleagues state, 'not every opinion is equally valid or influential'⁵⁰ and 'the reality of modern democracy is that many political decisions are taken by small groups of highly qualified and knowledgeable individuals'.⁵¹ This is reflected in the study, so that the

⁴⁹ Suzanne Keller, *Beyond the Ruling Class: Strategic Elites in Modern Society* (New York: Random House, 1963), p. 20.

⁵⁰ Peter Burnham and others, *Research Methods in Politics*, 2nd edn (London: Palgrave Macmillan, 2008), p. 2.

⁵¹ Burnham and others, *Research Methods in Politics*, p. 247.

interviewees who had power to influence political decisions are part of the strategic elite.⁵²

For the purpose of this thesis, semi-structured interviews have been considered the most appropriate means for gaining the subjective views, beliefs and opinions of political representatives involved in the debates around Kosovo's independence. They have enabled the sourcing of data which would be inaccessible in any other form. As stated by Rubin and Rubin, qualitative interviewing is particularly good at describing political processes or how and why things change.⁵³ However, it is also necessary to keep in mind that qualitative interviewing requires flexibility in reactions and that 'it can be wonderfully unpredictable'.⁵⁴

In addition, non-elite interviews were conducted with journalists, researchers and analysts who brought insight to the situation from different perspectives. Their views have been crucial in gaining a 'bigger picture' and in establishing an understanding of the political dynamics and their impact on the Slovak political scene as perceived from the outside (i.e. from non-politicians). This group was not considered part of the 'strategic elite' as its members were not in a position to influence any decisions, but their views were important in reconstructing and understanding the evolution of the Slovak position towards Kosovo's independence.

Also, one telephone interview was conducted during the course of the research.⁵⁵ Prior to the conversation, the interviewee was sent a list of core questions. Because he was interested in the subject and had previously published articles on Kosovo, it was not difficult to engage him in the discussion, as can be the case when there is no face-to-face contact.

⁵² Various types of elites were identified in the literature. A special category of elite was discussed in a valuable article by Zuckerman, namely the Nobel Prize laureates. She referred to them as the 'ultra-elite' and described them as 'the thin layer of individuals with the greatest influence, prestige and power in an institutional sphere' or 'the most highly placed members of elite'. For more information, see Harriet Zuckerman, 'Interviewing an Ultra-Elite', *The Public Opinion Quarterly*, 36 (1972), 159-75 (pp. 159-60).

⁵³ Herbert J. Rubin and Irene S. Rubin, *Qualitative Interviewing: The Art of Hearing Data*, 2nd edn (London: Sage Publications, 2005), p. 3.

⁵⁴ Rubin and Rubin, *Qualitative Interviewing*, p. 12.

⁵⁵ With Peter Weiss, the Slovak Ambassador to Hungary.

The design of the sample was of high importance to ensure the reliability of the data gathered. The criteria discussed above were designed to ensure the actors were knowledgeable, experienced and reflected a variety of perspectives.⁵⁶ The research started with a limited number of key conversational partners⁵⁷ who were identified through secondary sources (government publications, newspapers, periodicals, reports and parliamentary debates) and the internet, and with whom it was possible to initiate contact. The political elite is a community of actors which is quite difficult to penetrate. As Goldstein put it, “‘getting the interview’ is more art than science’.⁵⁸ Getting access to these actors was initially difficult; however, once some contact was established, they recommended or referred other relevant interviewees. This technique is called ‘snowball’ or ‘referral’ sampling.⁵⁹ Sometimes, it was more important to establish contact with the gatekeeper. Often access was denied to an individual, but with the help of other internal contacts,⁶⁰ who went to talk to the individual directly, arrangements were made to speak to the official. This was particularly so when conducting interviews at the EU Commission in Brussels. This experience led to an increased awareness that it is ‘who you know’ that matters and that, in order to be granted access to the higher levels, it is necessary to build up important inside contacts. In Brussels, it was also noted that this topic was ‘too sensitive to be discussed’; this was another challenge that needed to be overcome.

Elite interviewing is considered the ‘most popular research technique in political science today’.⁶¹ Odendahl and Shaw identify personal interviews as ‘an effective method of data collection for research on elite subjects and culture’.⁶² However, despite this, the literature available on elite interviewing is limited and a number of scholars have identified a shortage of relevant methodological sources. Richards notes that the literature concentrates mainly on non-elite interviewing,⁶³ or as stated

⁵⁶ For more on how to make research credible, see Rubin and Rubin, *Qualitative Interviewing*, pp. 64-78.

⁵⁷ Rubin and Rubin used for their study the term *conversational partner* as an equivalent to interviewees and informants. They stressed that using the term *conversational partner* reminds the researcher that the flow and direction of the interview depends on the concerns of both parties and it emphasizes the active role of the interviewee. See Rubin and Rubin, *Qualitative Interviewing*, p. 14.

⁵⁸ Kenneth Goldstein, ‘Getting in the Door: Sampling and Conducting Elite Interviews’, *Political Science & Politics*, 35 (2002), 669-72 (p. 669).

⁵⁹ Burnham and others, *Research Methods in Politics*, p. 233.

⁶⁰ For example through a friend who worked in the organisation as a trainee.

⁶¹ Burnham and others, *Research Methods in Politics*, p. 7.

⁶² Teresa Odendahl and Aileen M. Shaw, ‘Interviewing Elites’, in *Handbook of Interview Research: Context and Method*, ed. by Jaber F. Gumbrium and James A. Holstein (London: Sage, 2002), pp. 299-316 (p. 300).

⁶³ David Richards, ‘Elite Interviewing: Approaches and Pitfalls’, *Politics*, 16 (1996), 199-204 (p. 199).

by Odendahl and Shaw, materials which are dedicated to interviewing rarely differentiate elite from non-elite interviews.⁶⁴ Burnham and colleagues argue that the lack of literature might be caused by the fact that ‘it is difficult to generalize from “how it was for me” studies’.⁶⁵ In other words, every researcher experiences elite interviewing in a different way and brings her/his personality into the arena. It often depends on the interviewer, her/his attitude and what she/he can take from the situation.

Pridham notes that, similar to other methods of research, researchers need to bear in mind that elite interviewing is a constant learning process.⁶⁶ Although every interview with a member of the strategic elite was different, with time it was possible to learn more about the hierarchy structures of this group and what was expected. In comparison to non-elites, when eliciting information from people in a ‘powerful’ position it was necessary to be well prepared for the interview and to know the subject in detail.⁶⁷ Without this, the interviewees did not engage in deep conversation and provided only widely accessible information.⁶⁸

As Kvale mentions, the original Greek meaning of the word ‘method’ is ‘a route that leads to the goal’.⁶⁹ Although there are disadvantages, elite interviewing may be considered to be an appropriate method for achieving the research goals set out in this thesis. As Burnham and colleagues state, ‘it is often the most effective way to obtain information about decision makers and decision-making processes’.⁷⁰ By making the best possible use of elite interviewing and applying it to this study, access to invaluable data was gained. However, this thesis has not explicitly relied

⁶⁴ Odendahl and Shaw, ‘Interviewing Elites’, p. 301.

⁶⁵ Burnham and others, *Research Methods in Politics*, p. 232.

⁶⁶ Geoffrey Pridham, ‘Interviewing Party-political Elites in Italy’, in *Research Methods for Elite Studies*, ed. by George Moyser and Margaret Wagstaffe (London: Allen & Unwin, 1987), pp. 72-88 (p. 87).

⁶⁷ For example, when I conducted an interview with a representative of the European Commission on the Kosovo case, he kept asking questions like ‘So what do you think about it?’ or commenting ‘You probably know more on this’.

⁶⁸ In this connection I would like to refer to Zuckerman’s quote. Although she dealt with the ultra-elite, in my view it also reflects in the political field. She said: ‘Top elites are unwilling to devote time that otherwise might be fruitfully spent to projects they consider trivial. Another chemist admitted at the close of the interview: ‘I said to myself before you came, ‘If she wants to ask me about social things, I will get her out of here fast’. But you asked me about important things. What is written about science is never quite right. You have to hear it from the people who were there’. See Zuckerman, ‘Interviewing an Ultra-Elite’, p. 165. In this sense, the last part of the quote could be applied also to the field of politics as in ‘What is written about *politics* is never quite right. You have to hear it from the people who were there’. This is another reason why qualitative interviewing appeared as the best way how to gather information on my research topic.

⁶⁹ Steinar Kvale, *InterViews: An Introduction to Qualitative Research Interviewing* (London: Sage, 1996), p. 4.

⁷⁰ Burnham and others, *Research Methods in Politics*, p. 231.

on the data from the interviews. In order to increase the validity and credibility of the research findings, the principle of triangulation involving ‘more than one method or source of data in the study of social phenomena’⁷¹ was applied. Therefore, the findings were supplemented with analysis of newspaper articles, reports, political leader speeches and archival material.

In addition to interviews, this thesis draws on primary sources including: statements published by the Slovak Ministry of Foreign Affairs and the Prime Minister’s office documents, resolutions by EU Commission/Parliament, briefings, speeches by political leaders and public statements. Of particular importance were transcripts of Slovak National Council debates on Kosovo from March 2007 as no account yet written incorporated these parliamentary discussions in the analysis. Other relevant materials used in this thesis include documents published between 2007 and 2010, for instance: the European Parliament’s resolution on Kosovo and the role of the EU, statements by the Slovak Ministry of Foreign Affairs (on Kosovo’s declaration of independence in 2008 and ICJ Advisory Opinion in 2010), the Slovak Parliament’s ‘Declaration of the National Council of the Slovak Republic on the Solution of the Future Status of the Serbian province Kosovo’ passed in 2007 and speeches by Slovak Ministers of Foreign Affairs.

Another exceptionally valuable source of information was leaked US cables released through Wikileaks, mainly in September 2011. Data from these dispatches were very useful in confirming evidence from other sources, supporting the arguments and demonstrating behind-the-scenes activity necessary for understanding the development of Slovakia’s position towards Kosovo’s independence.

The study has also benefited from material obtained from the Archive of the Slovak Ministry of Foreign Affairs. As the archives relating to the Kosovo period remain classified, documents from previous events were used, particularly documents discussing NATO intervention in the former Yugoslavia in 1999 and yearly reports about the state of Slovak Foreign Policy. Furthermore, materials from the archive of the Slovak daily *Pravda* were used. In addition to these materials, visits to the Vane

⁷¹ Alan Bryman, *Social Research Methods* (Oxford: Oxford University Press, 2008), p. 379.

Ivanovic Library at Kingston University and its unique collection of specialised documents relevant to Yugoslav and South-East European history and politics contributed to this research.

The ability to generalise in qualitative research often leads to challenges. However, as Devine argues, qualitative research can be designed in a way that facilitates an understanding of other situations, and therefore the findings can have relevance beyond the time and place in which they were gathered.⁷² This means that researchers are able to make a wider argument and claim that their research findings are applicable to other cases, ultimately resulting in further research opportunities. This thesis subscribes to this view.

3. Structure

This chapter's objective was to set the scene for the rest of the thesis. The following five chapters aim to explain why Slovakia decided to pursue a non-recognition policy. This thesis is designed to convey a key message: to understand the Slovak position on Kosovo one needs to look at the actions of the political elite and importantly, the political context in which the decision was implemented.

The first chapter will look at Kosovo's history and reflect on main events from the twentieth century that shaped the question of Kosovo's status leading up to the appointment of Martti Ahtisaari as Special Envoy for Kosovo's status talks. This is not meant to be a comprehensive account of Kosovo's history and the region; rather, the aim of this section is to provide a historical background to the thesis and understanding of developments leading to the final decision to settle Kosovo's status in the early twenty-first century.

Thereafter, Chapter 2 will review the literature on EU foreign policy-making and consider the concept of Europeanisation in the context of foreign policy studies. It will also look at the role of agents in policy-making. It emphasises that there is a

⁷² Fiona Devine, 'Qualitative Methods', in *Theory and Methods in Politics Science*, ed. by David Marsh and Gerry Stoker, 2nd edn (Basingstoke: Palgrave Macmillan, 2002), p. 145. See also Janet Ward Schofield, 'Increasing the Generalisability of Qualitative Research', in *Social Research: Philosophy, Politics and Practice*, ed. by Martyn Hammersley (London: Sage, 1993), pp. 200-25 (pp. 206-8).

difference between process Europeanisation and policy Europeanisation. While processes have been constantly Europeanised and reflected at the level of national foreign ministries, the same cannot be argued for the latter. Accession to the EU leads to changes; however, the extent to which countries adapt to policies depends also on the political context and a number of other factors at play. As it will be shown, this was not fully appreciated in understanding the Slovak position over Kosovo.

Chapter 3 is structured in two parts and follows a chronological time frame. The first part highlights relevant events from the 1990s and beyond relating to Slovak foreign policy and the Balkans, providing a necessary background to Slovakia's policy towards Kosovo. While until 2004, integration into the EU and NATO was a clear foreign political priority of Slovakia, once the integration was completed, there was a turning point in foreign policy, as demonstrated by the Kosovo case. The second part provides an analysis of the existing literature on Slovakia's view on Kosovo and the arguments underlying its decision not to recognise Kosovo's independence. It discusses five arguments that have been identified as having an impact on the Slovak stance and assesses their relevance: 1) Slovak-Serbian relations; 2) regional stability; 3) the issue of international law; 4) the role of political party opposition; and 5) the notion of Kosovo as precedent. Examination of these arguments builds an essential foundation for the factors dealt with in the following two chapters.

The core of this thesis and the two main lines of argument are discussed in Chapters 4 and 5. They consider two of the aforementioned arguments: the role of political party opposition and the notion of Kosovo as a precedent, which is closely connected to the Hungarian minority issue, as key to understanding reasons behind the decision-making process of the Slovak government. These chapters put the Kosovo issue in a political context and explain how both of these factors determined the Slovak position. Specifically, Chapter 4 looks at Slovak parliamentary debates on the question of Kosovo's independence and explores the position of Slovak diplomacy throughout the Slovak membership in the UNSC (2006-2007). It will demonstrate how the Slovak Ministry of Foreign Affairs, in light of domestic political events – and despite external lobbying – needed to adjust its initial course of action on Kosovo. As will be seen, political party opposition – specifically its leader – were

important actors to be considered in the development of this matter. While in many instances the impact of major powers such as the US, the UK, France or Germany played a role in shaping policies of other, rather smaller, states, this was not to be the case with Slovakia.

Following on from this, Chapter 5 examines the importance of the Hungarian minority issue and the role of precedent in Slovakia's non-recognition policy towards Kosovo. The aim is to show that although the ethnic minority factor considerably shaped Slovak policy, the situation was actually far more complex than it appears on the surface. It shows that the Slovak view was not only a product of its issues with the Hungarian minority but rather a response to a combination of activities by representatives of Hungary and the ethnic Hungarian party SMK. This chapter also highlights the role of collective rights as presented in the Ahtisaari plan in 2007 and their perception by Slovak officials. As will be shown, given the then issues with ethnic Hungarians in Slovakia, granting collective rights – as part of the Ahtisaari plan – could have created a problematic scenario domestically.

Finally, the concluding chapter interprets, and reflects on, the findings and provides an analysis of the implications of the Kosovo case and its relevance for Slovakia and the EU. It also discusses this thesis's contribution to the field and identifies future potential research areas arising from the study.

CHAPTER 1: History of Kosovo

*'History happens, but mostly it's made. Let's make it wisely
and don't forget that politics is the art of the possible'.⁷³*

Introduction

This chapter covers the history of Kosovo with the main focus on the period between the First Balkan War (1912) and the appointment of Martti Ahtisaari as the UN Special Envoy for Kosovo (2005). The aim is to provide a necessary background for understanding the process of determining Kosovo's status – that will be debated in the following chapters – and to offer an insight into some significant historical developments impacting on the question of Kosovo's status. Therefore, its goal is to put the question of Kosovo's status in a historical perspective.

Albanian and Serbian scholars have completely opposing theories about the ethnic development of Kosovo.⁷⁴ The traditional Serbian view holds that the people who lived in Kosovo were overwhelmingly Serb until just a few generations back.⁷⁵ The Serbs are certain that they came to the region in the sixth and seventh centuries, whereas Albanians arrived in the area in the fifteenth century with the triumphant Turks.⁷⁶ Contrarily, Albanian historians have always claimed the right of 'first possession'. They argue that their ancestors, the ancient Illyrians and Dardanians, lived here long before the Slav invasions of the sixth and seventh centuries. However, where the truth lies is not so clear.⁷⁷ In any case, as Ker-Lindsay argues, the origins of the contemporary conflict go back to the First Balkan War.⁷⁸

⁷³ Milan Rúfus (1928-2009). See Dana Podracká, 'Iné dejiny – iné Vianoce: Hovoríme s básnikom Milanom Rúfusom', in *Otvorené Okná Literárneho týždenníka I.*, ed. by Drahošlav Machala (Bratislava: Literárne Informačné Centrum, 1996), pp. 91-102 (p. 96).

⁷⁴ Miranda Vickers, *Between Serb and Albanian: A History of Kosovo* (London: Hurst, 1998), preface xii.

⁷⁵ Judah, *Kosovo*, p. 2.

⁷⁶ Vickers, *Between Serb and Albanian*, preface xii.

⁷⁷ Judah, *Kosovo*, p. 2. In Calic's view, probably none of these interpretations is accurate. As for the Illyrian origin of the Albanians, there is not sufficient historical or linguistic evidence to support it. Also, from the early Middle Ages it was probably mainly Slavs who populated the area of Kosovo. Nevertheless, Calic claims that in contrast to Serbian scholars' statements, it is probable that many more Albanians lived in the region, particularly in the towns. Lastly, she argues that Serbian national historiography, claiming Kosovo was the original historical

In more modern terms, the relationship between Serbs and Albanians has since the creation of the Yugoslav state gone through a number of stages: in the first stage (1918-1941) Albanians lived under Serbian domination and did not have any explicitly guaranteed minority rights.⁷⁹ The period before the Second World War was characterised by internal colonialism with a largely imported Serbian intelligentsia ruling the region's majority population of Albanian peasants and craftsmen. In the Second World War, the situation reversed as a large part of Kosovo was united with Albania (under Italian rule). Serbs and Montenegrins lived in a vulnerable environment as many Albanians openly collaborated with the Italian and German administrations.⁸⁰

Relations in the period from 1945-1966 ranged from armed conflicts to efforts to resolve disagreements politically, including administrative restriction of the rights of Albanians, and even violence. In the so-called post-Brioni period (1966-1981) the minority rights of Albanians were acknowledged and assured on quite a wide scale; Albanian national emancipation was encouraged, which eventually became a powerful Albanian national movement contributing to political conflicts.⁸¹ This was also the period of the controversial constitution of 1974. As a consequence, the Serbs and Montenegrins felt threatened by the new atmosphere of Albanian self-assertiveness.⁸² The fifth stage (1981-1992) witnessed the collapse of Yugoslavia. Nationalist movements were strengthened which led to conflicts and civil war in the regions of the former Yugoslavia. Serbia established domination over Kosovo and the Albanians increased efforts to create an independent and sovereign state of Kosovo.⁸³

The sixth stage can be identified as the period after Yugoslavia disintegrated (1992-2006). The region witnessed a bloody period culminating with the launch of

centre of the medieval Serbian state, is not accurate for Serbia did not gain influence in this region until 1200. See Marie-Janine Calic, 'Kosovo in the Twentieth Century: A Historical Account', in *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, ed. by Albrecht Schnabel and Ramesh Thakur (Tokyo: United Nations University Press, 2000), pp. 19-31 (pp. 22-23).

⁷⁸ James Ker-Lindsay, *Kosovo: The Path to Contested Statehood in the Balkans* (London: I.B. Tauris, 2009), p. 8.

⁷⁹ Dušan Janjić, 'National Identity, Movement and Nationalism of Serbs and Albanians', in *Conflict or Dialogue: Serbian-Albanian Relations and Integration of the Balkans: Studies and Essays*, ed. by Dušan Janjić and Shkelzen Maliqi (Subotica: European Civic Centre for Conflict Resolution, 1994), p. 132.

⁸⁰ Vickers, *Between Serb and Albanian*, preface xiii-xiv.

⁸¹ Janjić, 'National Identity, Movement and Nationalism of Serbs and Albanians', p. 132.

⁸² Vickers, *Between Serb and Albanian*, preface xiv.

⁸³ Janjić, *Conflict or Dialogue*, p. 132.

NATO's military campaign against Serbia in 1999 aimed at eliminating Milošević's power over Kosovo. After the bombing, Kosovo was put under international UN administration until the early twenty-first century, when the time came to decide its status.

1.1 Fall of the Ottoman Empire and the Balkan Wars

In October 1912, Montenegro attacked Albanian territory belonging to the Ottomans.⁸⁴ Serbia, Bulgaria and Greece immediately joined and declared war. Initially, Albanians tried not to engage, but the Balkan army penetrated deep into Albanian inhabited territory.⁸⁵ As a consequence, Albanians joined the Ottoman Empire against the Balkan soldiers. Thousands of young Serbian volunteers joined the army; for them the declaration of war symbolised a national rebirth. The idea that Kosovo might be liberated after more than five centuries brought back emotions.⁸⁶

Within weeks, the Turks had been driven back. Montenegro gained possession of Peć and other parts of western Kosovo, while Serbia took hold of the rest. For Kosovo's Serbs the return of the Serbian army meant liberation, but for the Albanians it meant they could not unite with the emerging Albanian state, which was officially recognised in 1913.⁸⁷ Judah argues that Serbia was able to retake Kosovo because Serbs already had a state – which cultivated a national myth – and together with Montenegro had organised modern armies.⁸⁸

The Albanian national leaders were unprepared for the unexpected breakdown of the Ottoman army and the loss of Kosovo to the Serbs. Disrupted communication and lack of a central Albanian authority contributed to their loss to a great extent. The main goal of Serbia was to access the sea; it was not strongly opposed to the autonomous Albanian state as long as its leader was friendly to Serbia. Austro-Hungary became more aware of the crisis on its southern border and of the need for quick action before Balkan allies gained more territories. It realised that the

⁸⁴ For more historical information on the First Balkan War, see William Miller, *The Ottoman Empire (1801-1913)* (Cambridge: The University Press, 1913).

⁸⁵ Vickers, *Between Serb and Albanian*, p. 76.

⁸⁶ Vickers, *Between Serb and Albanian*, p. 76.

⁸⁷ Judah, *Kosovo*, pp. 17-18.

⁸⁸ Judah, *Kosovo*, p. 17.

Habsburg's interests could only be secured by an independent Albania; this would stop Serbia's expansion to the coast. Indeed, in November 1912 at the Congress of Vlora the independent Albanian state was proclaimed.⁸⁹

Austro-Hungary warned Serbia as they were reaching the Albanian coast that they would not permit them to invade any Adriatic seaport. Their military intervention was avoided by the Conference of Ambassadors in London in December 1912, which awarded large Albanian territories to the Balkan allies without consideration of the ethnic structure in the areas. The main matters were the international status of Albania, the organisation of the new state and the establishment of internationally acceptable borders. In Russia, public opinion was united in its support towards the Orthodox Slavs.⁹⁰

At the end of May 1913 the Balkan states finally accepted the Treaty of London. For the Ottoman Empire it meant that their European territory was reduced to Istanbul and the surrounding area in eastern Thrace. On 30 May, the Balkan allies signed peace with the Ottomans and the Serbians started to withdraw their army. Greece and Serbia were dissatisfied about Albanian independency, as they had hoped to divide the territory between themselves. Therefore, they sought compensation in Macedonia, leading to a conflict with Bulgaria. In June, Bulgaria unexpectedly attacked Serbian and Greek troops in Macedonia. However, the Bulgarians overestimated their military power and Romanian, Montenegrin and Ottoman troops entered the war. Bulgaria was soon forced to capitulate and, as a result, lost nearly all the territories gained in the First Balkan War.⁹¹

Yet, the Second Balkan War left some questions unresolved: Macedonia remained a continuous source of dispute between the Balkan countries, the independent Albanian state did not include all parts inhabited by Albanians (more than half of the Albanians were left outside the borders) and Serbia had no access to the Adriatic Sea. The Treaty of London formally recognised Albania; however the settlement of

⁸⁹ Vickers, *Between Serb and Albanian*, pp. 78-79.

⁹⁰ Vickers, *Between Serb and Albanian*, pp. 80-81.

⁹¹ Vickers, *Between Serb and Albanian*, pp. 81-82. For more about the Balkan Wars, see Robert William Seton-Watson, *Sarajevo: A Study in the Origins of the Great War* (London: Hutchinson & Co, 1926); Stevan K. Pavlowitch, *A History of the Balkans 1804-1945* (London: Longman, 1999).

its borders was delayed until December 1913 when the Protocol of Florence was signed. Neither Albania nor other Balkan states were content with the new borders of Albania stated in the Protocol. As for Britain, it never claimed that the new borders were just, 'but believed that preserving the peace of Europe took precedence over ethnographic considerations'. Sir Edward Grey openly stated to the House of Commons on 12 August 1913 that:

The basic objective of the agreement on the borders was to satisfy the Great Powers, but that many criticisms could be raised by anyone who really knew Albania and viewed the issue from that country's standpoint.⁹²

As a result, regional and ethnographic concerns were pushed to the background and the decision of the powerful states determined to a large extent the future of the area. As regards the recognised Albanian state, it included only half of the total Albanian population in the Balkans (around 800,000 people). Significant Albanian minorities in Kosovo and western Macedonia went to Serbia, and others remained in Montenegro and Greece. From this time forth, the wish for unification has been directing all national-oriented Albanians.⁹³

1.2 First World War and the Kingdom of Yugoslavia period (1918-1941)

The rising influence of the Serbian state (as well as the aim to liberate Bosnia from Austro-Hungary) resulted in a collision with the Habsburgs. Austro-Hungary was opposed to the new emerging power in the Balkans and furthermore to the idea of Yugoslavism.⁹⁴ In 1914, when the Bosnian Serb Gavrillo Princip assassinated Franz Ferdinand in Sarajevo, Austro-Hungary declared war on Serbia and the First World War began. After the fall of the Empire, in 1918, the circumstances changed and the creation of the south Slav state became possible.⁹⁵

1918 saw Serbs reoccupying Kosovo with the help of the allied forces during their northward offensive, and on 1 December 1918 the new Yugoslav state was

⁹² Vickers, *Between Serb and Albanian*, pp. 83-84.

⁹³ Calic, *Kosovo in the Twentieth Century*, p. 20. After the Balkan Wars, Serbia almost doubled in size and its population increased from 2.9 million to 4.4 million. See Kate Hudson, *Breaking the South Slav Dream: The Rise and Fall of Yugoslavia* (London: Pluto, 2003), p. 11.

⁹⁴ For a detailed account of the concept of Yugoslavisms, or the so-called Yugoslav idea, see Dejan Djokić (ed.) *Yugoslavism: Histories of a Failed Idea, 1918-1992* (London: Hurst & Company, 2003).

⁹⁵ Hudson, *Breaking the South Slav Dream*, pp. 11-12.

established.⁹⁶ Following this, the Paris Peace Conference of 1919 officially recognised the formation of the Kingdom of Serbs, Croats and Slovenes, together with those of Poland, Hungary, Bulgaria, Romania, Czechoslovakia and Albania. The Austro-Hungarian, German and Ottoman Empires fell apart and new independent states emerged.⁹⁷ The Kingdom of Serbs, Croats and Slovenes was a unification of the Kingdom of Serbia; at the time of its creation it had a population of about 12 million. It also included the Kingdom of Montenegro, Macedonia and all provinces in the south of Austro-Hungary which were populated by Slovenes, Croats and Serbs. However, Croatia and Montenegro were not very keen about this as they were concerned with the loss of their previous national status.⁹⁸

The new political arrangements after the First World War yet again left half of the Albanian population outside Albania's borders. Almost half a million Albanians were living in areas which were now part of the Kingdom of Serbs, Croats and Slovenes (southern Serbia, Montenegro, Kosovo and Macedonia).⁹⁹ In Cviic's view the post-1918 peace treaties left much 'unfinished business' behind. He argues that the old empires were not perfect, but 'the national states that followed them were almost invariably worse'.¹⁰⁰

Guerrilla kaçaks, veterans of earlier battles against the Turks and Serbs (in 1912 and 1913), continued fighting, leading to a bloody revolt. The kaçaks did not want Kosovo to be part of Yugoslavia, insisting that it was a state of the south Slavs and that the Albanians did not belong to this group. Albanian opposition grew stronger when the Albanian language schools were closed and Serbs and Montenegrins were encouraged to move to Kosovo – during this period, 70,000 colonists arrived there. Albanians lost their land and it is assumed that around 150,000 people left for Turkey (particularly between the years 1910 and 1920). Turkey supported the arrival of Albanians, because large areas of Anatolia were under populated due to the earlier emigration of Greeks from this region.¹⁰¹

⁹⁶ Judah, *Kosovo*, p. 21.

⁹⁷ Hudson, *Breaking the South Slav Dream*, p. 8.

⁹⁸ Ilija Jukić, *The Fall of Yugoslavia* (New York: Harcourt Brace Jovanich, 1974), pp. 9-11. For more details on the political and social situation of the Kingdom in the period 1918-1939, see Leften Stavros Stavrianos, *The Balkans since 1453* (Illinois: Dryden Press, 1958), pp. 616-43.

⁹⁹ Calic, *Kosovo in the Twentieth Century*, p. 20.

¹⁰⁰ Christopher Cviic, *Remaking the Balkans* (London: Pinter Publishers, 1991), pp. 5-7.

¹⁰¹ Judah, *Kosovo*, pp. 21-22.

In the autumn of 1918, the Committee for the National Defence of Kosovo – also known as the KK or Kosovo Committee – was founded. Similarly to the KLA in the 1990s, the KK illegally traded arms across the border from Albania and organised attacks within Kosovo, western Macedonia and parts of Montenegro.¹⁰² The main goal of the Kosovo Committee, which lacked official status, was to support the anti-Serbian insurgency.¹⁰³ Extensive actions started in May 1919, particularly in the Drenica valley (north central Kosovo). However, the kaçaks were not well equipped and could not resist the machine-gun units of the Yugoslav army. In October that year, kaçaks presented their demands to the Serbs and asked to:

Recognize the Kosovo Albanian's right to self-government; to stop the colonization programme; to stop army actions carried out on the pretext of disarmament; to open Albanian schools; to make Albanian an official language of administration; and stop interning the families of the rebels.¹⁰⁴

The authorities started to form armed bands (so-called *četaks*) using local Serbs and together with the *četnik* leaders began offensives against kaçaks. This resulted in kaçaks also attacking Serbian villages. As for Belgrade, it had two ways to suppress the revolt in Kosovo: gain control or neutralise Albania.¹⁰⁵

The phase of kaçaks resistance came to an end in December 1924. The authorities could not change the Albanians into law abiding citizens.¹⁰⁶ In the end, the kaçaks accomplished very little, but achieved two things: they symbolically demonstrated that many Kosovo Albanians did not accept the legitimacy of Serbian or Yugoslav rule and they severely obstructed the colonisation programme. Colonisation's main aim was to change the national composition of the population in Kosovo (and Macedonia) and to offer Serbs lands in order to stop their emigration to North America.¹⁰⁷

¹⁰² Judah, *Kosovo*, p. 24.

¹⁰³ Ivo Banac, *The National Question in Yugoslavia: Origins, History, Politics* (London: Cornell University Press, 1984), pp. 302-3.

¹⁰⁴ Malcolm, *Kosovo*, p. 274.

¹⁰⁵ Malcolm, *Kosovo*, pp. 274-76.

¹⁰⁶ Judah, *Kosovo*, p. 25.

¹⁰⁷ Malcolm, *Kosovo*, pp. 278-79.

Until 1929 the Yugoslav state was called The Kingdom of Serbs, Croats and Slovenes.¹⁰⁸ Mikasinovich argues that the name was altered in order to foster national integration by creating a supra-nationality. The year 1929 was then marked by the unification and legal birth of a new Yugoslav nation. However, the parties who joined the new state did so for diverse reasons, which later turned out to be incompatible.¹⁰⁹

During the Kingdom of Yugoslavia period, the Kosovo issue did not yet have the features it gained in the last decades of the twentieth century. According to Petković, one reason for this was that Albanians considered themselves the defeated party in World War I in comparison to the victorious Serbs. Also, the political system at that time did not grant any special rights to national minorities and police repression did not allow anti-regime activities. Likewise, the balance of power in the Balkans and Europe at that time was favourable for Yugoslavia and did not permit internationalisation of the matter of Albanians in Yugoslavia.¹¹⁰

1.3 Kosovo in the Second World War (1941-1945)

Fearing Yugoslavia would be invaded, as German forces moved into the Balkans the Yugoslav government decided to join the Axis pact.¹¹¹ However, in March 1941, Serbian officers in the Yugoslav army overthrew the government.¹¹² Hitler regarded Yugoslavia as an obstacle in his way towards Greece and the Soviet Union. Claiming that the German minority in Vojvodina was abused he attacked Yugoslavia without declaring war.¹¹³ On 6 April 1941, Germans heavily bombed Belgrade and the invasion began.¹¹⁴ Yugoslavia capitulated eleven days later and the division of the country followed. Soon after, the 'Independent State of Croatia' was formed,

¹⁰⁸ Judah, *Kosovo*, p. 21.

¹⁰⁹ Branko Mikasinovich, *Yugoslavia: Crisis and Disintegration* (Milwaukee: Plyroma Publishing Company, 1994), p. 3.

¹¹⁰ Ranko Petković, 'Relations of Yugoslavia and Albania since the End of World War I to the So-Called Yugoslav Crisis', in *Conflict or Dialogue: Serbian-Albanian Relations and Integration of the Balkans: Studies and Essays*, ed. by Dušan Janjić and Shkelzen Maliqi (Subotica: European Civic Centre for Conflict Resolution, 1994), p. 255.

¹¹¹ Malcolm, *Kosovo*, p. 289.

¹¹² Judah, *Kosovo*, p. 26.

¹¹³ Mikasinovich, *Yugoslavia*, p. 6.

¹¹⁴ For more about the German invasion of Yugoslavia, see John Morris, *Yugoslavia* (London: St. Botolph Publishing, 1948).

incorporating Bosnia and Hercegovina and establishing Italian and German zones of influence.¹¹⁵

Despite the occupation, the region was given a good measure of local control under Albanian leadership. Bulgaria got a small part in the east. The rest of Kosovo and Albanian populated areas of western Macedonia were joined to Albania, which had been conquered by the Italians in 1939.¹¹⁶

The areas of Kosovo belonging to Italy were under military rule until 1941; it was then made known that they would be under civil administration as part of the kingdom of Albania.¹¹⁷ Indeed, the public in Tirana enthusiastically approved this resolution. Italians also introduced education in the Albanian language and set up around 173 elementary schools in Kosovo and united almost all of the Albanian-inhabited lands. However, one of the unpopular measures was the reintroduction of feudal dues on the peasantry. On 21 April 1941, German General Eberhardt met with local Albanian leaders in Mitrovica, including Xhafer Deva, the main representative for Mitrovica and a leading figure in the history of occupied Kosovo. It was agreed that Albanians would take over the local government in the Albanian inhabited areas and would have the authority to organise their education. However, Belgrade objected and German officials suspended the agreement. Still, some elements of the agreement were later implemented, for example the creation of 40 Albanian elementary schools in the Mitrovica area during the next two years. One of the central issues discussed during this meeting was also the expulsion of the Serbian and Montenegrin colonists from Kosovo. Eberhardt agreed to help with their removal but he insisted that everything in this matter should be done in a wise and peaceful way. However, this proved to be only an assumption; the Albanians had already started attacking Serbian villages, aiming to reclaim the confiscated land and remove the colonists.¹¹⁸

¹¹⁵ Judah, *Kosovo*, p. 27.

¹¹⁶ Judah, *Kosovo*, p. 27.

¹¹⁷ For a comprehensive history of Albania from the Italian invasion until 1946, see Bernd J. Fisher, *Albania at War 1939-1945* (London: Hurst, 1999).

¹¹⁸ Malcolm, *Kosovo*, pp. 291-93.

For some Albanians this was an opportunity for revenge on the Serbian and Montenegrin settlers. Serbian villages were burnt, armed gangs roamed the countryside and Serbs were killed and expelled. Serbs partly retaliated, but the predominance of power was on the side of the Albanians.¹¹⁹ Carlo Umiltà, the Italian Civil Commissioner described the situation in his memoirs, noting: ‘The Albanians are out to exterminate the Slavs’. In one region between Djakovica and Peć he found villages where ‘not one single house has a roof; everything has been burnt down... There are headless bodies of men and women strewn on the ground’, while the living anxiously sought refuge.¹²⁰ However, Umiltà also noted that this was not a one-sided affair, as ‘Slavs and Albanians had burnt down one another’s houses, had killed as many people as they could, and had stolen livestock, goods and tools’.¹²¹

Italy capitulated on 8 September 1943 and Germans invaded Kosovo and Albania. Although they immediately took control of the area they tried to retain the illusionary image of Albania as an independent country.¹²² Germans used the rhetoric of Albanian nationalism and independence in order to win the sympathy of the population. In reality, the government was selected and controlled by German officials. At the end of September, Germany officially recognised Albania as an independent state and ostensibly supported its acquisition of Kosovo. Soon afterwards, over the winter, came a new wave of Serb expulsion.¹²³

In their Second Session, held in November 1943, the Anti-Fascist Council of National Liberation of Yugoslavia decided to build the new Yugoslavia on the federal principle. It was declared that the Federal People’s Republic of Yugoslavia was founded:

¹¹⁹ Judah, *Kosovo*, p. 27.

¹²⁰ Smilja Avramov, *Genocide in Yugoslavia* (Belgrade: Beogradski izdavačko-grafički zavod, 1995), p. 186.

¹²¹ Malcolm, *Kosovo*, p. 294.

¹²² Judah, *Kosovo*, p. 27.

¹²³ Malcolm, *Kosovo*, p. 304; Pavlowitch, *A history of the Balkans 1804-1945*, p. 321. The number of Serbs and Montenegrins expelled during the war ranged from 30,000 to 100,000, many of whom never returned. The estimated number of Serbs and Montenegrins who were killed ranges from 3,000 to 10,000. However, all these numbers are highly debatable. After all, in April 1942, 70,000 refugees from Kosovo were registered in Belgrade. How many Albanians died is also uncertain. Most of them died in the period 1944-1945, when the communist partisans re-established Yugoslav rule. It is supposed that the numbers range from 3,000 to 25,000 within the boundaries of the province. According to the estimates of the German administration (made in February 1944) 40,000 Serbs had been expelled from Kosovo since 1941. See Malcolm, *Kosovo*, p. 313; Judah, *Kosovo*, pp. 27-28; Pavlowitch, *A history of the Balkans 1804-1945*, p. 321.

On the basis of the right of every people to self-determination, including the right to secede or unite with other peoples, and in conformity with the true aspiration of all the people of Yugoslavia, demonstrated in the course of a three year joint struggle for national liberation, which has forged the peoples of Yugoslavia into an indivisible brotherhood [...].¹²⁴

In early 1944 a resolution was issued at a conference in northern Albania by two local committees of the Yugoslav Communist Party in Kosovo with the main passage stating:

Kosovo-Metohija is an area with a majority Albanian population, which, now as always in the past, wishes to be united with Albania ... The only way that the Albanians of Kosovo-Metohija can be united with Albania is through a common struggle with the other peoples of Yugoslavia against the occupiers and their lackeys. For the only way freedom can be achieved is if all peoples, including the Albanians, have the possibility of deciding on their own destiny, with the right to self-determination, up to and including secession.¹²⁵

However, no Kosovo Albanians were at the meeting, and after the adjustments of the constitution, the right of self-determination did not apply to Kosovo Albanians.¹²⁶

1.4 Yugoslavia and the status of Kosovo under the rule of Tito (1945-1980)

At the end of World War II, with support from the allies, Marshal Tito became the new Yugoslav leader and supreme commander of the Yugoslav army. He stayed in power for the next 35 years and held together the various Yugoslav nationalities.¹²⁷ Mikasinovich argues that this 'harmony' among the nationalities was created thanks to Tito's political manoeuvring and liberal application of force.¹²⁸ Most notably,

¹²⁴ Lieutenant General Fabian Trgo (ed.), *The National Liberation War and Revolution in Yugoslavia (1941-1945): Selected Documents* (Beograd: Military History Institute of the Yugoslav People's Army, 1982), p. 585.

¹²⁵ Malcolm, *Kosovo*, p. 308. As Judah notes, for Kosovars the idea of communism meant return to Yugoslav rule. Judah, *Kosovo*, p. 29. Earlier in 1942, Tito wrote to the Regional Committee of the Communist Party in Yugoslavia (CPY) for Kosovo and Metohija: 'This fear among the masses of a return to the old regime must be overcome by convincing them that only by fighting together with the other peoples of Yugoslavia, who are also struggling against the old regime, can the Albanian people of Kosovo and Metohija save themselves from a return of the oppression by the Greater-Serbia hegemonic clique... It should be made clear to the Albanian masses that the Serbs and Montenegrins who live on their territory are not their enemies [...]'. See Trgo (ed.), *The National Liberation War and Revolution in Yugoslavia (1941-1945)*, pp. 361-63.

¹²⁶ Judah, *Kosovo*, pp. 30-31.

¹²⁷ For more about Tito, see for instance Richard West, *Tito and the Rise and Fall of Yugoslavia* (London: Sinclair-Stevenson, 1994); Stevan K. Pavlowitch, *Tito: Yugoslavia's Great Dictator: A Reassessment* (London: C. Hurst, 1992); Vladimir Dedijer, *Tito* (New York: Arno Press, 1972).

¹²⁸ Mikasinovich, *Yugoslavia*, pp. 3-8.

during his rule Kosovo achieved a form of autonomy which by the 1970s had almost equal status with the other federal units of Yugoslavia.¹²⁹

Before July 1945 there was a debate about which federal unit Kosovo should join. In addition to joining Serbia, union with Montenegro and Macedonia were mentioned.¹³⁰ Edvard Kardelj, one of Tito's close advisers, noted at a Central Committee meeting:

The best solution would be if Kosovo were to be united with Albania, but because neither foreign nor domestic factors favour this, it must remain a compact province within the framework of Serbia.¹³¹

Soon after, at the Regional People's Assembly of Kosovo and Metohija in Prizren in July 1945 the Communist Party of Yugoslavia passed a resolution declaring that the region of Kosovo would be annexed to Serbia. It stated that Albanians would benefit from 'true equality'. The main goal of this and other similar steps was to win them over to the communist government. For instance, earlier in March the Ministry of Internal Affairs temporarily prohibited the return of 50,000-60,000 Serbian and Montenegrin settlers who had fled Kosovo during the war; this was an effort to compensate injustice done to the Albanians, though it caused injustice to the Serbs.¹³² However, Malcolm argues that the decision to ban the return of Serbian colonists to their homes was in truth only provisional. Indeed, after two weeks Tito changed the arrangement and all settlers were allowed to return. This quick change generated alarm among the Albanians and Communist leaders in Kosovo; a compromise was thus made defining which colonists could return based on how they got possession of their land. Nevertheless, recalling the violence during the war, not all colonists wanted to return.¹³³

The Law on the Administrative Division of Serbia into Provinces was passed on 3 September 1945, creating the Autonomous Territory of Kosovo and Metohija, while similar law days earlier established the Autonomous Province of Vojvodina.

¹²⁹ Malcolm, *Kosovo*, p. 314.

¹³⁰ Malcolm, *Kosovo*, p. 315.

¹³¹ Malcolm, *Kosovo*, p. 315.

¹³² Janjić, *National Identity, Movement and Nationalism of Serbs and Albanians*, p. 136.

¹³³ Malcolm, *Kosovo*, p. 315. Until 1948 the border stayed open for immigrants from Albania – it is estimated that in that time around 25,000 Albanians arrived in Kosovo. See Vickers, *Between Serb and Albanian*, pp. 144-45.

Malcolm points out that the difference between region (*oblast*) and province (*pokrajina*) was never legally clear, but it was obvious that province was regarded as higher.¹³⁴ Crucially, this was the last step in establishing the new Yugoslav Federation. In essence, Serbian historians see behind the creation of the Autonomous Territory of Kosovo and Metohija mainly three intentions: firstly, to determine the status of Albanians in Kosovo; secondly, to prepare the ground for integration of Albania into a Yugoslav federation; and thirdly, to secure a balance between the Serbs and the other Yugoslav nations based on the Leninist doctrine.¹³⁵

The 1946 constitution

Later in 1946, during the official discussions between President Tito and Enver Hoxha, the Albanian Communist leader, Tito said that ‘Kosovo and the other Albanian regions belong to Albania and we shall return them to you, but not now because the Great Serb reaction would not accept such a thing’.¹³⁶ The Yugoslav Communist Party was trying to suppress the ‘Greater Serbian hegemonism’ by the creation of the two autonomous regions of Kosovo and Vojvodina. The new Yugoslav Constitution of 1946 stated in Article 103 that the rights and scope of Kosovo and Vojvodina were to be determined by the Constitution of the Serbian Republic; this should have served as an effort to resolve the Serbian question.¹³⁷ That said, the new constitution acknowledged five nationalities including Serbs, Croats, Slovenes, Montenegrins and Macedonians and the minorities had a special status. Excepting Bosnia-Herzegovina, each republic was considered a nation-state.¹³⁸

Albanian Communists did not oppose the annexation of Kosovo, as they were very much under Yugoslav control; there was also a debate about the creation of a Balkan Federation, which would resolve Kosovo’s issue.¹³⁹ Indeed, Hoxha stated in December 1946 that it was not the time to ask for Kosovo and, ‘That is not a progressive thing to do. No, in this situation, on the contrary, we must do whatever is possible to ensure that the Kosovars become brothers with the Yugoslavs’.¹⁴⁰

¹³⁴ Malcolm, *Kosovo*, p. 316.

¹³⁵ Vickers, *Between Serb and Albanian*, p. 145.

¹³⁶ See Miranda Vickers, *The Albanians: A Modern History* (London: I.B. Tauris, 1999), p. 165.

¹³⁷ Vickers, *The Albanians*, p. 165.

¹³⁸ Vickers, *Between Serb and Albanian*, p. 147.

¹³⁹ Judah, *Kosovo*, p. 31.

¹⁴⁰ Malcolm, *Kosovo*, p. 319.

Notably, the Constitution of 1946, excepting the autonomy, allowed the opening of elementary schools in the Albanian language, and enabled ownership and presentation of national symbols and development of Albanian culture.¹⁴¹

The break up with Moscow

In the first post-war years Tito's prestige was growing and, as Vickers states, it was only a question of time as to when Stalin would get involved.¹⁴² On the other hand, Malcolm remarks that the motive for Stalin's move against Tito was the issue of Yugoslav-Albanian unification. Hoxha and Tito had discussed earlier the aim to build a Balkan Federation including Yugoslavia, Albania and Bulgaria.¹⁴³ For a long time, Moscow set an example for Yugoslav Communists. However, Tito realised that Stalin would not allow a second cult of personality within his sphere of influence. Tito's advantage was that he had a relatively strong military behind him and furthermore was backed up by his indirect connection with NATO. Yugoslavia's strong economy was also important.¹⁴⁴

Indeed, the idea of a Balkan Federation enraged Stalin, especially as it was a case of independent foreign policy-making by Yugoslavia, and he had not been consulted. Consequently, in June 1948 Yugoslavia was officially expelled from the Cominform.¹⁴⁵ The break up with Moscow had in the short term some negative effects on Yugoslavia and Kosovo in particular.¹⁴⁶ The controlling power of the Communist system was tightened and the security apparatus increased its influence. Still, the most important consequence was that Hoxha turned towards Moscow; he stated his loyalty to the Soviet Union and started to attack Tito's policies.¹⁴⁷ As a result, the split between Yugoslavia and Albania¹⁴⁸ meant the end of the earlier discussed idea of Kosovo joining Albania and brought a stop to Albanian immigration to Yugoslavia.¹⁴⁹

¹⁴¹ Janjić, *National Identity, Movement and Nationalism of Serbs and Albanians*, p. 137.

¹⁴² Vickers, *Between Serb and Albanian*, p. 148.

¹⁴³ Malcolm, *Kosovo*, pp. 319-20.

¹⁴⁴ Mikasinovich, *Yugoslavia*, p. 25.

¹⁴⁵ Vickers, *Between Serb and Albanian*, p. 149.

¹⁴⁶ For more on the break up with Moscow, see Dennis P. Hupchick, *The Balkans: From Constantinople to Communism* (New York: Palgrave Macmillan, 2002).

¹⁴⁷ Malcolm, *Kosovo*, p. 320.

¹⁴⁸ For more about the historical developments in Albania since 1948 until 1999, see Richard John Crampton, *The Balkans since the Second World War* (London: Pearson Education Limited, 2002).

¹⁴⁹ Vickers, *Between Serb and Albanian*, p. 149.

In any case, soon after, the Yugoslav authorities started to encourage people in Kosovo and Macedonia to identify themselves as ‘Turks’ by nationality. In 1951, Turks were declared a national minority; Turkish schools were opened and Albanians were encouraged to leave to Turkey. In 1953, Yugoslavia signed a treaty with Turkey and Greece and emigration of Yugoslav ‘Turks’ to Turkey was officially permitted. The main objective of this policy was to remove large numbers of Albanians¹⁵⁰ and weaken the growing national awareness of Kosovo Albanians, whose population was growing twice as fast as the Yugoslav average.¹⁵¹

In general, the second half of the 1950s was characterised by tensions between the Yugoslav republics. Slovenia was not satisfied that large funds from the federal budget were being used by the less developed parts of Yugoslavia, for example Kosovo.¹⁵² In order to resolve this tensed situation the concept of ‘Yugoslav consciousness’ had to be created.¹⁵³

The constitution of 1963 and Ranković’s removal

Crucially, the Yugoslav constitution of 1963 fundamentally reduced the autonomous status of Kosovo. It stated that the republics could establish autonomous provinces on their own initiative, and thus the establishment of the provinces of Kosovo and Vojvodina was decided by the Serbian Assembly. In effect, this meant that the status of Kosovo was dependent on the internal decisions of the republic of Serbia.¹⁵⁴

A changing point came in 1966 when Alexander Ranković, the Vice-president of Yugoslavia, was dismissed. Ranković was a supporter of Serbo-centralism and had a direct responsibility for the Yugoslav Security Police UDB-a (*Uprava Drzavne Bezbednosti*) and its regular pressures on Albanians. Because of his high status, his work and activities were not supervised.¹⁵⁵ Therefore, the Party Plenum held on Brioni decided to dismiss him, as they accused the security police of discriminatory actions and illegal practices, in particular towards the Albanians.¹⁵⁶ Ranković’s fall

¹⁵⁰ Malcolm, *Kosovo*, p. 322.

¹⁵¹ Vickers, *Between Serb and Albanian*, p. 149.

¹⁵² For instance, by 1958, 465 industrial enterprises existed in Slovenia and only 49 in Kosovo. See Malcolm, *Kosovo*, pp. 322-23.

¹⁵³ Vickers, *The Albanians*, p. 156.

¹⁵⁴ Malcolm, *Kosovo*, pp. 323-24.

¹⁵⁵ Vickers, *The Albanians*, p. 191.

¹⁵⁶ Vickers, *Between Serb and Albanian*, p. 163.

could also certainly be attributed to the clash between his and Tito's views. Tito aimed to abandon the effort to create a homogenous 'Yugoslavism' and instead promoted development of national self-direction.¹⁵⁷ After Ranković lost his power and his policies were publicly known, Albanians started to agitate for reforms, especially for greater autonomy.¹⁵⁸

November 1968 saw a large student demonstration in Pristina demanding the formation of a Kosovo republic. During that year a debate was held about amendments to the 1963 constitution aimed at softening the situation and calming public opinion; these were officially declared in December 1968. Indeed, it was amended that the autonomous provinces belong both to Serbia and to the federal structure; the name of Kosovo-Metohija, which always caused irritation among the Albanians, was changed to Kosovo only. Probably the most significant change was that autonomous provinces were equal to 'socio-political communities' (republics had the same description). It was also declared 'that they would carry out all the tasks of a republic apart from those tasks which were of concern to the republic of Serbia as a whole'. From this point on, the Kosovo Albanians started to emphasise their request for a Kosovo Republic. However, Hoxha had already asked in April 1968: 'Why do 370,000 Montenegrins have their own republic, while 1.2 million Albanians do not even have total autonomy?'¹⁵⁹

Certainly, since the beginning of the 1960s, the position of Albania had changed considerably. It was no longer an ideological ally of the Soviet Union and it started to 'repair' relations with Yugoslavia. On the other hand, after the Soviet occupation of Czechoslovakia in 1968, Tito realised that he needed all the anti-Soviet support available in the Balkans. Thus, a new development in the relationship of these two countries began. From 1969 Albanians in Kosovo were allowed to fly their flag, and later that year the University of Pristina was opened. With the help of Tirana's teachers and teaching materials printed in Albania, Albanian language courses were launched. Malcolm points out that the year 1963 could be described as the nadir of

¹⁵⁷ Malcolm, *Kosovo*, p. 324.

¹⁵⁸ Vickers, *Between Serb and Albanian*, p. 164.

¹⁵⁹ Malcolm, *Kosovo*, pp. 324-25.

Albanian interest in Kosovo, while the following period, culminating in 1974, was the zenith.¹⁶⁰

The 1974 constitution

As for Tito's 1974 constitution, it decentralised powers to the republics and supported equality between them – quotas and rotation systems were introduced to balance representation. Furthermore, all republics had the right of veto over federal legislation. In Hudson's view, it was this constitution that brought difficulties in the 1980s. She explains that the locus of power became firmly republican and the decision-making process was slowed down, particularly by the right of veto. The changes in the 1974 constitution also gave Kosovo and Vojvodina virtual republic status within Serbia.¹⁶¹

To the earlier amendments from 1971 (the provinces got equal status in most forms of the economic decision-making with the six republics, each with one representative in the collective body of the Presidency of Yugoslavia) other essential rights were added. Among them, the 1974 constitution gave Kosovo and Vojvodina the right to issue their own constitutions – this was a crucial change as until then Kosovo's constitution was passed on to them by the Serbian Assembly. All these changes increased the rights of Kosovo; however, the ultimate aim of Albanians to change the province into a republic was never achieved. The reason was that the Yugoslav federal system described the republics as entities for nations whereas Albanians were regarded as a nationality. A nation (in Serbian *narod*) was explained as a state-forming unit, which as a part of the federation retained the right to become independent. On the other hand, a nationality (in Serbian *narodnost*) was a part of a nation which primarily lived somewhere else. In other words, Albanians in Kosovo were regarded as a nationality because they had their own state – Albania.¹⁶²

In any case, several amendments in the constitution (starting with that of 1946) reveal the changes that occurred within the federal republic under the rule of Tito.¹⁶³ Ending with the constitution of 1974, both autonomous provinces obtained direct

¹⁶⁰ Malcolm, *Kosovo*, pp. 325-27.

¹⁶¹ Hudson, *Breaking the South Slav Dream*, pp. 53-54.

¹⁶² Malcolm, *Kosovo*, pp. 327-28.

¹⁶³ Hudson, *Breaking the South Slav Dream*, p. 53.

participation in the federal government. Janjić states that the so-called Albanisation of Kosovo started after the constitutional changes of 1974. This affected especially the Serbs and Montenegrins who became a minority. The following comment by Janjić sums up the situation:

The communist government managed to offset the conflicts between the Albanians and the Serbs by making concessions to the one or the other side alternatively and suppressing the national and nationalistic dimension of the confrontation. Naturally, the problems were not resolved, but were postponed and buried under new and still larger difficulties. With the coupling of the official nationalism of the communist elite and unofficial nationalism, peaceful and democratic resolution of problems through a dialogue was made more difficult by the very fact that the power and influence in both communities were taken over by elites which excluded each other.¹⁶⁴

1.5 Milošević's rise to power

The 1980s were characterised by the crisis in and over Kosovo. Indeed, the first protests began in March 1981 and rapidly developed during the following two months. Albanian demonstrators were pressing for formal recognition as a republic. Troops (primarily from Croatia and Slovenia) were sent to the province; however, complete order was not reinstated in the Albanian areas until 1983.¹⁶⁵

Kosovo's autonomous status, granted by the 1974 constitution, did not satisfy the Albanian population. Furthermore, the widening gap in wealth between the north and south of Yugoslavia led to dissatisfaction with the system;¹⁶⁶ the Kosovo riots in 1981 were considered the worst disturbances in Yugoslavia since 1944.¹⁶⁷ The revolts affected Serbs and led to their increased emigration from the province. Crampton argues that the sorrow of Kosovan Serbs – 'real and imagined' – led to a critical point in Serbian nationalism.¹⁶⁸

¹⁶⁴ Janjić, *National Identity, Movement and Nationalism of Serbs and Albanians*, pp. 138-39.

¹⁶⁵ Crampton, *The Balkans since the Second World War*, p. 147.

¹⁶⁶ Calic, *Kosovo in the Twentieth Century*, p. 21.

¹⁶⁷ Crampton, *The Balkans since the Second World War*, p. 148.

¹⁶⁸ Crampton, *The Balkans since the Second World War*, p. 149. In 1981 Serbs formed 13.2 percent of Kosovo's population, compared to 23.5 percent in 1961. In 1991 the percentage fell to 9.9. Crampton, *The Balkans since the Second World War*, p. 148.

Importantly, in 1986 the Serbian League of Communists got a new leader: Slobodan Milošević, who was born in central Serbia, though his family came originally from Montenegro. His friend Ivan Stambolić, who became president in May 1986, nominated Milošević as the head of the party. At that time it appeared to be a safe option.¹⁶⁹

However, soon it was clear that it was a mistaken choice, and it shortly brought great changes to both Yugoslavia and the Balkans. Stambolić, in his latest speeches highly critical of Serbian nationalism, asked Milošević to speak to a meeting of workers in a suburb of Pristina.¹⁷⁰ He visited the province in the spring of 1987 and met the local Serbs, who complained about mistreatment from the ethnic Albanians and the inadequate protection they received from the police (mostly ethnic Albanian). In his speech, Milošević promised the Serbs in Kosovo that ‘nobody would ever beat them again’.¹⁷¹ This was a critical point. Milošević believed that Stambolić was responding too weakly towards the issues in Kosovo and that reform was necessary in Yugoslavia. He slowly eliminated all his opponents in the party apparatus.¹⁷²

Crampton describes three main political developments which took place in Yugoslavia between the constitutional changes in 1989 and the outbreak of the Bosnian war in 1992. First, the liberalisation of the political system allowed the activation of nationalist parties, together with those among the ethnic minorities within the republics. Second, the key authority institutions collapsed; and last, the crisis in Yugoslavia received international attention.¹⁷³

The 1989 constitution

Meanwhile, the new constitution of 1989 removed the status of Kosovo and Vojvodina as autonomous provinces. Kosovo’s self-administration was removed and political and cultural institutions were dissolved. In response, Albanians in Kosovo

¹⁶⁹ Crampton, *The Balkans since the Second World War*, p. 150. For an analysis of Serbian politics from 1987 to 2000 with a particular focus on Milošević’s rule, see Lenard J. Cohen, *Serpent in the Bosom: The Rise and Fall of Slobodan Milošević* (Colorado: Westview Press, 2002). See also Jasna Dragović-Soso, *Saviours of the Nation: Serbia’s Intellectual Opposition and the Revival of Nationalism* (London: Hurst, 2002).

¹⁷⁰ Crampton, *The Balkans since the Second World War*, p. 150.

¹⁷¹ Cviic, *Remaking the Balkans*, p. 67.

¹⁷² Crampton, *The Balkans since the Second World War*, pp. 150-51.

¹⁷³ Crampton, *The Balkans since the Second World War*, p. 239.

set up a parallel state of their own.¹⁷⁴ Ibrahim Rugova, leader of the Democratic League of Kosovo (DLK), was elected as President. The main aim of Albanians was to organise an alternative society with an improvised political structure, schools and medical system.¹⁷⁵

However, during 1989 and the spring of 1990 violent conflicts with the police and mass demonstrations continued, widening anger and fear among Albanians.¹⁷⁶ In December 1990, Milošević was re-elected President of Serbia with a large majority of votes. Ethnic Albanians boycotted the elections en masse and Milošević got a number of extra, totally unchallenged seats.¹⁷⁷

After 1989, ethnic tensions increased and the situation in and around Kosovo became a deadlock. Another chance to demand Kosovo's independence came in 1990-1991 when Slovenia and Croatia were aiming for independence. The Albanians forwarded their claim to the international community; however, Serbian authorities argued that Kosovo should remain part of Serbia and that the right to self-determination already applied to Albanians, as an independent Albanian national state already existed. After 1991, Albanians decided to boycott the elections and refused to recognise the legitimacy of any of the Yugoslav or Serb state institutions. In any case, Serbian opposition believed that if Kosovo would have participated in the elections Milošević could have been removed. Whether this would have been true remains a question mark.¹⁷⁸

Kosovan Albanians had two influential arguments for their independence: 'why should their 1.7 million constitute merely a *narodnost* or "nationality", when the status of *narod* or "nation" was enjoyed by approximately the same number of Slovenes, by the 1.3 million Macedonians and by the even less numerous Montenegrins?' The second argument becoming legitimate in 1990 and 1991 questioned 'why should the 1.7 million Albanians who formed 90 percent of Kosovo's population be denied minority rights within Serbia, which the Serbian

¹⁷⁴ Calic, *Kosovo in the Twentieth Century*, p. 21.

¹⁷⁵ Michael McGwire, 'Why did we bomb Belgrade?', *International Affairs*, 76 (2000), 1-23 (p. 4).

¹⁷⁶ Calic, *Kosovo in the Twentieth Century*, p. 21.

¹⁷⁷ Cviic, *Remaking the Balkans*, pp. 68-69.

¹⁷⁸ Calic, *Kosovo in the Twentieth Century*, pp. 21-27.

leader was demanding for the Serbian minorities in Croatia and Bosnia and Hercegovina, the more so when Croatia's 0.6 million Serbs were only 12 percent and Bosnia's 1.2 million Serbs a third of the population?' However, none of these arguments had any effect on Belgrade.¹⁷⁹

The fall of Yugoslavia

In June 1991 Slovenia and Croatia announced their separation from the federation. The Yugoslav People's Army took positions along the international borders, but withdrew from Slovenia after ten days due to European mediation. In the summer of 1991 the army unsuccessfully searched for an aim to validate its presence in the disputed areas of Croatia.¹⁸⁰ Woodward argues that the real problem of this critical time for Yugoslavia was that there was no European Community (EC) position or collective policy in the West. Instead, domestic disagreements among Western states led to diverse messages. The impact of the conflicting signals was that all parties to the conflict were encouraged to believe that their chosen course would eventually win.¹⁸¹

Indeed, the EC became alarmed at the breakdown of order in Yugoslavia and it received international attention. In November, Chancellor Helmut Kohl declared Germany's intent to recognise Slovenia and Croatia by Christmas; soon after, on 16 December, the EC stated that by fulfilling certain criteria any Yugoslav republic could request recognition as an independent state. A commission led by Robert Badinter, a French lawyer, was responsible for the vetting process. By the deadline of 23 December, applications for independence came from Bosnia and Hercegovina, Slovenia, Croatia, Macedonia, the Serbian Krajina in Croatia and the Kosovan Albanians. However, the last two applications were declined and considering the fact that Germany recognised Slovenia and Croatia on 23 December no action could have been taken. Bosnia and Hercegovina and Macedonia were referred to the Badinter Commission, which required Bosnia to put the question to referendum.¹⁸² Although Serbs boycotted the vote, a large majority was in favour of independence, which was

¹⁷⁹ Crampton, *The Balkans since the Second World War*, p. 241.

¹⁸⁰ Stevan K. Pavlowitch, *Serbia: The History behind the Name* (London: Hurst & Company, 2002), p. 207.

¹⁸¹ Susan Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War* (Washington: The Brookings Institution, 1995), pp. 161-62.

¹⁸² For a detailed analysis of the Badinter Commission opinions, see Peter Radan, 'The Badinter Arbitration Commission and the Partition of Yugoslavia', *Nationalities Papers*, 25 (1997), 537-57.

declared on 3 March. A period of destruction followed, characterised by clashes between Bosnian Serbs and Muslims, Bosnian Croats and the Yugoslav National Army, Bosnian Serbs and Bosnian Croats, and between Serbian units from outside Bosnia and forces loyal to the Bosnian government. On 6 April 1992,¹⁸³ when severe fighting began in Sarajevo, the EC recognised Bosnia as an independent state. On the following day, the US followed suit (recognising also Slovenia and Croatia). A Macedonian request for independence was blocked by Greece while Serbia and Montenegro decided in April on re-establishing Yugoslavia on a new foundation. Either way, all the earlier mentioned events led to the dissolution of Tito's Yugoslavia, ending its existence as a political entity.¹⁸⁴

Crampton describes two of Yugoslavia's weaknesses. First, Yugoslavia and its institutions were very complex. Between 1944 and 1991, it 'was a state with one ideology, two alphabets, three main religions, four constitutions, five major ethnic groups, six republics, seven land neighbours, eight members of its presidency, nine parliaments and ten communist parties'.¹⁸⁵ The second weakness was Yugoslavia's institutional instability. Constant changes of the constitutions never allowed enough time for the institutions to settle in. Also, after 1980 there was no personality who could demand respect and stabilise the country in the coming turbulent times.¹⁸⁶

From the spring of 1992 until autumn 1995 Europe witnessed its most violent conflict since the Second World War. The fighting took place in Croatia and Bosnia and Hercegovina. Crampton explains how absurd the war in Bosnia was when at one point Muslims, Serbs and Croats were all at war with each other. The conflict in Bosnia was determined not only by changes in military campaigns and alliances but also by international involvement.¹⁸⁷ At the beginning of 1993, after earlier

¹⁸³ Pavlowitch describes this as one of the unfortunate dates which Western diplomats did not check in international history. It was the anniversary of the 1941 German attack on Yugoslavia. Pavlowitch, *Serbia*, p. 208.

¹⁸⁴ Crampton, *The Balkans since the Second World War*, pp. 252-55. For a detailed review of the reasons that led to Yugoslavia's disintegration, see Jasna Dragović-Soso, 'Why Did Yugoslavia Disintegrate? An Overview of Contending Explanations', in *State Collapse in South-Eastern Europe: New Perspectives on Yugoslavia's Disintegration*, ed. by Lenard J. Cohen and Jasna Dragović-Soso (West Lafayette: Purdue University Press, 2007), pp. 1-39; Dejan Jović, *Yugoslavia: A State that Withered Away* (West Lafayette: Purdue University Press, 2009).

¹⁸⁵ Crampton, *The Balkans since the Second World War*, p. 257.

¹⁸⁶ Crampton, *The Balkans since the Second World War*, p. 258.

¹⁸⁷ The number of bodies involved with former Yugoslavia in 1992 and 1993 demonstrates how complex the international engagement was: the EC Peace Conference under Lord Carrington which included representatives from the former Yugoslav states, The Conference on Bosnia and Hercegovina, and Robert Badinter's Committee.

discussions at the London conference (August 1992), Lord Owen (representing the EC) and Cyrus Vance (representing the UN) came up with a peace proposal for the Bosnian conflict.¹⁸⁸ Bosnian Serbs rejected the plan, which unsettled the international community and led to a vacuum. Increasing its involvement in the region, the UN Security Council created so-called 'safe areas' around Sarajevo, Tuzla, Goražde, Žepa, Bihać and Srebrenica.¹⁸⁹

In 1994 fighting intensified around the safe area of Goražde and on 22 April Serbs took the town. After the fall of Goražde, the UN's reputation suffered severely. New diplomatic activity had been initiated by creating the Contact Group (CG).¹⁹⁰ The CG came with a peace proposal which, like the Vance-Owen plan, was rejected by the Bosnian Serbs. After three crucial moments in the summer of 1995 the situation changed considerably.¹⁹¹ The patience of the international community ran out and NATO launched Operation Deliberate Force, heavy air attacks on Serbian positions near Sarajevo. Serbs' communication network in the western part of Bosnia was destroyed and Serbs were saved from an absolute defeat by diplomatic steps. These led ultimately to an agreement. Milošević organised a meeting in Belgrade including leaders from Serbia, Montenegro and the Bosnian Serbs. The settlement that emerged from this meeting authorised Milošević to lead the consultations team of the Bosnian Serbs; this was the first step towards Dayton.¹⁹²

Before 1999 the Yugoslav problem was discussed also in the WEU, NATO, the Islamic Conference Organisation, CSCE (OSCE), UN Security Council, UN Human Rights Commission, the Central European Initiative, the G-7, the G-8, the International Court of Justice, the North Atlantic Council, the International Committee of the Red Cross, the Contact Group, the mini-Contact Group and the Consultation Group on the former Yugoslavia. Crampton, *The Balkans since the Second World War*, p. 259.

¹⁸⁸ The key idea of the proposal was division of Bosnia and Hercegovina in ten cantons (three dominated by the Muslims, three by the Serbs, two by the Croats and one mixed with Sarajevo as an open city). Crampton, *The Balkans since the Second World War*, p. 260.

¹⁸⁹ Crampton, *The Balkans since the Second World War*, p. 262.

¹⁹⁰ The Contact Group included the UK, Russia, France, Germany and the US.

¹⁹¹ In July the safe area of Srebrenica was captured by the Serbs and under the order of General Mladić, 8,000 men were taken away. They were never seen again. This was the worst massacre since the Second World War and the UN completely lost its credibility. In effect from now on NATO could operate in the area alone and the UN lifted the 'dual key' system which would sanction any NATO operations in Bosnia. The second event happened in August when the Croatian army attacked the Serbian Krajina and its capital Knin. Croats succeeded at the cost of driving 152,000 Serbs from their homes. The collapse of the Serbian army in Croatia led to a change in Bosnia. Serbs were now holding only around half the territory (before it was 70 percent). The last event came at the end of August, when a shell recognised as being fired by the Serbs killed 37 people in a marketplace in Sarajevo. Crampton, *The Balkans since the Second World War*, pp. 265-66. For a detailed account of what happened in Srebrenica, see David Rohde, *End Game: The Betrayal and Fall of Srebrenica: Europe's Worst Massacre since World War II* (Colorado: Westview Presse, 1998).

¹⁹² Crampton, *The Balkans since the Second World War*, p. 266-67. After three and half years of fighting there were 250,000 refugees, 865,000 displaced persons in former Yugoslavia and 200,000 lost lives. As Crampton puts it, 'the economic costs of the fighting were beyond realistic calculation'. Crampton, *The Balkans since the Second World War*, p. 268.

After the war, the main focus of the successor regimes was to build functioning independent states. Nevertheless, the key regional dynamic remained the conflict between Serbian nationalist and other ethnic groups. Yet, at this stage, the location of the dispute was within the Serbian republic, in Kosovo.¹⁹³

In 1995 the Dayton negotiations formally settled the conflict in Bosnia.¹⁹⁴ Kosovar Albanians expected that the Kosovo issue would be part of the agenda. However, this was not the case. The side-lining of the Kosovo issue among the international community, particularly after the early 1990s, led to increased radicalisation of Serbs and Albanians resulting in additional inter-ethnic tensions.¹⁹⁵

Caplan describes three reasons why Kosovo had never been part of the Dayton discussions: first, there was too much to negotiate already; second, there was no intention to disaffect Milošević, who forced the Bosnian Serbs to accept the compromises required for the Dayton agreement; and third, it was thought there was no urgent need to deal with the question due to the absence of war in Kosovo. For Albanians in Kosovo this was a disappointment. Rugova thought that by avoiding conflicts with the Serbs he would achieve support from the international community and, gradually, backing for Kosovo's independence. Yet, the international community clearly stated that it would not support independence because it would not encourage secession and the consequent redrawing of international borders, as this might awaken historical claims in other parts of the region. Kosovo's Albanians lost faith in the peaceful ways of their leadership, which led to growing support for the emerging militant separatist movement Kosovo Liberation Army (KLA) or UÇK (*Ushtria Çlirimtare e Kosovës*). Following this, KLA increased its attacks on Serbian police stations and Yugoslav army sites; by July 1998, it had around 30 percent of Kosovo territory under its control.¹⁹⁶

¹⁹³ Crampton, *The Balkans since the Second World War*, p. 270.

¹⁹⁴ For an analysis of the Dayton settlement and its implementation, see Marc Weller and Stefan Wolff, 'Bosnia and Herzegovina ten years after Dayton: Lessons for internationalized state building', *Ethnopolitics*, 5 (2006), 1-13. Notably, as these authors state, 'the settlement seemed morally wrong and politically impracticable, but still necessary in order to end violence of a scale and intensity not seen in Europe since the end of the Second World War' (p. 1).

¹⁹⁵ Stefan Wolff, 'The Limits of Non-Military International Intervention: A Case Study of the Kosovo Conflict', in *Understanding the War in Kosovo*, ed. by Florian Bieber and Židas Daskalovski (London: Frank Cass, 2003), pp. 79-100 (p. 82).

¹⁹⁶ Richard Caplan, 'International Diplomacy and the Crisis in Kosovo', *International Affairs*, 74 (1998), 745-61 (pp. 750-52). The foundation of the KLA is to be found in the early 1980s Kosovan Albanian émigré communities, mainly in Switzerland. It is believed that it became wealthy particularly through international

By 1992 Milošević began to be threatened with military actions. Indeed, on 24 December 1992 Lawrence S. Eagleburger, President Bush's Secretary of State, sent a cable to Belgrade saying: 'In the event of conflict in Kosovo caused by Serbian action, the US will be prepared to employ military force against Serbians in Kosovo and in Serbia proper'.¹⁹⁷ As Bellamy points out, this threat set the tone for the try-and-see diplomacy of the international responses to Kosovo until the incident in Račak in 1999.¹⁹⁸

Significantly, during a press conference in Belgrade held on 23 February 1998, Robert Gelbard, the US Special Balkans Envoy, discussed the situation in the Balkans, declaring that:

[...] we are tremendously disturbed and also condemn very strongly the unacceptable violence done by terrorist groups in Kosovo and particularly the UCK – the Kosovo Liberation Army. This is without any question a terrorist group... And the actions of this group speak for themselves.¹⁹⁹

For Milošević this was enough of an authorisation to attack. On the first day of March Serbs started a major offensive in Drenica, burning villages and massacring hundreds of civilians.²⁰⁰ Caplan argues that although it would be overemphasising to say that the US gave Milošević a 'green light' for the attacks, the mentioned term 'terrorist' gave Serbs enough legitimatisation for their armed move.²⁰¹

In the meantime, international concern about developments in Kosovo increased also due to the fear that if the Albanian population in Macedonia became involved it would lead to the destabilisation of Macedonia. The diplomatic activity intensified – CG, NATO, the UN Security Council and other bodies discussed the issue. Richard

smuggling of narcotics as well as prostitutes, cigarettes and stolen cars. Crampton, *The Balkans since the Second World War*, p. 271.

¹⁹⁷ Barton Gellman, 'The Path to Crisis: How the United States and its Allies went to War', *Washington Post*, 18 April 1999.

¹⁹⁸ Alex J. Bellamy, 'Lessons Unlearned: Why Coercive Diplomacy Failed at Rambouillet', *International Peacekeeping*, 7 (2000), 95-114 (p. 99).

¹⁹⁹ 'Special Representative Robert S. Gelbard Press Conference', Belgrade, Serbia and Montenegro, 23 February 1998, *U.S. Department of State*, available at <http://www.state.gov/www/policy_remarks/1998/980223_gelbard_belgrade.html> [accessed 30 January 2009].

²⁰⁰ Bellamy, 'Lessons Unlearned', p. 100.

²⁰¹ Caplan, 'International Diplomacy and the Crisis in Kosovo', pp. 753-54. By September 1998, after similar attacks against the KLA, there were about 300,000 internal refugees in Kosovo. Crampton, *The Balkans since the Second World War*, p. 272.

Holbrooke, special US Envoy to the Balkans and Christopher Hill, the US Ambassador to Macedonia, participated at negotiations which were, nevertheless, to a great extent unproductive. That said, NATO started to consider the Kosovo issue in March 1998.²⁰²

In September 1998 the UN Security Council adopted Resolution 1199, demanding to cease hostilities and maintain a ceasefire in Kosovo, and calling for a dialogue among the parties. It was decided that the non-fulfilment of the demands (including the demands mentioned in the March Resolution 1160)²⁰³ would lead to further action.²⁰⁴ In the same month NATO agreed on an ‘activation warning’, implying that air attacks could be launched at short notice. After Holbrooke’s visit, Milošević eventually approved to reduce the forces in Kosovo and gave permission to the Organisation for Security and Cooperation in Europe (OSCE) to send 2,000 monitors to the region. However, this victory did not last for long and tensions continued throughout the end of the year.²⁰⁵

1.6 The Rambouillet talks and Operation Allied Force

On 15 January 1999, it was reported that Serb forces entered the Kosovan village of Račak and killed 45 civilians. Viewed as a retaliation act for the death of two Serbian policemen, it made the CG change the try-and-see diplomacy to one of ultimatum.²⁰⁶ However, what really happened in Račak is still unclear. Helena Ranta, a Finnish forensic scientist commissioned by the EU to investigate the incident, published different accounts in 2008. Among others, she reported that she was under intense official pressure when conducting the investigation. Particularly, William Walker, the US Ambassador and head of the OSCE Kosovo verification mission, was not pleased that Ranta did not want to express strong enough language in regards to the Serbs.²⁰⁷

²⁰² Crampton, *The Balkans since the Second World War*, p. 272.

²⁰³ UN Security Council Resolution 1160 (1998), 31 March 1998.

²⁰⁴ UN Security Council Resolution 1199 (1998), 23 September 1998.

²⁰⁵ Crampton, *The Balkans since the Second World War*, p. 273.

²⁰⁶ Bellamy, ‘Lessons Unlearned’, p. 101.

²⁰⁷ Julia Gorin quoted a report in the *Helsingin Sanomat*: “‘Three civil servants of the Ministry for Foreign Affairs expressed wishes by e-mail for more far-reaching conclusions’, Ranta said. “I still have the e-mails.” ... The investigation by Ranta’s working group was very charged from the beginning. It was commonly assumed that Serb forces had perpetrated a massacre... According to Ranta, in the winter of 1999 William Walker, the head of the OSCE Kosovo monitoring mission, broke a pencil in two and threw the pieces at her when she was not willing to use sufficiently strong language about the Serbs’. Furthermore, ‘Walker continues to claim to this

Soon after, on 29 January the CG released a list of 26 nonnegotiable principles²⁰⁸ granting Kosovo significant political autonomy, but under Serbian sovereignty, enforced by NATO troops on the ground in Kosovo. Both sides were requested to participate at a meeting in the French Rambouillet at the beginning of February 1999.²⁰⁹ As for the final status of the province, it was to be determined after a three year interim period; this time, however, the international community would review the status by taking into consideration the will of Kosovo's people. The addition of the 'will of the people' to the final version of the proposal eventually convinced the Kosovo Albanians to sign the document in Paris on 15 March 1999 and accept the protection of NATO.²¹⁰

The Serbian negotiators, however, rejected the plan. Two demands were crucial for their decision. First, the review of the future status after the interim period included a referendum in Kosovo, the result of which was more than clear. Second, the military annex included that NATO should have unrestricted access throughout Yugoslavia which was unacceptable for Serbia.²¹¹ Jatrás notes that one senior administration official told the media off the record at Rambouillet: 'We intentionally set the bar too high for the Serbs to comply. They need some bombing, and that's what they are going to get'.²¹²

day that it was a massacre and that the Serbs were to blame, "but I never said that; I never made any reference to the perpetrators," the pathologist told the media following her book's publication. "I never said a single word about who stood behind what went on in Racak. That's for the judges to decide, while we forensic scientists just carry out the investigation." She accused Walker of trying to put words into her mouth: "What angered him most was that I refused to use the word 'massacre' and say who stood behind what happened in Racak". For more details, see Julia Gorin, 'The Hoax that Ignited a War', in *Kosovo: The Score 1999-2009* (Washington D.C: The American Council for Kosovo and The Lord Byron Foundation for Balkan Studies, 2009), pp. 44-52 (pp. 46-47); and 'Helena Ranta: Foreign Ministry tried to influence Kosovo reports', *Helsingin Sanomat*, 16 October 2008. See also, Miroslav Polreich, *Utajená zákulisi: Domáci a zahraniční politika očima bývalého diplomata* (Praha: Nakladatelství Petrklíč, 2009), p. 195.

²⁰⁸ The principles were based on a plan devised by the US Envoy Christopher Hill. For a wide analysis of the Hill proposal, see Marc Weller, 'Legal Opinion on the Draft Proposal for a Settlement for Kosovo', *Journal of Humanitarian Assistance*, 1 October 1998, available at <<http://sites.tufts.edu/jha/archives/category/marc-weller>> [accessed 11 October 2012].

²⁰⁹ David T. Buckwalter, 'Madeleine's War: Operation Allied Force', in *Case Studies in Policy Making and Implementation*, ed. by David A. Williams (Newport, R.I.: Naval War College, 2002), pp. 91-118 (p. 106). The intent behind the choice of a French château for the meeting, rather than a US airbase in Ohio used for the Dayton peace talks, was to indicate the ability of the Europeans to sort out their own backyard, without the need to rely on the decisive US action which ended the hostilities in Bosnia and Hercegovina. This attempt proved to be unsuccessful. For a detailed analysis of the reasons for the Rambouillet talks failure, see Wolff, 'The Limits of Non-Military International Intervention: A Case Study of the Kosovo Conflict', pp. 79-100. For a study of all aspects of the Rambouillet talks, see Marc Weller, 'The Rambouillet Conference on Kosovo', *International Affairs*, 75 (1999), 211-51.

²¹⁰ Bellamy, 'Lessons Unlearned', pp. 102-10.

²¹¹ Crampton, *The Balkans since the Second World War*, p. 273.

²¹² James George Jatrás, 'NATO's Myths and Bogus Justifications for Intervention', in *NATO's Empty Victory: A Postmortem on the Balkan War*, ed. by Ted Galen Carpenter (Washington: CATO Institute, 2000), pp. 21-29 (p. 24). In 2000, the former UK Defence Minister Lord Gilbert said to the House of Commons Select Committee for

Soon after, on 20 March the OSCE monitoring team was withdrawn from Kosovo; despite Holbrooke's warnings, Milošević did not change his attitude. Consequently, on 24 March the NATO Operation Allied Force began.²¹³ As before, Crampton states, politicians forced their people into war assuming that the conflict would not last long; however, they were mistaken. He argues that unexpectedly the campaign had little effect on the Yugoslav forces, which remained persistently active. However, the operation led to a rapid escalation of Serbian activity against the Kosovan Albanians.²¹⁴

In an effort to terminate the conflict diplomatic activity intensified. A step forward appeared likely after Viktor Chernomyrdin, personal envoy of President Yeltsin, met with Milošević on 28 May. Indeed, Milošević accepted some deployment of NATO troops in Kosovo from countries which were not involved in the bombing. Soon after, Chernomyrdin went again to Belgrade, also with Martti Ahtisaari, who was nominated mediator for the EU and UN. Peace proposals drawn in Bonn by the G7 plus Russia were presented to Milošević. He accepted them on 3 June. Ultimately, the bombing finished on 10 June when the first Serbian forces were withdrawn from Kosovo; the operation ceased ten days later when the last troops departed.²¹⁵

Defence during the review of the Kosovo campaign: 'If you ask my personal view, I think the terms put to Milošević at Rambouillet were absolutely intolerable; how could he possibly accept them; it was quite deliberate. That does not excuse an awful lot of other things, but we were at a point when some people felt that something had to be done, so you just provoked a fight'. See House of Commons, Select Committee on Defence Minutes of Evidence, 'Examination of witness (Questions 1080 - 1092)', 20 June 2000, available at <<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmdfence/347/0062005.htm>> [accessed 25 January 2009].

²¹³ For a discussion on the actual influence of the coercive diplomacy tools adopted towards FRY between 1992-1999 and its implications on Serbia's political developments under Milošević, see Jasna Dragović-Soso, 'The impact of international intervention on domestic political outcomes: Western coercive policies and the Milošević regime', in *International Intervention in the Balkans since 1995*, ed. by Peter Siani-Davies (London: Routledge, 2003), pp. 120-35. For a series of essays on the NATO war in the Balkan and a debate on the global geo-political strategy after the Cold War, see Tariq Ali (ed.), *Masters of the Universe? NATO's Balkan Crusade* (London: Verso, 2000).

²¹⁴ Crampton, *The Balkans since the Second World War*, p. 274. Chomsky discusses the justification of the NATO war in Yugoslavia in light of the US State Department report 'Erasing History: Ethnic Cleansing in Kosovo' which was published in May 1999. While the summary of the report states that ethnic cleansing in Kosovo considerably increased in the middle of March 1999 (before the NATO bombing), which could be then seen as a response to the increased violence, the text of the report describes a different chronicle. The record states that from April 4 to mid-May over 300 villages were burned and around 500 residential areas partially burned. 'Since late March' other atrocities and violence were reported. As Chomsky notes: 'The primary argument in this category is that NATO had to bomb to prevent the ethnic cleansing that was the "result" of its bombing'. See Noam Chomsky, *The New Military Humanism: Lessons from Kosovo* (London: Pluto Press, 1999), p. 84.

²¹⁵ Crampton, *The Balkans since the Second World War*, p. 275.

1.7 Kosovo under UN rule

After the NATO bombing campaign, the declaration devised for Kosovo was outlined in UNSC Resolution 1244 of 10 June 1999.²¹⁶ It authorised to establish an international civil presence in Kosovo, with Kosovo enjoying ‘substantial autonomy’ within the FRY. The KLA was to be disarmed. EU, OSCE, the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Mission in Kosovo (UNMIK)²¹⁷ were to be placed in charge of the post-war reconstruction. In addition, an international police contingent of 2,000 was sent to Kosovo together with a 50,000 strong NATO force (KFOR). Moreover, Kosovo was divided into five sectors: British, US, French, German and Italian.²¹⁸

From the beginning, Russia (together with China) strongly opposed the NATO strikes and described them as unnecessary and counterproductive, especially due to the fact that the alliance bypassed the UNSC.²¹⁹ Russia’s possession of veto power would have little relevance if the US and its allies could ignore the SC decisions and act on their own. Another dismissal of Russia as a European power came at the end of the bombing when NATO leaders refused to give Russia a separate peacekeeping zone in Kosovo, despite the diplomatic efforts that Russia carried out in order to terminate the conflict. This led to a surprising entry of Russian troops into Kosovo and their seizure of the Pristina airport before NATO troops could arrive.²²⁰ The Russian paratroopers’ taking of the airport on 12 June may have been focused on putting pressure on NATO to agree to Russian terms for participation in KFOR. Also, it might have been an expression of disgust at the government’s diplomatic abandonment of Belgrade.²²¹

²¹⁶ UN Security Council Resolution 1244 (1999), 10 June 1999.

²¹⁷ UNMIK’s tasks were the following: a) establishment of a functioning interim civil administration, including the maintenance of law and order; b) promotion of the establishment of substantial autonomy and self-government, including the holding of elections; and c) facilitation of a political process to determine Kosovo’s future status. See Alexandros Yannis, ‘The UN as Government in Kosovo’, *Global Governance*, 10 (2004), 67-81 (p. 67).

²¹⁸ Crampton, *The Balkans since the Second World War*, pp. 275-76.

²¹⁹ For an analysis of Russian foreign policy towards Kosovo during the 1990s, see Oleg Levitin, ‘Inside Moscow’s Kosovo Muddle’, *Survival*, 42 (2000), 130-40.

²²⁰ Ted Galen Carpenter, ‘Damage to Relations with Russia and China’, in *NATO’s Empty Victory: A Postmortem on the Balkan War*, ed. by Ted Galen Carpenter (Washington: CATO Institute, 2000), pp. 77-91 (pp. 77-80).

²²¹ Congressional Research Service, CRS Report for Congress, ‘Kosovo: Lessons Learned from Operation Allied Force’, 19 November 1999, p. 13.

NATO and Russian military commanders then eventually agreed that Russia would have more troops in the province. In the meantime, NATO persuaded Hungary, Bulgaria and Romania to deny Russia permission to fly through their airspace, a step that once again disturbed the relations between NATO and Russia.²²² Wilton describes that Kosovo was seen as a challenge to NATO to prove its unity and role in the post Cold War era, and that it could act rather than merely claim readiness.²²³

According to Crampton the first months after the adoption of Resolution 1244 were characterised by an inadequate order imposed by UNMIK and KFOR.²²⁴ By the end of 1999 around 100,000 Serbs had left Kosovo, as the harassment of Serbs by the Albanians was not prevented. Repeated tension was particularly high in Mitrovica, where both sides suffered casualties.²²⁵ These events created mistrust of external peacebuilders who were unable to guarantee general protection for the Serbs.²²⁶ Although the KLA declared its disarmament and transformation into a civilian police body (Kosovo Protection Force), arms were found, especially in June 2000 near the headquarters of General Agim Çeku, former KLA commander. By the autumn, there were disturbing signals in south-west Serbia at the border with Kosovo that a new armed group, the Liberation Army of Preševo, Medvedja and Bujanovac, had emerged. With a strategy similar to the KLA it brought insecurity to the area.²²⁷

During the first phase of the international administration in Kosovo the main focus of Kosovo Albanians was almost ‘obsessively’ on independence. However, UNMIK managed to change the focus of Kosovo Albanians’ attention to other matters, for

²²² ‘Crisis in the Balkans: Military; Accord with NATO lets Moscow Add Troops in Kosovo’, *The New York Times*, 6 July 1999. For more on deployment of the Russian troops in Pristina, see also ‘Russia had Bigger Plan in Kosovo’, *The Washington Post*, 25 June 1999.

²²³ Robert Wilton, ‘The Beginning and the End of Humanitarian Intervention: Kosovo 1999’, *Defense and Security Analysis*, 24 (2008), 363-80 (p. 368). Prior to Kosovo’s unilateral declaration of independence, Wilton was Political Advisor to the Kosovo Prime Minister, Agim Çeku.

²²⁴ Yannis also notes that the UN and NATO were neither operationally nor mentally prepared for the scale of violence that surrounded Kosovo after the departure of Serb forces. He argues that the early responses of KFOR and UNMIK were inadequate. See Alexandros Yannis, ‘Kosovo under International Administration’, *Survival*, 43 (2001), 31-48 (p. 37).

²²⁵ Crampton, *The Balkans since the Second World War*, p. 276.

²²⁶ Jens Narten, ‘Post-Conflict Peacebuilding and Local Ownership: Dynamics of External-Local Interaction in Kosovo under United Nations Administration’, *Journal of Intervention and State Building*, 2 (2008), 369-90 (p. 378).

²²⁷ Crampton, *The Balkans since the Second World War*, p. 276.

instance the establishment of a functioning civil administration and the establishment of local structures of governance.²²⁸

Yannis illustrates some major challenges that the UNMIK's mission faced, including the establishment of an international administration with the full interim administrative responsibility over the whole territory of Kosovo. It raised many questions, including one about the meaning and function of sovereignty in such circumstances. Nevertheless, the most important challenge of the mandate has been the absence of an end state for the international presence – leading to uncertainty over the final status of Kosovo. Questions also arose in regards to the structures and operational requirements to fulfil a mandate that was closely connected to the degree of authority of the international administration. Yannis also identifies the absence of preparedness and operational capacity to set up an international administration at the speed required by the fast removal of the Yugoslav authorities.²²⁹

In 2000 the International Commission on Kosovo reported that: 'From the early 1990s onwards, governments and international institutions were aware of the impending conflict in Kosovo. There were plenty of warnings... Yet prior to 1998, the international community failed to take sufficient preventative action'.²³⁰ More to the point, the Commission concluded: 'One of the major lessons of Kosovo is that greater early engagement with a region in crisis with a view to preventing conflict is invariably a more effective response than late intervention using force'.²³¹

1.8 Towards the status talks

In Serbia, the opposition parties continued consultations on a formal election alliance to be prepared for the end of Milošević's term in July 2001. Their leaders nominated a joint candidate for the president, Vojislav Koštunica, leader of the small Democratic Party of Serbia. The elections took place in September 2000. After four days the commission released the results: Koštunica led with 48.96 percent.

²²⁸ Alexandros Yannis, *Kosovo under International Administration: an Unfinished Conflict* (Athens: Hellenic Foundation for European and Foreign Policy/Programme for Strategic and International Security Studies, 2001), p. 41.

²²⁹ Yannis, 'The UN as Government in Kosovo', pp. 67-73.

²³⁰ Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response and Lessons Learn* (Oxford: Oxford University Press, 2000), p. 1.

²³¹ Independent International Commission on Kosovo, *The Kosovo Report*, p. 295.

However, because he had not achieved 50 percent, there had to be a second round, which was rejected by the Democratic Opposition of Serbia. On 5 October more than a million people demonstrated in Belgrade and one day later the Constitutional Court, which at first annulled the elections, decided in favour of Koštunica. Milošević acknowledged defeat and his dark era ended.²³² In April 2001, being urged by the West, Yugoslav authorities arrested Milošević, and in June he was sent to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague.²³³

The Constitutional Framework for Provisional Self-Government in Kosovo, declared by the international administration in May 2001 and followed by the elections in November, partly settled the need for a generally accepted mode of operation between the two local rivals on how to continue performing UNMIK's mandate.²³⁴ After the adoption of this Framework, Provisional Institutions of Self Government (PISG) were established.²³⁵

In 2002, with a provisional government formed, UNMIK chief Michael Steiner formed the principle of 'Standards before Status' which, in 2003-2004, was refined into an operational policy. It was recognised by the CG as a standard for reviewing the progress of the PISG.²³⁶ This policy contained expectations for Kosovo's institutions and society which should be achieved in order to start talks about the final status of Kosovo. The proposed eight standards were: 1) the existence of effective, representative and functioning democratic institutions; 2) enforcement of the rule of law; 3) freedom of movement; 4) sustainable returns of refugees and displaced persons, and respect for the rights of communities; 5) creation of a sound basis for a market economy; 6) fair enforcement of property rights; 7) normalised dialogue with Belgrade; and 8) transformation of the Kosovo Protection Corps

²³² Pavlowitch, *Serbia*, pp. 223-26.

²³³ Crampton, *The Balkans since the Second World War*, pp. 281-82. In March 2006, Milošević died in a UN prison near The Hague.

²³⁴ The Constitutional Framework was in the beginning rejected by the Kosovo Albanians, because of the absence of a concrete stipulation similar to the Rambouillet accord for a referendum at a set date in the future. See Yannis, 'The UN as Government in Kosovo', pp. 75-76.

²³⁵ Dimitris Papadimitriou, Petar Petrov and Labinot Greiçevci, 'To Build a State: Europeanization, EU Actorness and State-Building in Kosovo', *European Foreign Affairs Review*, 12 (2007), 219-38 (p. 229).

²³⁶ 'Kosovo: No Good Alternatives to the Ahtisaari Plan', *Crisis Group Europe Report No 182*, 14 May 2007, p. 2.

(KPC) in line with its mandate.²³⁷ However, the Kosovo-Albanian community resisted the new policy and demanded ‘Status and Standards’ in parallel.²³⁸

Riots in 2004

The second significant test for KFOR came in 2004.²³⁹ Increasing frustration at slow progress in the question of Kosovo’s status was set alight by one sad accident.²⁴⁰ The media in Kosovo had published news that on 16 March three children were chased to the river Ibar by a group of Serbian dogs. According to the OSCE report this story seemed ‘to be unsupported by any journalistically valid accounts’.²⁴¹ However, this incident led to massive violent demonstrations involving some 50,000-60,000 people.²⁴² During three days of violent riots 19 people, Serb and Albanian, were killed, a wave of Serbs escaped from Kosovo and churches were burnt. KFOR was unable to prevent this kind of incident which, as Wilton states, was by 2004 surely the most likely.²⁴³ 2004 gave early signs of frustration at the continued international administration in Kosovo. Kosovo Albanians were dissatisfied that their status was still unsolved and that they were viewed as ‘a petri dish in the laboratory of international intervention’.²⁴⁴

After the riots, it became apparent that Kosovo’s status needed to be dealt with, sooner rather than later. Indeed, in May 2005, UN Secretary-General Kofi Annan appointed the Norwegian Ambassador Kai Eide as UN Special Envoy to undertake a wide-ranging review of the situation in Kosovo in accordance with Security Council

²³⁷ Congressional Research Service, CRS Report for Congress, ‘Kosovo’s Future Status and U.S. Policy’, 9 January 2006, p. 2.

²³⁸ Narten, ‘Post-Conflict Peacebuilding and Local Ownership’, p. 378.

²³⁹ After the violence in 1999.

²⁴⁰ Wilton, ‘The Beginning and the End of Humanitarian Intervention’, p. 371.

²⁴¹ The report also stated that one child survived, though, ‘at no point in the interviews aired did the child use the words, “We were chased by a group of Serbs with a dog”’. See ‘The Role of the Media in the March 2004 Events in Kosovo’, *Organisation for Security and Cooperation in Europe (OSCE)*, Vienna, 2004, pp. 3-4. Similarly, MacShane, the UK Minister for Europe (2002-2005), argued that these reports were false. See Denis MacShane, *Why Kosovo Still Matters* (London: Publishing House Ltd, 2011), p. 77.

²⁴² ‘The Role of the Media in the March 2004 Events in Kosovo’, *Organisation for Security and Cooperation in Europe (OSCE)*, Vienna, 2004, p. 3. The UN and international representatives considered that the attacks were partly a spontaneous action and partly based on ‘an orchestrated campaign by extremist forces’. See Congressional Research Service, CRS Report for Congress, ‘Kosovo and U.S. Policy: Background to Independence’, Julie Kim and Steven Woehrel, 20 June 2008, p. 6.

²⁴³ Wilton, ‘The Beginning and the End of Humanitarian Intervention’, p. 371.

²⁴⁴ Wilton, ‘The Beginning and the End of Humanitarian Intervention’, p. 373. At the same time, the riots were a ‘catastrophic blow’ to the reputation of UNMIK and KFOR and it became clear that five years after their deployment to the region, little progress was made in regards to ethnic reconciliation between Serbian and Albanian population. See James Ker-Lindsay, ‘The “Final” Yugoslav Issue: The Evolution of International Thinking on Kosovo, 1998-2005’, in *New Perspectives on Yugoslavia: Key Issues and Controversies*, ed. by Dejan Djokić and James Ker-Lindsay (New York: Routledge, 2011), pp. 176-92 (p. 183).

Resolution 1244 (1999) and relevant presidential statements of the Security Council.²⁴⁵ The main aim of the evaluation was to state if adequate progress had been made to begin with the determination of the future status of the province.

In October 2005, Eide presented the report to the Secretary-General. It summarised that progress had been made in many areas; however, the economic situation remained 'bleak'.²⁴⁶ A significant achievement was reported in provision of educational and health-care services in almost all Kosovo, although there were crucial shortcomings in their quality. Organised crime and corruption remained the biggest problems and the basis for creating multi-ethnic society was 'grim'. After the complete evaluation Eide concluded:

There will not be any good moment for addressing Kosovo's future status. It will continue to be a highly sensitive political issue. Nevertheless, an overall assessment leads to the conclusion that the time has come to commence this process. [...] Kosovo having moved from stagnation to expectation, stagnation cannot again be allowed to take hold.²⁴⁷

Furthermore, he stated that the EU should 'consider stepping up its presence on the ground' and that after the status of Kosovo will be resolved 'the EU will be expected to play a more prominent role, in particular with regard to the police and justice and in monitoring and supporting the standards process'.²⁴⁸ In the view of Serbian and ethnic Albanian officials, the report presented a relatively accurate and balanced assessment of the situation in the province.²⁴⁹ On the basis of the recommendations and assessment given by Eide, in November 2005, Annan appointed former Finnish President Martti Ahtisaari as Special Envoy for Kosovo and head of his own UN office (UNOSEK).²⁵⁰ Soon after, in early 2006, the status talks between Belgrade

²⁴⁵ 'Secretary-General appoints Ambassador Kai Eide of Norway as his Special Envoy to undertake Comprehensive Review of Kosovo', SG/A/927, 3 June 2005.

²⁴⁶ In view of the economic activity in Kosovo, especially in 2005, had it not been for foreign aid and receipts from the Kosovar diaspora, Kosovo's economy would have been all but 'clinically dead'. See Papadimitriou, Petrov and Greiçevci, 'To Build a State', p. 233.

²⁴⁷ The report was part of the letter sent to the President of the Security Council. 'Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council', S/2005/635, 7 October 2005, p. 4.

²⁴⁸ 'Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council', S/2005/635, 7 October 2005, p. 5.

²⁴⁹ Congressional Research Service, 'Kosovo's Future Status and U.S. Policy, CRS Report for Congress, 9 January 2006, p. 3.

²⁵⁰ Narten, 'Post-Conflict Peacebuilding and Local Ownership', p. 383.

and Pristina started with the aim to find a solution for Kosovo's status. These negotiations and the key issues debated will be examined in more detail in Chapter 4.

CHAPTER 2: Foreign Policy-Making: Domestic versus EU Factors

Literature review

*'European affairs are not foreign affairs but they belong to an agenda which considerably impacts on our life (...)'*²⁵¹

Introduction

The aim of this chapter is to discuss the role of domestic factors in the EU foreign policy-making process and review literature on Europeanisation in the context of foreign policy studies. It will also look at various agents that impact on foreign political decisions within EU member states. This chapter's insights provide a basis for the analytical framework adopted for this thesis.

The Common Foreign and Security Policy (CFSP) has been the focus of many debates, particularly in recent years when the EU aimed to reinforce its independent foreign policy role. Important changes were made, however, due to different views among EU members; development of a clear direction for CFSP has been rather slow. After the Lisbon Treaty, the EU High Representative for Foreign Affairs became the coordinator for EU foreign policy; yet, the definite foreign policy decisions are still made by individual member states in the European Council.²⁵²

²⁵¹ Comment by Miroslav Lajčák on changing the name of the Slovak Ministry of Foreign Affairs. As of 1 October 2012, the Ministry changed its name to the Ministry of Foreign and European Affairs of the Slovak Republic. As Lajčák added, the aim was 'to highlight the European dimension of our ministry'. In addition, Lajčák, as the head of the Ministry, serves for the first time in Slovak history also as the Deputy Prime Minister. 'Zahraničná politika SR v roku 2012', Address of the Deputy Prime Minister and Minister of Foreign and European Affairs of the Slovak Republic Miroslav Lajčák, Slovak Foreign Policy Association (SFPA), Bratislava, 18 December 2012.

²⁵² Wil James, 'Common Foreign and Security Policy', Civitas, Institute for the Study of Civil Society, 4/2007 (last updated 4/2012).

EU foreign policy is perceived as ‘a system of external relations’, a collective enterprise through which national actors conduct partly common, and partly separate, international actions.²⁵³ Although establishing a ‘coherent and credible European “voice” in world affairs’ remains one of the main concepts the EU aspires to, on several foreign political occasions the EU was not able to stand united.²⁵⁴ Ultimately, for a variety of reasons, individual members still implement national foreign policies, and considering the restricted role of legislation in the area of EU external action, their room to manoeuvre remains considerable.²⁵⁵ In this respect, Kosovo’s declaration of independence in 2008 serves as a good illustration of member states’ diverging views over Kosovo’s statehood preventing a joint EU position due to a variety of factors at play.

2.1 Domestic Factors in Foreign Policy Decision-Making

Until the 1970s, the role of domestic factors in foreign policy decision-making focused above all on studies of the US. By then, the main approach to the study of foreign policy-making revolved around the importance of domestic structures in the decision-making process.²⁵⁶ However, according to political scientist Margaret Herman, models of foreign policy decision-making had ‘a distinct US-flavour’ which led to difficulties in the generalisation of government decisions in non-American cultures.²⁵⁷ This partly contributed to the fact that neither of these models provides a suitable framework that could be directly applied to the Slovak foreign policy decision on Kosovo. This will be demonstrated in the following two foreign policy decision-making models.

An approach that focuses on the role of leadership was introduced by IR scholar Robert Jervis. He analysed the role of leaders from a cognitive psychology approach and stressed the importance of foreign policy decision-makers’ perceptions of their

²⁵³ Christopher Hill, ‘Introduction’, in *The Actors in Europe’s Foreign Policy*, ed. by Christopher Hill (London: Routledge, 1996), p. 5.

²⁵⁴ Ben Tonra, *The Europeanisation of National Foreign Policy: Dutch, Danish and Irish Foreign Policy in the European Union* (Ashgate: Aldershot, 2001), p. 14.

²⁵⁵ Christopher Hill and Reuben Wong, ‘Many actors, one path? The meaning of Europeanization in the context of foreign policy’, in *National and European Foreign Policies: Towards Europeanization*, ed. by Reuben Wong and Christopher Hill (New York: Routledge, 2011), pp. 210-32 (p. 210).

²⁵⁶ Joe D. Hagan, ‘Does Decision Making Matter? Systemic Assumptions vs. Historical Reality in International Relations Theory’, *International Studies Review* (Special Issue), 3 (2001), 5-46 (p. 5).

²⁵⁷ Margaret G. Hermann, ‘How Decision Units Shape Foreign Policy: A Theoretical Framework’, *International Studies Review* (Special Issue), 3 (2001), 47-81 (p. 47).

environment and other actors, which might be incorrect. In other words, political leaders' misperceptions impact on their political actions and lead to inappropriate decisions. Jervis argues that the roots of a number of significant disagreements about policies are based on differing perceptions.²⁵⁸ His study examined great powers' actions in a war context. This framework does not resonate with the Slovak case study because we cannot argue that 'wrong' perceptions by political leaders led to the Slovak non-recognition of Kosovo. None of the main actors misinterpreted the situation and it was understood by the politicians very clearly: for the leader of the opposition, Dzurinda, the Kosovo issue represented an opportunity to challenge the government and his main opponent, Prime Minister Fico. Fico, for his part, understood the situation from his perspective; on the basis of 'retaining political power', he re-adjusted his view.

In this respect, scholarly work by Joe Hagan explains the role of political party opposition in the foreign policy decision-making process. Hagan analysed how domestic political phenomena interact to influence foreign policy decisions in non-US settings, stressing that political opposition matters because foreign policy-making is fundamentally political. As a result, government leaders and decision-makers frequently monitor domestic political situations and factor these into their foreign policy calculations. Consequently, domestic politics have a considerable impact on foreign policy behaviour, because leaders react to the opposition and adapt national foreign policy accordingly.²⁵⁹ As Hagan suggests, 'political opposition affects the extent to which a government is willing and able to commit to a course of action in foreign affairs'.²⁶⁰ In line with this view, this thesis will highlight the role played by the opposition in the context of Slovakia's non-recognition of Kosovo.

Other scholars, such as Graham Allison and Morton Halperin, highlight the importance of bureaucratic politics in foreign political decisions.²⁶¹ Allison's bureaucratic politics model focuses on the internal politics of the US government and

²⁵⁸ Robert Jervis, *Perception and Misperception in International Politics* (Princeton: Princeton University Press, 1976), pp. 29-31.

²⁵⁹ Joe D. Hagan, *Political Opposition and Foreign Policy in Comparative Perspective* (London: Lynne Rienner Publishers, 1993), pp. 3-5.

²⁶⁰ Hagan, *Political Opposition and Foreign Policy in Comparative Perspective*, pp. 5-6.

²⁶¹ See Graham T. Allison and Morton T. Halperin, 'Bureaucratic Politics: A Paradigm and Some Policy Implications', *World Politics*, 24 (1972), 40-79.

the role of bureaucratic structures and processes in US decision-making. In this model, foreign political actions are not considered choices or outputs, but outcomes of bargaining between actors hierarchically positioned in government.²⁶² Individual political representatives represent different bureaucracies, supporting or rejecting certain policies on the basis of their bureaucracy's interest.

Allison's model works well in countries with highly differentiated institutionalised structures. For example, under the US system, the president has an enormous influence on the final decision as he is not only the head of state but also the head of the government. In Slovakia the president does not have a dominant role in foreign policy decision-making. Foreign political decisions are made by the government.

In contrast to the assumptions of the bureaucratic model, the Slovak foreign political decision in question was not a result of a bargaining process between individual bureaucratic organisations (president, cabinet, and parliament). 'The pulling and hauling'²⁶³ was absent because Parliament, by passing a resolution against Kosovo's statehood, bound the government to take a certain position. Instead of focusing on the bureaucratic milieu and its characteristics, we would gain a better understanding of the decision-making process and the essence of the decision if we looked specifically at the previously mentioned role of the political opposition in this context. Initially, it was obvious that the Slovak Ministry of Foreign Affairs was more open to discuss Kosovo's future; however, after the Slovak Parliament passed a resolution on Kosovo, the Ministry's view was re-adjusted to reflect the view of Parliament.²⁶⁴

On the basis of Allison's model we would expect the opposition leader and his party to recognise Kosovo. This would be consistent with previous political decisions related to the former Yugoslavia, such as their support of the NATO bombing of the Federal Republic of Yugoslavia (FRY) in 1999 and the approval of using Slovak airspace.²⁶⁵ However, in this case the opposition adopted a policy change that the

²⁶² Graham T. Allison, 'Conceptual Models and the Cuban Missile Crisis', *The American Political Science Review*, 63 (1969), 689-718 (p. 690). This article was the basis for Allison's *Essence of Decision: Explaining the Cuban Missile Crisis* (1971) which is considered a classic work of foreign policy.

²⁶³ Allison, 'Conceptual Models and the Cuban Missile Crisis', p. 707.

²⁶⁴ This point will be addressed in Chapter 4.

²⁶⁵ This decision will be discussed in detail in the following chapter.

bureaucratic model does not explain. Furthermore, by focusing on specific bureaucracies this model does not look at the wider political context of the time, such as tensions related to the Hungarian minority party and statements made by Hungarian politicians supporting Kosovo's statehood. Without appreciating these interactions one can neither comprehend Slovak policy on Kosovo in all respects nor understand the important role of ethnic politics in Kosovo's non-recognition.

By examining Slovakia's policy on Kosovo this thesis will thus highlight the significance of small EU state foreign policy decision-making and demonstrate the importance of domestic-level factors over international ones. In other words, as the political scientist Miriam Elman argues:

[...] small state foreign policy provides a unique opportunity for those scholars who insist that domestic politics matters in explaining international and foreign-policy outcomes. Put more formally, weak state foreign policy presents a crucial test for domestic level theory. It is precisely in such cases where the conventional wisdom suggests that international factors can adequately account for state policy. If we can show that domestic politics matters even in these instances where we would expect that it should not, then we will have provided the strongest possible support for domestic level theorizing.²⁶⁶

The following section will look at Europeanisation as a significant dimension leading to changes in EU member states, essentially impacting on their foreign policy-making. The question that remains, however, is to what extent countries 'Europeanise' their foreign policies.

2.2 Foreign Policy Studies and the Concept of 'Europeanisation'

The Europeanisation literature has developed considerably over the last twenty years. Since the late 1990s, academics have increased their interest in European integration, its impact on member states and their adaptation to the EU. However, their main focus was on the EU's first pillar policies (such as economic, social and environmental).²⁶⁷

²⁶⁶ Miriam Fendius Elman, 'The Foreign Policies of Small States: Challenging Neorealism in its own Backyard', *British Journal of Political Science*, 25 (1995), 171–217 (p. 172).

²⁶⁷ Nicole Alecu de Flers and Patrick Müller, 'Dimensions and Mechanisms of the Europeanization of Member State Foreign Policy: State of the Art and New Research Avenues', *European Integration*, 34 (2012), 19–35 (p. 20).

In recent years the interaction between the EU's common positions and member states' national foreign policies has also been increasingly applied to foreign policy.²⁶⁸ As Wong and Hill point out, 'the novelty of "Europeanisation" in foreign policy studies is a function of the debate on the existence of a common European foreign policy'.²⁶⁹ Nonetheless, an important aspect of this literature is that it has primarily dealt with countries that entered the EU before 2004 and therefore, only a limited number of studies concentrated on the new member states (NMS) accessing the EU in 2004 and 2007.²⁷⁰ As a result of this overall lack of studies focusing on foreign policy decisions of the NMS, there is a gap in understanding the internal processes behind their foreign policy-making.

Alecu de Flers and Müller note the distinctive nature of CFSP in contrast to the EU's first pillar in explaining why foreign policy has not been broadly studied through the prism of Europeanisation. Furthermore, they argue that compliance with EU requirements and adaptation to EU pressure (the so-called 'goodness of fit')²⁷¹ by member states' policies in the intergovernmental CFSP dimension is less important. As a result, Europeanisation of foreign policy due to its 'unique nature' was less likely and its impacts were expected to be considerably weaker than in the EU first pillar policies.²⁷²

In this sense, Smith notes that procedures and policies in the area of foreign policy are taken at the intergovernmental level and in contrast to the actual role of member states; the role of EU institutions in this course is far less significant. Likewise, compliance with EU policies is not something that member states are obliged to

²⁶⁸ See Reuben Wong and Christopher Hill, 'Introduction', in *National and European Foreign Policies: Towards Europeanization*, ed. by Reuben Wong and Christopher Hill (New York: Routledge, 2011), pp. 1-18; Alecu de Flers and Müller, 'Dimensions and Mechanisms of the Europeanization of Member State Foreign Policy', 19-35.

²⁶⁹ Wong and Hill, 'Introduction', p. 2.

²⁷⁰ These studies include for instance, Karolina Pomorska, 'The Impact of Enlargement: Europeanization of Polish Foreign Policy? Tracking Adaptation and Change in the Polish Ministry of Foreign Affairs', *The Hague Journal of Diplomacy*, 2 (2007), 25-51; Sorin Stefan Denca, 'The Europeanization of Foreign Policy: Empirical Findings From Hungary, Romania and Slovakia', *Journal of Contemporary European Research*, 5 (2009), 389-404. Sorin Denca, 'Romania and EU Foreign Policy', FORNET, *CFSP Forum*, 7 (2009), 1-7; and most recently a comparative study of the last twelve countries joining the EU in 2004 and 2007 edited by Michael Baun and Dan Marek, *The New Member States and the European Union: Foreign policy and Europeanization* (London: Routledge, 2013).

²⁷¹ For the 'goodness of fit' argument, see Maria Green Cowles, James Caporaso and Thomas Risse (eds), *Transforming Europe: Europeanization and Domestic Change* (Ithaca and London: Cornell University Press, 2001), p. 6.

²⁷² Alecu de Flers and Müller, 'Dimensions and Mechanisms of the Europeanization of Member State Foreign Policy', pp. 20-21; Claudia Major, 'State of the Art: Europeanisation and Foreign and Security Policy - Undermining or Rescuing the Nation State?', *Politics*, 25 (2005), 175-90 (p. 182).

do.²⁷³ Due to this intergovernmental form of decision-making, member states' policies towards CFSP are particularly significant, because if member states prioritise national policies over EU ones, CFSP cannot be considered 'an effective policy instrument'.²⁷⁴ Therefore, cases where politicians elevate national interests above EU interests, and even resist pressure from EU actors, in practice question the effectiveness of EU common policies.

To understand the dynamics of the Europeanisation process, Bulmer and Radaelli identify four characteristic patterns of governance in the European Union which are related to different policies: governance by negotiation, governance by hierarchy, positive and negative integration, and facilitated coordination.²⁷⁵ Facilitated coordination is associated with policies where national governments remain the central actors. Thus, this type of policy process is not subject to European law and requires unanimity of the governments; the EU provides an arena for merely exchanging ideas. In practice, it is this pattern of governance in the EU to which foreign policy belongs to.²⁷⁶ Under facilitated coordination, supranational institutions possess very weak powers, leading to a 'much more voluntary and non-hierarchical' type of Europeanisation.²⁷⁷ Therefore, common foreign policy understandings develop through 'horizontal' exchanges between member states' governments and as a result of joint policy principles.²⁷⁸ As Alecu de Flers and Müller note, the pressure to adapt in the field of foreign policy is incomparable to the pressure in other policy areas, where policy templates are prepared at the EU level and supranational actors, such as the European Commission, play a significant role.²⁷⁹ In relation to European foreign policy, there is 'no clear, vertical chain of command, in which EU policy descends from Brussels into the member state'.²⁸⁰

²⁷³ Karen E. Smith, 'The EU in the World: Future Research Agendas', *European Foreign Policy Unit*, LSE, Working Paper No 2008/1, February 2008, p. 17.

²⁷⁴ Eva Gross, 'The Europeanization of National Foreign Policy? The Role of the EU CFSP/ESDP in Crisis Decision-Making in Macedonia and Afghanistan' (unpublished PhD thesis, LSE, 2007), p. 12.

²⁷⁵ Simon J. Bulmer and Claudio M. Radaelli, 'The Europeanisation of national policy?' *Queen's Papers on Europeanisation*, No. 1/2004, Queen's University Belfast, School of Politics, International Studies and Philosophy, pp. 4-8.

²⁷⁶ Bulmer and Radaelli, 'The Europeanisation of national policy?', p. 7.

²⁷⁷ Bulmer and Radaelli, 'The Europeanisation of national policy?', p. 7.

²⁷⁸ Bulmer and Radaelli, 'The Europeanisation of national policy?', p. 7.

²⁷⁹ Alecu de Flers and Müller, 'Dimensions and Mechanisms of the Europeanization of Member State Foreign Policy', p. 21.

²⁸⁰ Bulmer and Radaelli, 'The Europeanisation of national policy?', p. 9.

As a result, Wong and Hill note, instead of an authoritative decision-making centre, persistent national foreign policies function under/alongside and sometimes in disagreement with EU foreign policies defined by the Commission, the European Parliament and/or the Council. Because the EU is not a consistently unified actor, its foreign policy is formed through the interaction between the individual foreign policies of its members, the EC's external trade relations and development policy, and the EU's CFSP. As Wong and Hill put it, 'foreign policy suffers from incoherence, but that of the EU is subject to structural incoherence'.²⁸¹

With respect to the EU's common approach to foreign policy, Thomas emphasises that the EU's biggest challenge ahead is that integration has 'transformed "nation states" into "member states" but not into a unified super-state'.²⁸² This was manifested for instance on EU's foreign policy adopted towards the break-up of Yugoslavia. The EU's lack of ability to deal with Yugoslavia's disintegration wars – based on different interests of its members and absence of institutional capacity – prevented reaching a consensus on the region.²⁸³ Another important aspect of EU foreign policy-making, highlighting the non-unity towards the Western Balkans, is based on diverse understanding of motivations in the region – those of the EU as a unified actor and of its individual member states.²⁸⁴ More recent examples of EU's division over foreign policy issues were over Iraq in 2003, Kosovo in 2008 or Libya in 2011. These cases posed a significant challenge for the EU due to the lack of joint position, perceived as 'damaging the image of European foreign policy and providing the excuse for future exercises in non-conformity'.²⁸⁵ Importantly, Hill and Wong note, 'the very fact of surprise and irritation reveals that the expectation, both within and outside the EU is now that the 27 should speak with one voice, or at the very least not display their differences in public'.²⁸⁶

²⁸¹ Wong and Hill, 'Introduction', p. 3.

²⁸² Daniel C. Thomas, 'The Challenge of EU foreign policy', in *Making EU Foreign Policy: National Preferences, European Norms and Common Policies*, ed. by Daniel C. Thomas (Basingstoke: Palgrave Macmillan, 2011), pp. 3-9 (p. 4).

²⁸³ Spyros Economides, 'The "European pull" in the Balkans', in *The New Protectorates: International Tutelage and the Making of Liberal States*, ed. by James Mayall and Ricardo Soares De Oliveira (Colombia: Colombia University Press, 2012), pp. 121-42 (pp. 121-22). For details on the break-up of Yugoslavia, see Chapter 1.

²⁸⁴ Economides, 'The "European pull" in the Balkans', p. 122.

²⁸⁵ Hill and Wong, 'Many actors, one path?', p. 216.

²⁸⁶ Hill and Wong, 'Many actors, one path?', p. 216.

Although the EU has more mechanisms for how to conduct foreign policy, particularly after the Treaty of Lisbon ‘re-commits’ member states to follow joint policies, EU members often find it difficult to agree to common positions. Indeed, as Thomas suggests, to understand the EU’s role in global affairs we need to examine how member states search for common policies, as well as how they reach agreements.²⁸⁷ It might further be argued that it is important to look at the process even if it does not lead to a common agreement – as was the case with Kosovo’s independence – to understand decision routes taken by the EU member states. Furthermore, particularly because the CFSP is characterised by a horizontal type of Europeanisation, it is essential to understand the making of individual EU members’ foreign policies to gain insight into how each member state reached its position, and importantly, what shaped the final outcome of a particular foreign policy agenda.

According to Tonra, Europeanisation of foreign policy is a ‘transformation in the way in which national foreign policies are constructed, in the ways in which professional roles are defined and pursued and in the consequent internalisation of norms and expectations arising from a complex system of collective European policy making’.²⁸⁸ Wong and Hill, who see the Europeanisation of CFSP as a process of foreign policy convergence, offer another perspective. They argue that:

It is a dependent variable contingent on the ideas and directives emanating both from actors (EU institutions, politicians, diplomats) in Brussels, and from member state capitals (national leaders). Europeanisation is thus identifiable as a process of change manifested as policy convergence (both top-down and sideways) as well as national policies amplified through EU policy (bottom-up projection).²⁸⁹

However, in the case of the Slovak foreign policy adopted towards Kosovo, this transformation did not occur, or rather, the Slovak MFA’s efforts for convergence and an EU coordinated policy over Kosovo’s status were marred by the activity undertaken by Slovak national leaders.

²⁸⁷ Thomas, ‘The Challenge of EU foreign policy’, p. 4.

²⁸⁸ Ben Tonra, ‘Denmark and Ireland’, in *Foreign Policies of European Union Member States*, ed. by Ian Manners and Richard G. Whitman (Manchester: Manchester University Press, 2000), pp. 224-42 (p. 229).

²⁸⁹ Wong and Hill, ‘Introduction’, p. 4.

In this respect, it is necessary to differentiate between process Europeanisation and policy Europeanisation. As Hill and Wong emphasise, the former has been progressively reflected over the last forty years through the structural adaption of national foreign ministries. However, as for the latter, it is far from corresponding with a regular unity on policies.²⁹⁰ This was particularly evident in the Slovak case. Accession to the EU required adaptation of the Slovak MFA and creation of new units dealing with European affairs. In short, there was a structural reorganisation of the Ministry and it came to an adaptation of procedures and change of structures.²⁹¹ However, in regards to policy adoption, as the example of the Slovak foreign policy towards Kosovo demonstrates, Slovakia did not reflect the wider EU view and adapt its policy accordingly. In contrast, Kosovo's independence was a CFSP issue where it openly opposed the majority of EU countries. Ultimately, this implies that the influence of Europeanisation is 'stronger at the level of procedure and of general orientation than it is at the level of detailed policy, where domestic and other international factors can generate idiosyncratic national positions'.²⁹² In essence, it confirms Wong and Hill's view that foreign-policy making is a complex process influenced by a number of phenomena including domestic factors.²⁹³

2.3 Member States' Foreign Policies and Dimensions of Europeanisation

Three dimensions describe the relationship between member states' foreign policies and the EU, showing to what extent the former is influenced by the latter. The first of these, the so-called top-down process ('Downloading'), is focused on states' adjustment to EU policy demands. In other words it indicates the extent to which the EU had an effect on national foreign policies and the decision-making process.²⁹⁴ The bottom-up process ('Uploading'), the second aspect of Europeanisation, indicates the transfer of national ideas and preferences to the supranational level.²⁹⁵

²⁹⁰ Hill and Wong, 'Many actors, one path?', p. 230.

²⁹¹ Batora and Pulišová, 'Slovakia: Learning to add value to EU foreign policy', p. 69. For more details see also Jozef Batora, 'Europeanization of Diplomacy and the Slovak Foreign Ministry', *Slovak Foreign Policy Affairs*, 4 (2003), 116-29; and Jozef Batora, 'Europeanization of Foreign Policy: Whither Central Europe?', in *Regional and International Relations of Central Europe*, ed. by Zlatko Šabič and Petr Drulák (Basingstoke: Palgrave Macmillan, 2012), pp. 219-38 (227-8).

²⁹² Hill and Wong, 'Many actors, one path?', p. 232.

²⁹³ Hill and Wong, 'Many actors, one path?', p. 232.

²⁹⁴ Reuben Wong, 'Foreign Policy', in *Europeanization: New Research Agendas*, ed. by Paolo Graziano and Maarten Peter Vink (Basingstoke: Palgrave Macmillan, 2007), pp. 321-34 (p. 325); Charalambos Tsardanidis and Stelios Stavridis, 'The Europeanization of Greek Foreign Policy: a Critical Appraisal', *European Integration*, 27 (2005), 217-39 (p. 220).

²⁹⁵ Wong, 'Foreign Policy', p. 325.

Research on the bottom-up approach includes, for instance, Economides's study of Greek foreign policy and Stavridis and Hill's work considering domestic sources of foreign policy in the case of the Falklands war.²⁹⁶ Geoffrey Edwards looked at the 'uploading' dimension in Central and Eastern European states (CEES) and argued that since their accession in 2004, they have been able to upload their ideas to the EU level. Significantly, he points out that there has been a continuous interaction of top-down influences within EU institutions with a bottom-up transfer of CEES ideas to the EU level.²⁹⁷ Král anticipated that after their 2004 accession, most of the CEE governments would, in the near future, aim to make sure that the EU and the US would cooperate and act in unison on the most important foreign political issues.²⁹⁸ Nevertheless, Schimmelfennig and Sedelmeier argue that it was the aspiration of CEES, and the many intrusive rules related to their EU membership, that enabled the EU to have 'an unprecedented' impact on public policies and the reorganisation of institutions in the countries of Central and Eastern Europe.²⁹⁹

Being an EU member means that a country is 'no longer a mere object of EU decisions, but is rather a co-maker and co-author;' as a result, states have opportunities to go ahead with policies not aligned with the EU majority.³⁰⁰ This implies that the EU's leverage over candidate states is considerable; however, once they become actual members they have more freedom to act. Indeed, as for Slovakia, Batora and Pulišová note that following its EU accession in 2004, there was a change from 'full harmonisation' with CFSP towards attempts to pursue Slovak national interests which at some points, went against views supported by the EU's leaders in foreign policy-making.³⁰¹ As an example of pursuing Slovak national interests, these authors refer to the question of Kosovo's statehood. As they state, these Slovak interests became most obvious 'in international situations where there is a tension

²⁹⁶ See Spyros Economides, 'The Europeanisation of Greek Foreign Policy', *West European Politics*, 28 (2005), 471-91; Stelios Stavridis and Christopher Hill (ed.), *Domestic Sources of Foreign Policy: West European Reactions to the Falklands Conflict* (Oxford: Berg, 1996).

²⁹⁷ Geoffrey Edwards, 'The New Member States and the Making of EU Foreign Policy', *European Foreign Affairs Review*, 11 (2006), 143-62 (p. 144).

²⁹⁸ David Král, 'Enlarging EU foreign policy: The role of new EU member states and candidate countries', *Europeum*, Institute for European Policy, June 2005, pp. 19-20.

²⁹⁹ Frank Schimmelfennig and Ulrich Sedelmeier, 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe', *Journal of European Public Policy*, 11 (2004), 661-79 (p. 661).

³⁰⁰ Darina Malová and Tim Haughton, 'The Causes and Consequences of Slovakia's stance on further European Integration', *European Research Working Paper Series Nr. 3*, European Research Institute, University of Birmingham, November 2004, p. 19.

³⁰¹ Batora and Pulišová, 'Slovakia: Learning to add value to EU foreign policy', p. 68.

between, on the one hand, the principles of state sovereignty and territorial integrity and, on the other, the right to self-determination of ethnic groups'.³⁰² Therefore, having in mind Czechoslovakia's peaceful disintegration, they further emphasise that Slovakia is a supporter of 'orderly division' of countries if preceded by an agreement between all parties involved.³⁰³ Although this is a point that cannot be disregarded, this thesis shows that Slovakia did not oppose Kosovo's independence on the basis of its national interests. In contrast, the MFA advocated following the majority of EU countries in the question on Kosovo's statehood. This was considered crucial particularly in view of its membership in the EU, NATO and the UNSC. Therefore, for the MFA, it was in Slovak national interest to support an EU united position towards Kosovo. Yet, once the Parliament passed a declaration on Kosovo, the Ministry had to re-adjust its view accordingly.

The last process refers to the socialisation of interests, whereby European identity shapes the individual member states' identities ('Crossloading').³⁰⁴ Wong identifies the so-called 'pendulum effect' as one of the indicators of 'Crossloading'.³⁰⁵ This arises when there are two extremely different positions among EU members (usually one or more EU states versus the remaining ones, generally including the European Commission and the Parliament) on a particular foreign policy issue. There could be a tendency towards a compromise – a position in the middle of these two extremes – however this 'eventual meeting of minds' is neither certain nor bound to happen. In some cases parts of national foreign policy shift closer to those of a majority of other EU member states; however, other members' foreign policy spheres of activity may remain considerably different.³⁰⁶ Table 1 gives an overview of all three aspects of Europeanisation and their indicators.

³⁰² Batora and Pulišová, 'Slovakia: Learning to add value to EU foreign policy', p. 76.

³⁰³ Batora and Pulišová, 'Slovakia: Learning to add value to EU foreign policy', p. 76.

³⁰⁴ Wong, 'Foreign Policy', p. 325.

³⁰⁵ Wong, 'Foreign Policy', p. 326.

³⁰⁶ Tsardanidis and Stavridis, 'The Europeanization of Greek Foreign Policy', p. 222. Stelios Stavridis discusses the 'pendulum effect' in more detail in relation to Greek foreign policy in 'Assessing the views of academics in Greece on the Europeanisation of Greek foreign policy: a critical appraisal and a research agenda proposal', Hellenic Observatory Discussion Paper Number 11, London School of Economics and Political Science, 29 September 2003, 1-56 (p. 36).

Table 1 Three dimensions of Europeanisation in national foreign policy³⁰⁷

<i>Aspects of Europeanisation</i>	<i>Indicators of National Foreign Policy</i>
<p>a) Adaptation and Policy Convergence</p> <p>Harmonisation and transformation of a member state to the needs and requirements of EU membership ('Downloading')</p>	<ul style="list-style-type: none"> ➤ Increasing salience of European political agenda ➤ Adherence to common objectives ➤ Common policy obligations taking priority over national <i>domaines réservés</i> ➤ Internalisation of EU membership and its integration process ('EU-isation') ➤ Organisational and procedural change in national bureaucracies
<p>b) National Projection</p> <p>National foreign policy of a member state affects and contributes to the development of a common European Foreign Policy ('Uploading')</p>	<ul style="list-style-type: none"> ➤ State attempts to increase national influence in the world ➤ State attempts to influence foreign policies of other member states ➤ State uses the EU as a cover/umbrella ➤ National foreign policy uses the EU level as an influence multiplier
<p>c) Identity Reconstruction</p> <p>Result of above two dimensions. Harmonisation process tending towards middle position; common EU interests are promoted ('Crossloading')</p>	<ul style="list-style-type: none"> ➤ Emergence of norms/values among policy-making elites in relation to international politics ➤ Shared definitions of European and national interests ➤ Coordination reflex and 'pendulum effect' where 'extreme' national and EU positions are reconciled over time via bilateral and EU interactions

It can be claimed that Europeanisation of foreign policy is different from other areas of policy-making, particularly because the interaction affects all three dimensions (top-down, bottom-up and sideways). However, emphasis needs to be put on the horizontal character of policy-making – in fact, this is why at times it is complicated to reach an agreement among EU members, as states still consider their foreign policy as a *domain réservé*.

Among EU members there is now a 'solidarity default setting', essentially meaning that rather than taking the lead on cooperation, it is a state's responsibility to clarify its disunion. Furthermore, the combination of all three aspects of Europeanisation – downloading, uploading and crossloading – has constructed 'a web of foreign policy

³⁰⁷ Source: Reuben Wong and Christopher Hill, 'Introduction', p. 7.

interactions' not always leading to collaboration; rather, it 'entangles the member states' objectives with each other'.³⁰⁸ As Baun and Marek argue, there appear to be many factors that influence all three aforementioned dimensions of foreign policy Europeanisation, including a state's size, history, geography and domestic politics.³⁰⁹ In this respect, considering the size of Slovakia, it would have been expected that as a small state it would aim to join the mainstream. However, size was not decisive in this case. Rather, it was domestic politics that impacted on the policy taken towards Kosovo.

Foreign policy cooperation among EU member states is defined by the *acquis communautaire* and the *acquis politique*. The first one legally obliges the member states to acknowledge EU agreements with third countries, whereas the second refers to the member states' responsibility to respect the political agreements and positions implemented in relation to the CFSP. States are therefore committed to accept a range of certain foreign policy positions.³¹⁰ The question of whether Europeanisation produces convergence has been dealt with widely in the literature. In particular, foreign policy studies of the 1986, 1995 and 2004 enlargements argue for convergence where, in order to align themselves with existing EU norms, the new EU member states reorganised their foreign policies.³¹¹ Adjustment to European norms was observable for example in the case of Spain when in 1986, the year of its accession to the EU, the country changed its position on the Western Sahara and recognised Israel. This was part of accepting the *acquis politique*. On the other hand, in 1992 Spain managed to push further its proposal to include the Mediterranean (Maghreb and Middle East) as an area accountable to EU Joint Actions,³¹² which was considered an achievement of Spanish diplomacy. In doing so, Spain

³⁰⁸ Hill and Wong, 'Many actors, one path?', p. 216.

³⁰⁹ Michael Baun and Dan Marek, 'The foreign policies of the new member states: A framework for analysis', in *The New Member States and the European Union: Foreign Policy and Europeanization*, ed. by Michael Baun and Dan Marek (London: Routledge, 2013), pp. 1-21 (p. 10).

³¹⁰ Roy Ginsberg, 'Conceptualising the European Union as an International Actor: Narrowing the Theoretical Capability-Expectations Gap', *Journal of Common Market Studies*, 37 (1999), 429-54 (p. 436).

³¹¹ Wong and Hill, 'Introduction', p. 8.

³¹² The transition from EPC to CFSP involved a decision on the external profile of the EU; particular areas of common interest were determined as joint actions. Reinhardt Rummel, 'Germany's Role in the CFSP: Normalität or Sonderweg?', in *The Actors in Europe's Foreign Policy*, ed. by Christopher Hill (London: Routledge, 1996), pp. 40-67 (p. 52). The areas of interest of the EU were defined in the 'Report to the European Council in Lisbon on the likely development of the Common Foreign and Security Policy (CFSP) with a view to identifying areas open to joint action vis-à-vis particular countries or groups of countries'. See 'European Parliament Activities', *European Council*, Lisbon, 26/27 June 1992, 1/S-92, Annex I.

Europeanised its national area of interest.³¹³ For instance, Austria revised its neutrality position after the Commission's initial reservations towards the state of neutrality and its attendant concern about the fulfilment of Austria's obligations. As a result, the Austrian government gave less importance to neutrality and expressed interest in participation in the CFSP.³¹⁴

In 1998 Austria ratified the Treaty of Amsterdam and at the same time amended its constitution in order to enable its participation, 'in a spirit of solidarity', in 'peace-keeping tasks and tasks of combat forces in crisis-management including peace-making', based on the condition that all these actions would be supported by an EU joint action or UN mandate.³¹⁵ In addition, Austria decided to take part in NATO-led peacekeeping activities through the 'Enhanced Partnership for Peace'. Nevertheless, Austria would not be bound to become involved in any particular NATO activity.³¹⁶ However, Alecu de Flers points out that the following year, the Irish and Austrian governments – being urged to prevent non-unity among the EU members – supported the NATO military intervention against the Federal Republic of Yugoslavia, albeit officially, the Austrian government refused to support it.³¹⁷

Nevertheless, as Wong and Hill note, these changes by member states could be perceived only as a one-off acceptance of the *acquis politique*.³¹⁸ For instance, Schimmelfennig and Sedelmeier point out that EU influence after the CEES countries fulfil their membership aspirations could decrease due to the lack of the main integration incentive.³¹⁹ In essence, Wong argues that 'member states continue to resist being locked into a fixed path of identity and policy convergence'. German policies, in comparison to French or British ones, have often been seen as a model of Europeanisation. However, in 1991 Germany also showed that national interests supersede EU policy when it recognised Slovenia and Croatia as independent

³¹³ Esther Barbé, 'Spain: The Uses of Foreign Policy Cooperation', in *The Actors in Europe's Foreign Policy*, ed. by Christopher Hill (London: Routledge, 1996), pp. 109-19.

³¹⁴ David Phinnemore, 'Austria', in *The Foreign Policies of European Union Member States*, ed. by Ian Manners and Richard G. Whitman (Manchester: Manchester University Press, 2000), pp. 204-23 (pp. 204-7).

³¹⁵ Phinnemore, 'Austria', pp. 210-11.

³¹⁶ Phinnemore, 'Austria', pp. 210-11.

³¹⁷ Nicole Alecu de Flers, 'The EU as a Global Actor and Neutral Member States: Dilemma or Opportunity?', 2nd annual research conference 'The EU as a Global Actor', EU Centre of Excellence, Dalhousie University, Halifax, May 2008, p. 9.

³¹⁸ Wong and Hill, 'Introduction', p. 8.

³¹⁹ Schimmelfennig and Sedelmeier, 'Governance by Conditionality', p. 676.

countries.³²⁰ In view of this, national interests defined by the states' elite still continue to play an important role in national foreign policy-making.³²¹

2.4 Limitations of Europeanisation and Actors in Foreign Policy

As Bulmer and Radaelli mention, the lack of a vertical chain of command or a supranational entity limits the impact of Europeanisation on member states' foreign policies. Wong and Hill note that initially the Europeanisation approach was applied to the influence of the EU on national foreign policies (first pillar) – a top-down approach – but in the case of CFSP, decision-making takes the form of a bottom-up process which 'was certain to cause confusion about actors, structures, cause and effect'.³²² In view of this, the following chapters aim to explain the case of Slovak foreign policy taken towards Kosovo's independence, and 'the confusion' that arose when Slovak government officials decided not to recognise Kosovo as an independent state, going against solidarity with the EU.

In any way, in respect to foreign policy-making, the EU's ability to act is restricted because states resist passing on their sovereign rights to a central authority. In addition, with EU's expansion increases not only the number of its members but also the interests that they bring to the EU level.³²³ As Economides notes, one of the main limitations in achieving a coherent European foreign policy is that there is not always an agreement over the need for 'an expansive issue-based or geographic foreign policy'.³²⁴ In effect, some member states view the EU as a global actor with global ambitions, however others, perceive its role from a narrower perspective with rather geopolitically limited interests. Another limitation is linked to the division between the 'Europeanist' and 'Atlanticist' states which was particularly evident in the case of the US intervention in Iraq.³²⁵ Because of all these differences 'sovereignty remains an issue but in a very specific way'.³²⁶

³²⁰ Wong, 'Foreign Policy', p. 327.

³²¹ Wong and Hill, 'Introduction', p. 8.

³²² Wong and Hill, 'Introduction', p. 11.

³²³ Spyros Economides, 'How to build a foreign policy for introvert Europe?', *openDemocracy*, 5 March 2013, available at <<http://www.opendemocracy.net/spyros-economides/how-to-build-foreign-policy-for-introvert-europe-0>> [accessed 19 May 2013].

³²⁴ Economides, 'How to build a foreign policy for introvert Europe?', *openDemocracy*, 5 March 2013.

³²⁵ For more information on the 2003 US-led invasion of Iraq, see Chapter 3.

³²⁶ Economides, 'How to build a foreign policy for introvert Europe?', *openDemocracy*, 5 March 2013.

Another point raised by Wong and Hill concerns the fact that the term ‘Europeanisation’ in the field of foreign policy has still not been clearly identified. The question remains: does it mean reaching an ‘ideal’ EU foreign policy position – requiring coordination by member states – or should it be looked at rather from the perspective of a ‘negotiated convergence’ between conflicting positions?³²⁷ Significantly, as Wong and Hill put it:

The Europeanization process is just one – albeit a significant one – among many effects in the domestic politics, processes and foreign policies of EU Member States. It creates a new context in which national foreign policies have to be made and understood, but (as yet) no more.³²⁸

By foreign policy we can understand ‘ideas or actions designed by policy makers to solve a problem or promote some change in the policies, attitudes, or actions of another state or states, in non-state actors, in the international economy, or in the physical environment of the world’.³²⁹ At the highest level, in most political systems, policy is coordinated between the head of government, who does not have a particular portfolio, and the departmental minister, who acts as ‘the specialist’. Hill perceives this as a certain kind of ‘foreign policy executive’. In other words, a relatively small group of representatives from the government conducts foreign policy. Hill also gives an explanation why foreign policy is usually conducted in this kind of inner circle. Most political representatives look over their shoulders to the domestic base and are not inclined to spend too much time on foreign political issues where ‘there might be little return’.³³⁰

Significantly, as Hill notes, in foreign policy the number of issues which arise unexpectedly is disproportionately high. As a result, politicians with power and initiative have an advantage. As Hill argues, foreign policy issues are often unstructured in advance; meaning that usually there is no time framework for their

³²⁷ Wong and Hill, ‘Introduction’, p. 12. Discussing the lack of collective EU diplomacy, in 2007 José Manuel Barroso, President of the EU Commission, asked a rhetorical question: ‘Now, to be a little more cynical: is this necessarily always negative? The fact that we have different positions amongst ourselves also gives us sometimes the possibility to adapt to the positions of others and help find compromises’. ‘Interview with José Manuel Barroso’, *UACES News: Exchanging Ideas on Europe*, Issue 53, September 2007-December 2007, p. 6.

³²⁸ Wong and Hill, ‘Introduction’, p. 13.

³²⁹ Kalevi J. Holsti, *International Politics: A Framework for Analysis*, 6th edn (NJ: Prentice Hall, 1992), p. 82.

³³⁰ Christopher Hill, *The Changing Politics of Foreign Policy* (Basingstoke: Palgrave Macmillan, 2003), p. 56.

consideration given.³³¹ Indeed, this aspect will be illustrated on the Slovak policy adopted towards Kosovo as the Slovak MFA had, all of a sudden, to incorporate the parliamentary declaration on Kosovo in its final policy. Ultimately, this resulted in a change of the MFA's original intention to support the mainstream in the EU on Kosovo.

Generally, the minister of foreign affairs is the main actor in foreign policy operations. However, as Hill points out, ministers of foreign affairs struggle to keep control of all their wide responsibilities, and 'are always likely to be trumped by a head of government who decides to take a direct interest in foreign affairs'.³³² Hill argues that an individual personality – particularly the prime minister or minister of foreign affairs – might have a decisive influence on foreign policy. Either way, as Whitman and Manners emphasise, the ministries of foreign affairs 'are having greater difficulty in the making and conduct of traditionally conceived foreign policy'. Thus nowadays it might be more suitable to look at the ministries more as coordinators rather than policy-makers.³³³ In essence, this reflects how Slovak foreign policy towards Kosovo developed. After the leader of the opposition, Dzurinda, challenged Prime Minister Fico, in respect to the policy on Kosovo, Fico became more involved in foreign policy-making than he used to. However, this considerably limited the Slovak Minister of Foreign Affairs's efforts, initially aimed to support Ahtisaari's proposal for Kosovo's independence.³³⁴

In the case of a cabinet government, the minister of foreign affairs needs to update his cabinet colleagues and keep them informed on the main lines of foreign policies. Furthermore, he needs to get their support for significant foreign policy issues.³³⁵ Another individual who plays a role in foreign policy is the chair of the parliamentary foreign affairs committee, as he might be drawn into top-level consultations requiring wider political agreement.³³⁶ In general, it is the foreign

³³¹ Hill, *The Changing Politics of Foreign Policy*, p. 56-57.

³³² Hill, *The Changing Politics of Foreign Policy*, p. 53.

³³³ Ian Manners and Richard Whitman, 'Conclusion', in *Foreign Policies of European Union Member States*, ed. by Ian Manners and Richard G. Whitman (Manchester: Manchester University Press, 2000), pp. 243-73 (p. 271).

³³⁴ All these steps will be examined in great depth in Chapter 4.

³³⁵ Hill, *The Changing Politics of Foreign Policy*, p. 54.

³³⁶ Hill, *The Changing Politics of Foreign Policy*, p. 54.

affairs committee that deals with questions of CFSP.³³⁷ This is essential to consider in respect to wider political party opposition. As Hagan argues, political opposition is a potentially important source of foreign policy, because leaders react to it and adapt national foreign policy accordingly. As he notes, the connection between foreign policy and domestic politics derives primarily from the domestic political imperative of retaining political power.³³⁸ However, as Quaglia and Radaelli point out, party politics have been frequently neglected in the study of Europeanisation.³³⁹ Furthermore, as Rybář notes, ‘EU preference formation at the national level encompasses a variety of potential influence seekers. Given their access to the locus of national decision-making, political parties are the primary entities that one can expect to seek influence in the process. This is because parties enjoy privileged access to government (governing parties) and parliament (opposition parties)’.³⁴⁰ Yet, it is particularly this aspect that needs to be taken into consideration to understand the Slovak perspective on Kosovo. On this note, recent research on NMS’s views towards the ratification of the Lisbon Treaty showed that unlike the old member states where opposition to the EU came from peripheral parties, in the NMS of Central and Eastern Europe, the opposition to EU views came from both peripheral political parties as well as mainstream ones.³⁴¹ Significantly, this finds reflection also in the Kosovo issue as it was the leading opposition party SDKÚ-DS – an established Slovak political party traditionally known for its pro-EU orientated views – surprisingly taking the lead on Kosovo in the Slovak Parliament and arguing against Kosovo’s independence without Belgrade’s support.

On this note, David Allen rightly points out that ‘states of the EU are becoming weaker in that their executives have less freedom of action and are becoming more distinctively different from one another as a result of responding to differing

³³⁷ Tapio Raunio and Simon Hix, ‘Backbenchers learn to fight back: European integration and parliamentary government’, *West European Politics*, 23 (2000), 142-68 (p. 157).

³³⁸ Hagan, *Political Opposition and Foreign Policy in Comparative Perspective*, pp. 3-5.

³³⁹ Lucia Quaglia and Claudio M. Radaelli, ‘Italian Politics and the European Union: A Tale of Two Research Designs’, *West European Politics*, 30 (2007), 924-43 (p. 925).

³⁴⁰ Marek Rybář, ‘National EU Policy Formation between Diplomatic Service and Business Lobbying: The Case of Slovakia’, in *Preference Formation in the New Member States*, Collection of papers from an international workshop, ed. by Zuzana Lisoňová, December 2009, Bratislava, Slovakia, pp. 38-52 (pp. 44-45).

³⁴¹ Marek Rybář, ‘Domestic Politics and National Preferences in the European Union’, in *New Member States in the EU: From Listening to Action?*, ed. by Darina Malová et al. (Bratislava: Political Science Department, Comenius University, 2010), pp. 33-56 (pp. 52-53).

domestic rather than similar international stimuli'.³⁴² In other words, national governments of the EU cannot count on the domestic approval of arrangements done with their EU partners.³⁴³ The governments still report to parliaments on national positions, emphasising (and often overemphasising) the distinctiveness of their input into European consultations, and downplaying the extent to which they have compromised national priorities in struggling to reach common policies.³⁴⁴

However, as Kassim notes, collaboration between the EU and national parliaments is relatively limited to treaty ratification, the transposition of EU legislations and the scrutiny of ministers. In this respect, the greatest interaction is in the last field, although Kassim argues that the possibilities of the legislators in terms of impacting on the actions of the executive are rather restricted.³⁴⁵ In general, it is the national executive that takes decisions in respect to foreign policy-making, and the national parliaments have limited authority in these matters.³⁴⁶ Nevertheless, the fact that 'parliaments are able to force governments to uphold a position that denies them room for manoeuvre in the endgame of negotiations' could create difficulties for EU member states.³⁴⁷

Thus, in practice, the politics of foreign policy has two sides: 'the slow-moving international system, and the darting, sometimes unpredictable movements of the individual players the system contains'.³⁴⁸ It is this unpredictability that makes the decision-making process difficult. Similarly, Bickerton highlights that 'EU foreign policy is regularly trumped by the primacy of national politics; not, it should be noted, of national interest, but of the unpredictable conflicts that break out locally'.³⁴⁹ The lack of informed opposition and electorates lies behind the fact that

³⁴² David Allen, 'The European rescue of national foreign policy?', in *The Actors in Europe's Foreign Policy*, ed. by Christopher Hill (London: Routledge, 1996), pp. 288-304 (p. 300).

³⁴³ Allen, 'The European rescue of national foreign policy?', p. 300.

³⁴⁴ Christopher Hill and William Wallace, 'Introduction: Actors in Europe's Foreign Policy', in *The Actors in Europe's Foreign Policy*, ed. by Christopher Hill and William Wallace (London: Routledge, 1996), p. 6.

³⁴⁵ Hussein Kassim, 'The Europeanization of Member State Institutions', in *The Member States of the European Union*, ed. by Simon Bulmer and Christian Lequesne (Oxford: Oxford University Press, 2005), pp. 285-316 (pp. 289-99).

³⁴⁶ Eva Gross, 'The Europeanization of National Foreign Policy? The Role of the EU CFSP/ESDP in Crisis Decision-Making in Macedonia and Afghanistan', p. 47. See also Raunio and Hix, 'Backbenchers learn to fight back', p. 154.

³⁴⁷ Kassim, 'The Europeanization of Member State Institutions', p. 303.

³⁴⁸ Christopher Hill, *The Changing Politics of Foreign Policy*, p. xx.

³⁴⁹ Chris J. Bickerton, 'Explaining Europe's role in world affairs: governance, sovereignty and the paradox of 'fragile institutionalism'', European Research Group: 'European Democracies', *Joint Doctoral Seminar in International Relations 2006: 'European Governance, Global Governance'*, Maison Française D'Oxford, p. 19.

convergent governments do not result in ‘convergent domestic debates on foreign policy’.³⁵⁰ In this respect, he refers to Hill’s ‘capabilities-expectations’ gap and translates it into foreign policy as the expectations and aspirations of the EU elite in this area. However, the capabilities are restricted by the political will, which depends on the support that governments gather for their international commitments.³⁵¹

As to small states, they ‘are usually forced to adapt to the changing world environment by aligning themselves with EU positions’.³⁵² However, as Gillissen put it, in certain conditions small states can achieve their independently set foreign policy objectives.³⁵³ Small states’ representatives are mostly cautious when standing out on EU issues and if they do so, it is on ‘carefully selected issues’ – on questions of no explicit concern, they join the majority.³⁵⁴

As Wallace puts it, smaller states in Europe have reacted to ‘shared dilemmas’ in different ways: ‘domestic politics, national myth and identity, economic strength or weakness, geographical position and security constraints, shape perception of interests’.³⁵⁵ In regards to initiatives coming from Brussels, they will not succeed unless they find acceptance at the domestic ‘home’ level first.³⁵⁶ Wallace makes an important point by saying that the domestic public in small states expect their governments to protect national interests.³⁵⁷ However, as the Slovak case shows, complications arise when these interests are differently interpreted by the executive power (Ministry of Foreign Affairs) and the legislative power (Parliament). Most notably:

The difficulty which all member governments of the EU, large and small, however confront in concentrating on the management of domestic opinion is that the commitments they make to Parliament and public bind

³⁵⁰ Hill and Wallace, ‘Introduction: Actors in Europe’s Foreign Policy’, p. 8.

³⁵¹ Bickerton, ‘Explaining Europe’s role in world affairs’, p. 19. See also article by Christopher Hill, ‘The Capability-Expectations Gap, or Conceptualizing Europe’s International Role’, *Journal of Common Market Studies*, 31 (1993), 305-28.

³⁵² Reuben Wong and Christopher Hill, ‘Introduction’, p. 7.

³⁵³ André Gillissen, ‘The Politics of Small States in Europe’, in *Contemporary Political Studies Vol. 2*, ed. by Patrick Dunleavy and James Stanyer (Belfast: The Queens University, 1994), pp. 842-54 (p. 842).

³⁵⁴ William Wallace, ‘Small European States and European Policy-Making: Strategies, Roles, Possibilities’, *Between Autonomy and Influence: Small States and the European Union*, Proceedings from ARENA Annual Conference 1998, Report No 1/1999 (Oslo: Arena, 1999), pp. 11-26, p. 21.

³⁵⁵ Wallace, ‘Small European States and European Policy-Making: Strategies, Roles, Possibilities’, p. 14.

³⁵⁶ Wallace, ‘Small European States and European Policy-Making: Strategies, Roles, Possibilities’, p. 23.

³⁵⁷ Wallace, ‘Small European States and European Policy-Making: Strategies, Roles, Possibilities’, p. 21.

their hands in EU negotiations where they need flexible negotiating objectives in order to participate in multilateral bargains.³⁵⁸

As for the understanding of small states' actions, a variety of actors at several levels need to be incorporated in the analysis. In fact, for small states, coalition building is essential if they want to make an impact on EU policies.³⁵⁹ Thorhallsson and Wivel emphasise:

So far the study of the EU has focused mainly on institutions and great powers, largely ignoring the impact of small member states. However, the seemingly ever-growing majority of small states and the emerging divide between small and big EU member states on institutional issues necessitates a better understanding of how and why small states act as they do.³⁶⁰

When discussing EU foreign policy-making and the actors involved, we cannot omit the role of the Quint. Although many informal member state groups within the EU have an impact on foreign policy-making, it is the Quint that has a considerable influence on its policies. It is considered a special group because it consists of four EU member states (the UK, France, Germany and Italy) and the US. The Quint is particularly noted for its debates on the EU and the Balkans.³⁶¹ As Gegout puts it:

The quint is considered here as a *directorie*, in the sense that it appears to be a leadership group in the EU decision-making process that takes decisions affecting the interests of other EU Member States and this without their participation: on some occasions the final EU decision seems to reflect the outcome of the discussions made within this *directorie*. The quint therefore appears to be more than a mere consultative group that pools ideas; it is a group that takes initiatives, discusses EU foreign policy issues and **small EU countries have to accept its authority**.³⁶²

³⁵⁸ Wallace, 'Small European States and European Policy-Making: Strategies, Roles, Possibilities', p. 23.

³⁵⁹ Baldur Thorhallsson and Anders Wivel, 'Small States in the European Union: What Do We Know and What Would We Like to Know?', *Cambridge Review of International Affairs*, 19 (2006), 651-68 (pp. 658-60). As a Senior Greek political representative noted, political pressure was put on Greece to reconsider its view on Kosovo but 'as long as these five countries persist [five EU non-recognisers] things are ok'. Senior Greek political representative, February 2012.

³⁶⁰ Thorhallsson and Wivel, 'Small States in the European Union', p. 665.

³⁶¹ Catherine Gegout, 'The Quint: Acknowledging the Existence of a Big Four-US Directoire at the Heart of the European Union's Foreign Policy Decision-Making Process', *Journal of Common Market Studies*, 40 (2002), 331-44 (p. 332).

³⁶² Gegout, 'The Quint', p. 332 (emphasis added).

This thesis will show that the Quint was considerably involved in the Kosovo case,³⁶³ and indeed tried to influence Slovak officials on a number of occasions to make sure that Slovak policy on Kosovo would be in line with their views. However, for internal domestic political reasons, Slovakia did not accept its authority. Importantly, the MFA did not lack willingness to do so, yet, because of the parliamentary declaration it could not change its view.

Gegout also notes that the Quint is a ‘very discreet institution’. Its existence is known and ‘some small countries are indeed quite upset about it’, but the diplomats either do not want to share any information on it or know little about its functions.³⁶⁴ In fact, Gegout argues that in a way, the Quint can be perceived as a ‘negation of the CFSP’ for three particular reasons. First, it is completely external to EU foreign policy-making, but there is a regular discussion of CFSP issues. Secondly, it is a ‘dangerous exercise’ because some member states are excluded from it, including the big ones, such as Spain and the Netherlands. Lastly, through participation in the Quint, the US has an impact on EU foreign policy-making, and could be perceived as an ‘unofficial external member of the EU’ in the area of foreign policy.³⁶⁵

Conclusion

Understanding the national preferences of EU members and agents that impact on foreign policy-making enables comprehending their actions externally. In respect to CFSP, individual member states’ policies are significant because they impact on common decisions. Lacking a vertical chain of command in relation to EU foreign policy-making, at times member states diverge in their positions towards particular foreign political questions, as was also the case over Kosovo’s independence.

Comprehending the actual reasons behind member states’ non-agreement on a particular EU foreign policy could help create better conditions for avoiding non-conformity and allow a wider space for compromise. Ultimately, whether member

³⁶³ For instance, two years after Kosovo’s unilateral declaration of independence, the Quint considerably increased its pressure on Serbia to accept Kosovo’s statehood. See Ian Bancroft, ‘EU divisions over Kosovo get deeper’, *The Guardian*, 17 February 2010, available at <<http://www.guardian.co.uk/commentisfree/2010/feb/17/kosovo-quint-europe-divisions/print>> [accessed 18 February 2010].

³⁶⁴ Gegout, ‘The Quint’, p. 335.

³⁶⁵ Gegout, ‘The Quint’, p. 339.

states consider the EU a restriction or an opportunity for their foreign policies depends ‘on whom, in what context, and when the question is asked’.³⁶⁶ Yet, it is particularly the political context and the role of domestic actors that is often not fully appreciated or rather misunderstood. Importantly, as Copsey and Haughton put it:

The nature of national policy preferences, as well as the mechanisms by which they are determined, are of crucial importance to scholars who seek to understand the future policy agenda of the European Union. The impact of NMS’ [new member states] policy preferences on the EU will rise considerably over the next decade; however, we still know too little about the nature of these preferences and how they are formed.³⁶⁷

In light of this comment, it is this thesis’s aim to add another perspective to the understanding of foreign policy-making in Slovakia as a new EU member state, and crucially, to emphasise the role of domestic factors that shaped the decision-making process behind its non-recognition of Kosovo. There is also a need to widen the time frame and look at the evolution of the Slovak view on Kosovo over a longer period rather than focusing on one event, such as the passing of the parliamentary declaration on Kosovo. One needs to understand what preceded it, and essentially, what followed.

The next chapter will look at Slovak foreign policy in the pre-EU and NATO integration context and the change that occurred after it became a member of these institutions. Particular attention will be given to the case of Kosovo’s independence and the arguments identified as causes of the Slovak non-recognition of Kosovo.

³⁶⁶ Ian Manners and Richard Whitman, ‘Conclusion’, in *Foreign Policies of European Union Member States*, ed. by Ian Manners and Richard G. Whitman (Manchester: Manchester University Press, 2000), pp. 243-73 (p. 262).

³⁶⁷ Nathaniel Copsey and Tim Haughton, ‘The Choices for Europe: National Preferences in New and Old Member States’, *Journal of Common Market Studies*, 47 (2009), 263-86 (p. 284).

CHAPTER 3: The Evolution of Slovak Foreign Policy (1992-2008)

*'What you see may well depend on where you sit, but which seats
give the best view in the house?'*³⁶⁸

Introduction

This chapter examines the evolution of Slovak foreign policy with a focus on key foreign political events taking place between 1992 and 2008.³⁶⁹ Until 2004, EU and NATO integration was the Slovak foreign policy priority. The completion of this integration led to a turning point in foreign policy, as the Kosovo case clearly demonstrates. The aim is to show the change of policy after Slovakia's accession into the EU and NATO. A chronological time frame will be used to highlight key foreign political events as they happened. This section will focus on the following foreign policy events: NATO intervention against Serbia³⁷⁰ (1999), the US-led invasion of Iraq (2003), the integration of Slovakia into the EU and NATO (2004) and debates in Slovakia prior to Kosovo's declaration of independence (2007-2008). This will enable reflection on the evolution of the Slovak foreign policy direction, leading to a discussion about Kosovo's independence. While a detailed account of Slovak foreign policy after 1993 is beyond the scope of this chapter, its aim is to provide an understanding of the main foreign political events that shaped the evolution of Slovak foreign policy.

The second part of the chapter will focus on Slovakia's policy towards Kosovo and show how this became a key foreign policy issue after the country joined NATO and the EU. It will present five key arguments as to why Slovakia did not recognise Kosovo's independence: 1) Slovak-Serbian relations; 2) regional stability; 3) the

³⁶⁸ Christopher Hill, 'A Theoretical Introduction', in *Foreign Policy Making in Western Europe: A Comparative Approach*, ed. by William Wallace and William E. Paterson (London: Praeger, 1978), p. 8.

³⁶⁹ In 1992, Slovakia was still part of Czechoslovakia. In 1993, Czechoslovakia split into the Czech Republic and Slovakia.

³⁷⁰ Then, together with Montenegro, part of the Federal Republic of Yugoslavia (FRY).

issue of international law; 4) the role of political party opposition; and 5) the notion of Kosovo as precedent. The chapter is divided in two main sections: debate about the key events in Slovak foreign policy evolution and discussion of the research gaps in the existing academic debate on the reasons behind the Slovak non-recognition of Kosovo.

3.1 Prelude: Czechoslovakia and the Breakup of Yugoslavia

By the start of 1992, the Socialist Federal Republic of Yugoslavia (SFRY) had collapsed. On 16 January of that year, the EU recognised the independence of Croatia and Slovenia. As for Czechoslovakia, it joined the EU in recognising the new states.³⁷¹ However, on the Czechoslovak domestic scene, in particular within the Ministry of Foreign Affairs, there was opposition to the move. For example, the former Czechoslovak Minister of Foreign Affairs Jiří Dienstbier did not agree with the recognition. He refused to accept what he called ‘salami tactics’ in regard to the recognition of individual states. As he argued, anything other than a politically agreed division of Yugoslavia would lead to catastrophe.³⁷² In 1992, Czechoslovakia was a country in transition, with its own political issues and a question mark about its future either as a federation or as two independent countries. As a non-member of the EU and NATO, it was not an influential foreign political player and was largely expected to join the majority in the recognition of Croatian and Slovenian statehood.

3.2 Slovak Foreign Policy in the Context of the EU and NATO Pre-Accession (1993-2004)

In 1992 Czechoslovakia peacefully broke up leading in 1993 to the emergence of two independent states: the Czech Republic and Slovakia. The negotiators of Czechoslovakia’s separation were the victors of the June 1992 parliamentary elections in both countries, Václav Klaus and Vladimír Mečiar, respectively.³⁷³

³⁷¹ See ‘Prohlášení vlády České a Slovenské Federativní Republiky’, Federální Ministerstvo Zahraničních Věcí, Nr 76.458/92-1, Appendix III, 16 January 1992, *Archive of the Slovak Ministry of Foreign Affairs*, ZÚ Záhreb, 1992, 235-105.

³⁷² Jiří Dienstbier, *Daň z krve* (Prague: Nakladatelství Lidové Noviny, 2002), p. 13. See also, Jiří Dienstbier, *Od snění k realitě: vzpomínky z let 1989-1999* (Prague: Nakladatelství Lidové Noviny, 1999).

³⁷³ For more on the Czechoslovak disintegration, see for instance Abby Innes, *Czechoslovakia: The Short Goodbye* (New Haven and London: Yale University Press, 2001).

The basic framework for the execution of foreign policy in Slovakia is set in the Constitution of the Slovak Republic, adopted in September 1992. The main part of the foreign policy powers falls under the executive power represented by the Government, which decides on fundamental questions of foreign policy (Law no. 460/1992 Coll. Article 119). The Ministry of Foreign Affairs, including diplomatic missions abroad, ‘constitutes the coordinative and executive backbone of foreign policy of the Slovak Republic’.³⁷⁴ The President represents Slovakia outwardly and has more representative functions. The legislative body of the Slovak Republic is represented by the National Council, consisting of 150 MPs.

After its independence in 1993, Slovakia started to formulate its own foreign political priorities. For the new country this was a long process. As Henderson argues, after independence Slovakia lacked experience in formulating and implementing its own foreign policy and identifying its specific interests in the international arena.³⁷⁵ However, from the perspective of a new state this was understandable. Weiss reminds us that during the federation, foreign political decisions were taken in its federal centre – Prague. In this respect, Slovakia did not have a long term tradition of its own statehood, foreign policy and diplomacy.³⁷⁶ It would be wrong to argue that it was without any experience; however, it faced a number of challenges, for instance in regards to diplomatic personnel.³⁷⁷

³⁷⁴ See ‘Strednodobá stratégia zahraničnej politiky Slovenskej republiky do r. 2015’, *Ministry of Foreign Affairs of the Slovak Republic*, p. 3, available at <http://www.mzv.sk/sk/zahranicna_politika/zahranicna_politika> [accessed 19 July 2012].

³⁷⁵ Karen Henderson, *Slovakia: The Escape from Invisibility* (London: Routledge, 2002), pp. 86-87.

³⁷⁶ Peter Weiss, *Národný záujem a zodpovednosť v slovenskej zahraničnej politike* (Bratislava: Kalligram, 2009), pp. 488-89.

³⁷⁷ At the end of 1992, the Federal Ministry of Foreign affairs had in total 809 employees, including diplomats and commercial staff. Of this number, 584 were of Czech and 225 of Slovak nationality. However, in the latter were included also employees of Ukrainian, Polish and Hungarian nationality. In comparison, as for Czechoslovak ambassadors at that time, 47 had Czech nationality, 16 were of Slovak nationality and 1 had Hungarian nationality. Furthermore, at the end of 1992, employees of the Ministry were asked to fill in a questionnaire where they had to state their preference in terms of which Ministry they wanted to continue working for after the dissolution of Czechoslovakia. In the end, for a variety of reasons, some Slovak diplomats decided to continue working in Prague. Ultimately, the ‘loss’ on the Slovak side was 30 percent. See Miroslav Mojžita, *Kňažko/Demeš/Kňažko: Formovanie slovenskej diplomacie v rokoch 1990 až 1993* (Bratislava: Ústav Politických Vied SAV, 2004), pp. 73-74. This book provides a detailed account of the evolution of Slovak diplomacy between 1990 and 1993. For details about the Slovak diplomatic personnel at that time, see also Rebecca Murray, ‘Miroslav Lajčák: Dnes sa už nepotrebuje zviditeľňovať, ale nájsť si svoje miesto’, *Zahraničná Politika*, 4 (2012-13), 15-17.

In the 1990s, Slovakia was dominated by Prime Minister Mečiar's government (1993-1994, 1994-1998)³⁷⁸ and in the post-1998 period by Prime Minister Dzurinda's leadership (1998-2002). Mečiar's era was viewed critically by outside observers and there is a consensus 'that it created a negative image of Slovakia'.³⁷⁹ While Mečiar's government programme included a desire to bring Slovakia closer to EU and NATO structures, with eventual membership in both organisations,³⁸⁰ his politics went against these aspirations. Therefore, while economic indicators put Slovakia in the first round of candidate countries for EU membership, the political situation threatened Slovakia's early accession to NATO and the EU.³⁸¹ In fact, Slovakia was not among the first group of candidate countries for NATO membership.³⁸² In July 1997, during the NATO Madrid summit, Slovakia was not invited to join the Alliance. Likewise, in December of that year, the European Council meeting in Luxembourg postponed the start of accession negotiations with Slovakia. The 1997 'Commission Opinion on Slovakia's Application for Membership of the European Union' concluded 'that Slovakia does not fulfil in a satisfying manner the political conditions set out by the European Council in Copenhagen, because of the instability of Slovakia's institutions, their lack of rootedness in political life and the shortcomings in the functioning of its democracy'.³⁸³

The 1998 elections marked a turning point in Slovakian history when Dzurinda's government – a broad right/left coalition of parties which opposed the previous government, and included a Hungarian minority party – came to power.³⁸⁴ As a result of this, the main focus of its national policy was reoriented towards the EU and on 'how not to miss the boat'.³⁸⁵ By the end of the 1990s, Slovak foreign policy was

³⁷⁸ Between 15 March 1994 and 13 December 1994 there was a temporary government led by Jozef Moravčík as a result of the collapse of the first Mečiar government.

³⁷⁹ Henderson, *Slovakia*, p. 44.

³⁸⁰ 'Programové vyhlásenie vlády SR od 13. 12. 1994 do 30. 10. 1998', *Úrad Vlády Slovenskej Republiky*, available at <<http://archiv.vlada.gov.sk/old.uv/1183/1-zahranicne-vztahy.html>> [accessed 4 September 2012].

³⁸¹ Ivo Samson, 'Slovakia: Misreading the Western Message', in *Democratic Consolidation in Eastern Europe. Volume 2. International and Transnational Factors*, ed. by Jan Zielonka and Alex Pravda (Oxford: Oxford University Press, 2001), pp. 363-82 (p. 366).

³⁸² Samson, 'Slovakia', p. 366.

³⁸³ See 'Agenda 2000 - Commission Opinion on Slovakia's Application for Membership of the European Union', *European Commission*, DOC/97/20, Brussels, 15 July 1997.

³⁸⁴ Karen Henderson, 'Slovak Political Parties and the EU: From Symbolic Politics to Policies', in *The European Union and Party Politics in Central and Eastern Europe*, ed. by Paul G. Lewis and Zdenka Mansfeldová (Basingstoke: Palgrave Macmillan, 2007), pp. 149-68 (p. 152).

³⁸⁵ Nathaniel Copsey and Tim Haughton, 'The Choices for Europe: National Preferences in New and Old Member States', *Journal of Common Market Studies*, 47 (2009), 263-86 (p. 283).

very limited and driven by the main goal of becoming a member of the EU and NATO. According to Henderson, while the Mečiar government failed to determine the foreign policy direction after 1993, ‘by the end of the decade, it was clear that a “back to Europe” aim for integration into Euro-Atlantic structures left little scope for independent policy-making’.³⁸⁶ While bilateral relations with other states were important for Slovakia during the early to mid-1990s, towards the end it was obvious they were subordinated to the integration goals.³⁸⁷ This was shown when, in 1999, Slovakia took a crucial foreign political decision.

3.2.1 The 1999 NATO Military Intervention in the Federal Republic of Yugoslavia

The NATO military intervention in the Federal Republic of Yugoslavia (FRY) was the first significant foreign political event that Slovakia had to face after independence. As will be shown, despite internal dissent within the government, and a clear lack of public support, it opened its air space and allowed NATO to use its transport infrastructure for the intervention in FRY. This was not in Slovakia’s economic interest given the level of trade with Serbia.³⁸⁸ At the same time it had the potential to lead to harm to the Slovak minority living in Serbia’s province Vojvodina. However, this step did put Slovakia into a group of ‘reliable allies of NATO’.³⁸⁹

Considering the neutrality of Austria and Switzerland, Slovakia provided relatively important assistance to the Alliance.³⁹⁰ Vachudova analysed how the behaviour of NATO candidate countries was influenced during the Kosovo crisis in 1999 and what role the countries’ aspiration for NATO membership played.³⁹¹ Her analysis of Slovak behaviour during this crisis affirms that, as an aspiring ally, this was a crucial time for Slovakia to express solidarity with the alliance and come closer to

³⁸⁶ Henderson, *Slovakia*, p. 108.

³⁸⁷ Henderson, *Slovakia*, p. 89.

³⁸⁸ Regarding foreign trade with the Balkans and Serbia in particular.

³⁸⁹ Jozef Batora, ‘Identita a štátny záujem v slovenskej zahraničnej politike’, *Medzinárodné otázky*, 8 (2004), 39-54 (p. 44). According to the Office for Slovaks Living Abroad, in 2008 the number of Slovaks living in Serbia was 60,000 (concentrated mainly in Vojvodina). Available at <<http://www.uszz.sk/>> [accessed 12 December 2010].

³⁹⁰ Zoltan Barany, *The Future of NATO Expansion* (Cambridge: Cambridge University Press, 2003), p. 64.

³⁹¹ Milada Anna Vachudova, ‘The Atlantic Alliance and the Kosovo Crisis: The Impact of Expansion and the Behaviour of New Allies’, in *Alliance Politics, Kosovo, and NATO’s War: Allied Force or Forced Allies?* ed. by Pierre Martin and Mark R. Brawley (New York: Palgrave, 2000), pp. 201-20 (pp. 201-2).

membership. Furthermore, the new government's aim was to improve its reputation after Mečiar's rule³⁹² and change the negative perceptions of Slovakia.³⁹³ In this regard, Sláviková notes that the motivation of the Slovak government was at that time pragmatic and strategic, having membership of the EU and NATO in view.³⁹⁴ While bilateral relations were important to Slovakia during the early to mid-1990s, towards the end it was obvious they were subordinated to two major foreign political goals: integration into the EU and NATO.³⁹⁵

The Justice Minister Ján Čarnogurský opposed Slovak support of NATO actions and the opening of Slovak air space was challenged by the opposition and the Slovak minority in Vojvodina.³⁹⁶ The majority of the government was keen to pursue the latter policy, but the Slovak public was opposed to it – 64 percent of the public disagreed with this decision and some 69 percent opposed the NATO intervention.³⁹⁷ Clearly, the influence of the international environment translated into Slovak support of the NATO campaign even though the decision clearly went against public opinion.

In Krejčí's view, most of Slovakia's power elites evaluated the conflict according to the criteria of loyalty to the current rulers of the largest Western powers.³⁹⁸ In other words, this Slovak step has been perceived as the behaviour of a de facto ally, opening the door to NATO.³⁹⁹ According to the Slovak political analyst Mesežnikov,

³⁹² Vachudova, 'The Atlantic Alliance and the Kosovo Crisis', p. 213.

³⁹³ Batora, 'Identita a štátny záujem v slovenskej zahraničnej politike', p. 44.

³⁹⁴ Eliška Sláviková, 'Ako SDKÚ zachránila slovenskú reputáciu', *Strategické štúdie*, 3 (2007), 3-6 (p. 5).

³⁹⁵ Henderson, *Slovakia*, p. 89.

³⁹⁶ Rick Fawn, 'Perceptions in Central and South-Eastern Europe', in *Kosovo: Perceptions of War and its Aftermath*, ed. by Mary Buckley and Sally N. Cummings (London: Continuum, 2001), pp. 136-55 (p. 144). Matica Slovenská (a cultural institution of the Slovaks) in Yugoslavia sent in April 1999 an open letter to the Slovak Embassy in Belgrade addressed to the Slovak government, Slovak nation and Slovaks in diaspora. It condemned NATO's aggression towards Yugoslavia and called on the Slovak government to terminate the usage of Slovak airspace by NATO. It also protested against the Slovak Republic's resolution allowing NATO to use Slovak territory and railways for the transport of freight because 'it directly threatens the existence of Yugoslav citizens and members of the Slovak minority in Yugoslavia'. See 'Druhý otvorený list vláde Slovenskej republiky, slovenskému národu a Slovákovi v diaspore' (Appendix), Matica Slovenská v Juhoslávii, Nr 360-1/1999, 22 April 1999, Archive of the Slovak Ministry of Foreign Affairs, Telegram v reči otvorenej, Veľvyslanectvo Slovenskej republiky v Juhoslovanskej zväzovej republike, Belehrad, 1999, box 15, Nr 1430/98-YUVV1, 23 April 1999.

³⁹⁷ Oľga Gyarfášová, 'The Crisis in Kosovo and the Slovak Public: A Lesson on International Politics', *Slovak Foreign Policy Affairs*, 1 (2000), 53-66 (pp. 58-59).

³⁹⁸ Oskar Krejčí, *Geopolitics of the Central European Region* (Bratislava: VEDA, Publishing House of the Slovak Academy of Sciences, 2005), p. 417.

³⁹⁹ Weiss, *Národný záujem a zodpovednosť v slovenskej zahraničnej politike*, pp. 432-33. On this note, the former Slovak Minister of Foreign Affairs, Miroslav Lajčák, commented on the opening of Slovak airspace: 'It is a historic fact. In the difficult circumstances of the year 1999 I perceived it as an expression of a future alliance with NATO. It was a very painful decision, but Slovakia decided correctly'. See Miroslav Kern and Mirek Tóda, 'Arogantný bol maďarský prezident', *SME*, 21 April 2010, p. 5.

the crisis in Kosovo was the first international political event to impact on the internal political life of Slovakia. No previous conflict had led to this type of confrontation between Slovak politicians as NATO's military operation in Yugoslavia did.⁴⁰⁰ He assumes that if Slovakia had had a different government, led by the then opposition parties, it would have probably taken a position of solidarity with Yugoslavia.⁴⁰¹ Mesežnikov expected that, in the future, international political events would have an increased impact on politics in Slovakia. In fact, he talked about a 'direct impact on the internal political life in Slovakia'.⁴⁰² This would be seen again in the case of Kosovo's independence, which would have a direct impact of domestic politics on Slovak foreign policy.

In the meantime, at the end of the 1990s, Slovakia began to be more directly involved in the Balkans through the so-called 'Bratislava process' (1999-2002). Lukáč describes it as an initiative by Slovak diplomacy, aimed at organising meetings between the Serbian opposition and non-governmental organisations on 'neutral' territory, in Bratislava. It facilitated discussions about the removal of Milošević's regime and restoration of democracy.⁴⁰³

3.2.2 The 2003 US-led Military Intervention in Iraq

The next major development in Slovak foreign policy came in 2003, a year prior to the Slovak accession to the EU and NATO, when Slovakia needed to take an important foreign political position towards the planned US intervention in Iraq. As with NATO's intervention of FRY in 1999, the US invasion of Iraq was not authorised by the UNSC. However, the timing of this operation was crucial for Slovakia. Despite the fact that Slovakia completed the accession talks with the EU in December 2002, the EU members still needed to ratify the Accession Treaty.⁴⁰⁴

⁴⁰⁰ Grigorij Mesežnikov, 'The Crisis in Kosovo and its Impact on the Slovak Domestic Politics', *Slovak Foreign Policy Affairs*, 1 (2000), 31-52 (p. 31).

⁴⁰¹ Mesežnikov, 'The Crisis in Kosovo and its Impact on the Slovak Domestic Politics', p. 52.

⁴⁰² Mesežnikov, 'The Crisis in Kosovo and its Impact on the Slovak Domestic Politics', p. 52.

⁴⁰³ Pavol Lukáč, 'Slovak Foreign Policy towards the Western Balkans – a Need for Continuity, Differentiated View and Flexibility', in *Yearbook of Foreign Policy of the Slovak Republic 2002*, ed. by Alena Kotvanová (Bratislava: Slovak Institute for International Studies, 2003), pp. 47-55 (p. 48). See also Vladimír Bilčík, 'Shaping the EU as an External Actor: Slovakia's Shifting Role Conceptions', *Slovak Foreign Policy Affairs*, 5 (2004), 40-51 (p. 42).

⁴⁰⁴ The Treaty was approved by the Slovak Parliament in July 2003 and ratified by the 15 EU members in the second half of 2003.

As Samson argues, after the 2002 parliamentary elections, there was a confirmation and strengthening of Slovak pro-US foreign policy, due to the fact that the government was built by traditionally US-oriented centre-right parties. *Kresťanskodemokratické hnutie* (Christian Democratic Movement, KDH) was not openly pro-US and the liberal party *Aliancia nového občana* (Alliance of New Citizens, ANO) did not emphasise foreign policy; however, *Slovenská demokratická a kresťanská únia-Demokratická strana* (Slovak Democratic and Christian Union-Democratic Party, SDKÚ) and *Strana maďarskej koalície-Magyar Koalíció Pártja* (Party of the Hungarian Coalition, SMK) were very supportive of the Americans.⁴⁰⁵ In this respect, it was less of a surprise that Slovakia sided clearly with the US-led invasion of Iraq. Samson identified five reasons explaining Slovak support of the Iraq invasion: firstly, fighting against international terrorism was included in the election programmes of the governmental political parties, particularly in the case of SDKÚ. Secondly, SDKÚ was the strongest supporter of Slovak-US relations. Thirdly, the three most important governmental positions related to foreign affairs and security were taken by SDKÚ nominees (Prime Minister – Mikuláš Dzurinda, Minister of Foreign Affairs – Eduard Kukan and Minister of Defence – Ivan Šimko).⁴⁰⁶ Fourthly, the Slovak President was supportive of US foreign policy;⁴⁰⁷ and lastly, during 2002-2004, government representatives never openly opposed the US attack in Iraq.⁴⁰⁸ Nevertheless, as with the 1999 NATO intervention, the Slovak public was against the war in Iraq. Prior to the war, 77 percent of the public considered the intervention very dangerous and 49 percent unjust. After the start of the war, 74 percent of Slovaks considered it wrong. Significantly, Slovaks were in favour of the French and German anti-war attitude.⁴⁰⁹

⁴⁰⁵ Ivo Samson, 'Slovakia', in *Old Europe, New Europe and the US: Renegotiating Transatlantic Security in the Post 9/11 Era*, ed. by Tom Lansford and Blagovest Tashev (Aldershot: Ashgate, 2005), pp. 219-38 (p. 228).

⁴⁰⁶ In 2003, Juraj Liška replaced Šimko in the post.

⁴⁰⁷ Rudolf Schuster (1999-2004), representative of the coalition, at all times supported US foreign policies. His successor from the opposition, Ivan Gašparovič, also expressed support for continuing the Slovak mission in Iraq. See Samson, 'Slovakia', p. 229.

⁴⁰⁸ Samson, 'Slovakia', p. 229.

⁴⁰⁹ Vladimír Krivý, 'Vzťah slovenskej verejnosti k USA – sekundárna analýza výsledkov výskumu', in *USA a transatlantická spolupráca v názoroch politických strán, občanov a médií na Slovensku*, ed. by Grigorij Mesežnikov (Bratislava: Inštitút pre verejné otázky, 2003), pp. 7-35 (p. 21). As Ronald N. Weiser, the US Ambassador in Bratislava, stated in a US cable, the Slovak government 'with only minimal public backing, strongly supported the war in Iraq and sent a chem-bio consequence management unit to Kuwait under Czech command. After the end of hostilities, the unit (82-strong) was replaced with an engineering unit (105 soldiers)'. See 'Scenesetter for visit of Gen Robert T. Foglesong, Commander U.S. Air Forces in Europe and Allied Air Forces North', US Embassy Bratislava, reference ID 04Bratislava330, 2 April 2004, available at <<http://wikileaks.org/cable/2004/04/04BRATISLAVA330.html>> [accessed 8 September 2012].

Talking in November 2002 at a press conference in Bratislava with the US Secretary of Defence Ronald Rumsfeld, Prime Minister Dzurinda openly expressed Slovak support of the US policy on Iraq when he said, 'I would like to convey the main political message [...] that Slovakia has been and will be a strong ally of the United States of America, in any case, under any circumstances'.⁴¹⁰ In early 2003, eight NATO members expressed their support of the US in an open letter.⁴¹¹ Soon after, in February 2003, Slovakia together with nine other Central and East European countries – the so called Vilnius Group – expressed its support for the US military invasion of Iraq.⁴¹² This was a clear indication of its pro-transatlantic position.

However, it was also evident that the EU was divided over the issue. As a reaction, a clear statement against pro-US support of the EU candidate countries was issued by the French President Jacques Chirac. He argued that their positions were 'dangerous' and should show more loyalty to Europe. In addition, he questioned the upcoming enlargement by commenting: 'If they had tried to decrease their chances for getting in Europe, they couldn't have done a better job'.⁴¹³

France, supported by Germany, was against a UN resolution approving intervention against Saddam Hussein's regime in Iraq, as it did not consider that UN weapons inspectors had exhausted all opportunities. The threat of French veto made it clear that no UN resolution could be passed. Consequently, on 19 March 2003, the war in Iraq started.⁴¹⁴

⁴¹⁰ 'Secretary Rumsfeld Joint Press Conference in Bratislava, Slovakia', *U.S. Department of Defense, Office of the Assistant Secretary of Defence (Public Affairs), News Transcript*, 22 November 2002, available at <<http://www.defense.gov/transcripts/transcript.aspx?transcriptid=3305>> [accessed 8 September 2012].

⁴¹¹ See Jose Maria Aznar, Jose-Manuel Durao Barroso, Silvio Berlusconi, Tony Blair, Vaclav Havel, Peter Medgyessy, Leszek Miller And Anders Fogh Rasmussen, 'United we Stand', *The Wall Street Journal*, 30 January 2003. The eight NATO members were Spain, Portugal, Italy, the UK, Czech Republic, Hungary, Poland and Denmark.

⁴¹² The Vilnius Group was established by aspiring NATO members in 2000. It included Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Romania, Slovakia and Slovenia. As Samson points out, the Slovak government made the declaration public after four days which led to assumptions of whether Dzurinda signed an automatic commitment to military engagement. Criticism was voiced towards Dzurinda that he did not discuss the issue with the Slovak Parliament before making 'binding decisions'. See, Ivo Samson, 'Slovakia', p. 231.

⁴¹³ John Vinocur, 'Chirac's Outburst Exposes Contradiction Within EU', *International Herald Tribune*, 18 February 2003.

⁴¹⁴ Alasdair Blair, 'Diplomacy: The Impact of the EU on its Member States', in *Contemporary European Foreign Policy*, ed. by Walter Carlsnaes, Helene Sjursen and Brian White (London: Sage Publications, 2004), pp. 198-210 (p. 207).

3.2.3 Slovak Accession to NATO and the EU

Slovakia was invited to join the Alliance during the November 2002 NATO summit in Prague.⁴¹⁵ At the end of March 2003, days after the war in Iraq started; it signed in Brussels the Protocol of Accession allowing it to join NATO after its ratification by the Allies. After a year, on 29 March 2004, Slovakia formally became a member of the Alliance.

Soon afterwards, on 1 May, Slovakia also joined the European Union. Initially, Slovakia was excluded from the first round of candidate countries for EU membership; as a result, it started the accession negotiations two years later than the first group. However, it was able to complete the negotiations in 2002 and fulfil its target to join the candidates for the first round of EU enlargement. In the end, Slovakia fulfilled all Copenhagen criteria – including political, economic and legislative (the capacity to adopt the obligations of the EU membership, so called *acquis*) – and in 2004 entered the EU with nine other countries.⁴¹⁶ The accession agreement was signed in Athens in April 2003, followed by a Slovak referendum on EU accession in May where voters confirmed their support for EU membership.⁴¹⁷

3.3 Slovak Foreign Policy after 2004

Slovak integration in 2004 represents a crucial turning point in foreign policy-making. In this respect, Haughton and Malová argue that after the independence of Slovakia, the Ministry of Foreign Affairs was primarily oriented towards integration into ‘Western clubs’.⁴¹⁸ It can be argued that prior to the Slovak accession to the EU, it was about a ‘one-way transfer of EU rules and norms’.⁴¹⁹ Significantly, during this time, Slovak foreign policy towards countries outside the EU reflected foreign policy priorities of the EU.⁴²⁰ However, after Slovakia became a member of the EU and

⁴¹⁵ Together with Bulgaria, Estonia, Lithuania, Latvia, Romania and Slovenia.

⁴¹⁶ Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland and Slovenia.

⁴¹⁷ 93 percent voted for Slovak membership in the EU, however, the turnout was relatively low – only 52 percent. See Oľga Gyarfášová, ‘New Member States and EU Foreign Policy. From Outsiders to Visible Voices’, Institute for Public Affairs, *Európai Tanulmányok*, 4 (2003), p. 9.

⁴¹⁸ Tim Haughton and Darina Malová, ‘Emerging Patterns of EU Membership: Drawing Lessons from Slovakia’s First Two Years as a Member State’, *Politics*, (27) 2007, 69-75 (pp. 71-72).

⁴¹⁹ Vladimír Bilčík and Aneta Világi, ‘Slovakia and the Limits of European Integration’, Study for the Project ‘Forum for Europe’, Slovak Foreign Policy Association, September 2007, p. 5.

⁴²⁰ Bátora and Pulišová, ‘Slovakia: Learning to add value to EU foreign policy’, p. 72.

NATO, ‘a new agenda was needed’.⁴²¹ In other words, after the period of conditionality leading to accession, the new EU members were given space to manoeuvre.⁴²²

After its accession to the EU, Slovakia passed the Constitutional Act No. 397/2004 on the cooperation of the National Council of the Slovak Republic and the Government of Slovak Republic in EU affairs. As a result of this law, the Slovak Parliament has the right to pass resolutions which bind the Government and its individuals to concrete positions.⁴²³ In other words, the Government is obliged to inform the Parliament about the current EU agenda and the Parliament has the right to approve or change the positions of the Slovak Republic.⁴²⁴ The Constitutional Act No. 397/2004 also defines the relationship between the executive and legislative power in the field of European integration. Among other things, it allows the National Council to approve Slovak positions to drafts of legally binding acts or other acts of the EU. Parliament may also approve country views on other EU matters if requested by the government or members of at least one fifth of the National Council. If MPs approve a draft opinion, a member of the Slovak government is bound by that opinion in EU institutions.⁴²⁵

Despite the relatively strong competencies given to the Parliament in relation to EU matters and its control over government positions, the legislative power rarely interferes with executive power decisions on foreign policy. In fact, until the initiation of the Slovak Parliament’s draft proposal on Kosovo, which will be examined in the next chapter, MPs used the law to oblige a member of the

⁴²¹ Haughton and Malová, ‘Emerging Patterns of EU Membership: Drawing Lessons from Slovakia’s First Two Years as a Member State’, pp. 71-72.

⁴²² Haughton and Malová, ‘Emerging Patterns of EU Membership’, p. 73.

⁴²³ ‘Ústavný zákon č. 397/2004 Z. z. o spolupráci Národnej rady Slovenskej republiky a vlády Slovenskej republiky v záležitostiach Európskej únie’, *Národná rada Slovenskej republiky*, 24 June 2004.

⁴²⁴ Vladimír Bartovic, ‘National Council of the Slovak Republic in the EU Agenda: Giant in Theory, Dwarf in Practice’, in David Král and Vladimír Bartovic, *The Czech and Slovak Parliaments after the Lisbon Treaty* (Prague: EUROPEUM Institute for European Policy, 2010), pp. 47-78 (p. 55). Interestingly, the Act from 2004 was proposed by MPs from all political parties, except the then PM Dzurinda’s party SDKÚ, during a time when the government dealt with problems between the coalition partners. For the then opposition, the law was an instrument to increase its influence by strengthening the powers of the Parliament and so weakening the government’s position. Some of the coalition parties supported it in order to ensure control over individual ministers acting in the EU through parliamentary scrutiny. Ironically, this Act, which in 2004 was not supported by Dzurinda, allowed him in 2007 to initiate a parliamentary debate on Kosovo and take an active role in formulating the Slovak policy towards Kosovo’s independence.

⁴²⁵ See ‘Ústavný zákon č. 397/2004 Z. z. o spolupráci Národnej rady Slovenskej republiky a vlády Slovenskej republiky v záležitostiach Európskej únie’, *Národná rada Slovenskej republiky*, 24 June 2004, Article 2.

government with a specific mandate only once – on the question of EU accession negotiations with Turkey.⁴²⁶ The Christian Democratic Party, KDH, was against the start of negotiations with Ankara.⁴²⁷ On 30 November 2004, the Slovak Parliament bound the government members ‘to enforce in the EU Council negotiations such an approach for the initiation of the negotiations for the Turkish EU membership which would respect inevitability of fulfilling criteria and from which the EU would not be bound to accept Turkey as a member of the EU’.⁴²⁸ As Világi and Bilčík argue, in the case of Turkey, the law was used to express a standpoint of strategic importance which received considerable political, media and public interest.⁴²⁹

In general, as the aforementioned authors point out in their study, the Slovak Parliament – including its committees – is active on EU matters only in questions related to internal political discourse or those issues related to key domestic political agendas.⁴³⁰ In other words, it deals with matters closely linked to political party competition. Notably, Világi and Bilčík suggest that in the case of a long term minority government, the 2004 law remains a ‘potentially strong instrument in the hands of political opposition’, particularly if it disrupts an existing wider political consensus on a Slovak position in the EU. Similarly, a coalition or main opposition political party with clear ideas about Slovak priorities in the EU has good preconditions to use a relatively strong political position of the Parliament on EU matters.⁴³¹ In this respect, the Slovak government acts in all external issues; in EU

⁴²⁶ In September 2006, there was an unsuccessful attempt by a group of opposition MPs from KDH and SMK proposing a declaration on tax sovereignty in direct taxes. The aim was to bind Slovak government members to vote against EU efforts to harmonise direct taxes. See ‘Daňovú suverenitu poslanci odmietli’, *Pravda*, 24 October 2006.

⁴²⁷ For a detailed analysis of this law’s application in the case of Turkey, see Aneta Világi and Vladimír Bilčík, ‘Fungovanie a koordinácia domácich inštitúcií SR v legislatívnom procese Európskej únie: stav, možnosti a odporúčania’, *Výskumné centrum Slovenskej spoločnosti pre zahraničnú politiku*, Bratislava, June 2007, particularly pp. 19-20.

⁴²⁸ ‘Uznesenie Národnej Rady Slovenskej Republiky 1340 z 30. novembra 2004’, 1759/2004, *Národná rada Slovenskej republiky*. This resolution was passed by 113 MPs out of 133 present. In addition, Parliament agreed to a resolution, proposed by KDH MP František Mikloško during the debate on the Slovak position towards Turkey’s accession to the EU, in which the Slovak Parliament ‘recognises the Armenian genocide from 1915 in which hundreds of thousands of Armenians living in the Ottoman Empire were killed and considers this act a crime against humanity’. See ‘Uznesenie Národnej Rady Slovenskej Republiky 1341 z 30. novembra 2004’, 1754/2004, *Národná rada Slovenskej republiky*. This resolution was passed by 70 MPs out of 128 present.

⁴²⁹ Világi and Bilčík, ‘Fungovanie a koordinácia domácich inštitúcií SR v legislatívnom procese Európskej únie’, p. 24.

⁴³⁰ Világi and Bilčík, ‘Fungovanie a koordinácia domácich inštitúcií SR v legislatívnom procese Európskej únie’, p. 31. Their study analysed parliamentary resolutions passed only until the end of November 2006.

⁴³¹ Világi and Bilčík, ‘Fungovanie a koordinácia domácich inštitúcií SR v legislatívnom procese Európskej únie’, p. 36. Although, in 2007 when the Slovak Parliament debated the Slovak position towards Kosovo’s independence, Slovakia did not have a minority government, this description entirely fits the case of the Parliament’s declaration on Kosovo, where SDKU-DS leader Dzurinda aimed to use the earlier described competency of Slovak Parliament for political gains.

matters however, parliamentary scrutiny can determine the Slovak position. In other words, the Parliament has a say in the formulation of Slovak EU policy. In the Kosovo case, to be debated in detail later, it meant that MPs were brought into the discussion on Slovak foreign policy towards Kosovo's independence, and to a large extent shaped the final Slovak stance as the Parliament issued instructions to the Minister of Foreign Affairs.

3.4 The Emergence of Kosovo as a Key Issue and the Policy of Non-Recognition

Haughton and Malová note that it was primarily the enlargement of the Western Balkans region that could be identified as an area of Slovak activity.⁴³² As Sláviková points out, 'for Slovakia, the Western Balkans has become one of the few foreign policy issues where it has the capacity and potential to shape the EU's approach and policies, as well as participate in key decision-making processes'.⁴³³ Following on from this, Šagát argues that Slovak diplomats have been influencing the events in the Balkan region since the 1990s; for example, through the earlier discussed 'Bratislava Process'.⁴³⁴ What positively contributed towards Slovakia's good name in the region was the activity of Slovak diplomats⁴³⁵ and their 'energy and drive' in the leading roles of the EU's operations in this area.⁴³⁶ Furthermore, Slovakia's own experience with its transformation process was also positively perceived. However, Haughton and Malová also argue that Slovakia's input in the region was mainly directed towards Serbia and Montenegro.⁴³⁷

⁴³² Haughton and Malová, 'Emerging Patterns of EU Membership', p. 71.

⁴³³ Eliška Sláviková, 'Slovakia and Kosovo: Closer Than They Seem', in *Kosovo Calling*, International Conference to Launch Position Papers on Kosovo's Relation with EU and Regional Non-recognising Countries, Fondacioni i Kosovës për Shoqëri të Hapur, September 2011, pp. 27-38 (p. 28).

⁴³⁴ Milan Šagát, 'Slovakia's Foreign Policy Towards the Western Balkans in 2006', in *Yearbook of Foreign Policy of the Slovak Republic 2006*, ed. by Peter Brezáni (Bratislava: Research Center of the Slovak Foreign Policy Association, 2007), pp. 109-22 (p. 111).

⁴³⁵ For instance, Miroslav Lajčák and František Lipka oversaw the Montenegrin referendum on independence from Serbia (2006). Lajčák was the High Representative/EU Special Representative in Bosnia and Hercegovina (2007-2009) and Eduard Kukan was the UN Secretary-General's Special Envoy to the Balkans (1999-2001). More recently, on 14 December 2010, Lajčák was appointed Managing Director for Russia, Eastern Neighbourhood and the Western Balkans in the new European External Action Service. It is considered to be one of the most important roles within this Service. See, 'EU High Representative Catherine Ashton appoints two Managing Directors for the External Action Service', *European Union Press Release*, A 258/10, Brussels, 14 December 2010.

⁴³⁶ Haughton and Malová, 'Emerging Patterns of EU Membership', p. 71.

⁴³⁷ Haughton and Malová, 'Emerging Patterns of EU Membership', p. 71.

After the 2006 elections, Slovak foreign policy was generally focused on EU and NATO issues, Višegrad cooperation and the Eastern dimension.⁴³⁸ Yet, it was Kosovo which gained greater prominence and became the primary issue for foreign policy. In March 2007, the Slovak Parliament passed a Declaration on Kosovo in which it expressed the view that unlimited independence for Kosovo is not in the interest of regional stability. It appears that, after the NATO intervention in 1999, Kosovo's independence was the next Balkan topic intensely debated in the Slovak Parliament. However, in contrast to 1999, in 2007 all coalition and opposition parties (except the Hungarian minority party) were united in rejecting Kosovo's independence.⁴³⁹ Lukáč observes that once Slovakia obtained independence, its foreign policy did not support disintegration tendencies and was against any attempts by minority populations to leave federal entities. He emphasises that this attitude was particularly visible in the Slovak position towards Kosovo's efforts for autonomy or later for independence.⁴⁴⁰

According to Šagát, between 2004 and 2006 more attention was given to the Balkan region in Slovak foreign policy, but between 2006 and 2008 the Kosovo issue fully dominated it.⁴⁴¹ Weiss argues that for Slovakia as a member of the EU and NATO, the Kosovo issue was a 'test of responsibility, maturity and ability' in terms of not only seeing trends and interests of Slovakia's EU and NATO allies, but also in pursuing its own interests even if they did not conform to its allies, as was the case with Kosovo.⁴⁴² In Weiss's opinion, the position of Slovakia as a non-permanent member of the UN Security Council in 2006 and 2007 increased its international and

⁴³⁸ Milan Šagát, 'Slovak Foreign Policy towards the Western Balkans: Potemkin Villages', *International Issues & Slovak Foreign Policy Affairs*, 17 (2008), 45-62 (p. 49). In 2009 Slovakia participated in the preparation of the Eastern Partnership project that forms a part and is a continuation of the European Neighbourhood Policy (ENP). It is also referred to as the Eastern Dimension of the ENP. The initiative represents a new strategic dimension of cooperation with the six countries on the Eastern borders of the EU and covers Ukraine, Moldova, Belarus, Armenia, Georgia and Azerbaijan. See 'Annual Report. Ministry of Foreign Affairs of the Slovak Republic: Foreign Policy in 2009', *Ministry of Foreign Affairs of the Slovak Republic*, Bratislava, 2010, p. 40.

⁴³⁹ In addition to Slovakia, on 18 February 2008, both chambers of the Romanian Parliament adopted a Declaration confirming that it would not recognise the unilaterally declared independence of Kosovo. 357 MPs and senators supported the Declaration; 27 MPs of the Democratic Union of Hungarians voted against. See 'Spain, Romania, Cyprus lead countries which refuse to violate international law', *Kosovo Compromise*, 19 February 2008, available at <<http://www.kosovocompromise.com/cms/item/topic/en.html?view=story&id=575§ionId=1>> [accessed 15 May 2011].

⁴⁴⁰ Pavol Lukáč, 'Úvod: Slovenská zahraničná politika k Balkánu v deväťdesiatych rokoch?', in *Kosovo 1999 a slovenská spoločnosť*, ed. by Pavol Lukáč (Bratislava: Research Center of the Slovak Foreign Policy Association, 2001), pp. 4-6.

⁴⁴¹ Milan Šagát, 'Slovak Foreign Policy towards the Western Balkans: Potemkin Villages', *International Issues & Slovak Foreign Policy Affairs*, 17 (2008), 45-62 (pp. 49-50).

⁴⁴² Peter Weiss, 'Kosovské dilemy slovenskej diplomacie', *Mezinárodní politika*, 7 (2007), 22-25 (p. 23).

political co-responsibility, although Slovakia's options to influence the final decision were rather limited.⁴⁴³ As Lörincz states, by 2008, Slovak foreign policy towards the Western Balkans region 'was tied up too much by the Kosovo issue'.⁴⁴⁴ At the same time, as Šagát notes, new foreign political issues had also started to emerge. Slovak-Hungarian relations again became a source of tension.⁴⁴⁵ Just as discussions about Kosovo's independence intensified, Slovak-Hungarian relations started to worsen.

As a result, when Kosovo unilaterally declared independence, in 2008, Slovakia refused to recognise it and the Slovak Ministry of Foreign Affairs merely 'took note' of Kosovo's act.⁴⁴⁶ Surprisingly, with the exception of the Hungarian minority party, domestic politicians were united on the non-recognition of Kosovo. Lörincz thought it 'especially entertaining' that opposition leaders such as Dzurinda and Hrušovský reversed their position. In 1999 they supported the NATO bombing of Yugoslavia by pointing to the violation of human rights in Kosovo, but in 2007 they did not agree with the recognition of the province.⁴⁴⁷ At the time, and since then, scholars tried to explain the Slovak stance in a number of different ways. Five main arguments have been put forward to explain Slovakia's negative stance towards Kosovo's independence, the defining issue of Slovakia's post-2004 foreign policy.

3.4.1 Slovak-Serbian Relations

The first argument centres on Slovakia's relationship with Serbia. Weiss points out that, due to historical developments, the Slovak public and political elites have a positive connection with ex-Yugoslavia and Serbia.⁴⁴⁸ This dates back to the period between the two world wars, when Czechoslovakia, together with Yugoslavia and Romania formed the Little Entente,⁴⁴⁹ and later on, when in 1968 Yugoslavia condemned the invasion of Czechoslovakia by the Soviet and Warsaw Treaty forces.

⁴⁴³ Weiss, 'Kosovské dilemy slovenskej diplomacie', p. 23.

⁴⁴⁴ Július Lörincz, 'Slovakia and the Western Balkans: The Year 2008 – Before and After', in *Yearbook of Slovakia's Foreign Policy 2008*, ed. by Peter Brezáni (Bratislava: Research Center of the Slovak Foreign Policy Association, 2009), pp. 83-94 (p. 92).

⁴⁴⁵ Šagát, 'Slovak Foreign Policy towards the Western Balkans', pp. 49-50.

⁴⁴⁶ 'Slovenské MZV berie na vedomie jednostranné vyhlásenie nezávislosti Kosova', *Ministry of Foreign Affairs of the Slovak Republic*, Press release, 17 February 2008.

⁴⁴⁷ Lörincz, 'Assisting the Painful Process of Coming in Terms with the Past', p. 68. As he also noted, in 2007, it was forgotten in Slovakia why NATO bombed Serbia. Július Lörincz, comments to the author, 20 April 2010.

⁴⁴⁸ Weiss, *Národný záujem a zodpovednosť v slovenskej zahraničnej politike*, p. 475.

⁴⁴⁹ Július Lörincz, 'Assisting the Painful Process of Coming in Terms with the Past', *International Issues & Slovak Foreign Policy Affairs*, 17 (2008), 63-71 (p. 65).

Nevertheless, as Mojžita and Škvarna wrote in 1992, a year before Slovakia's independence, it is essential 'to maintain bonds with Yugoslavia and countries which up until recently belonged to it'.⁴⁵⁰ They further noted that 'countries such as Romania, Croatia and Serbia were in the past partly or completely together with Hungary, Slovakia and Trans-Carpathian Ukraine in the Austro-Hungarian Empire and today they form a close geographical unit in the Carpathian basin'.⁴⁵¹ It is understandable that Slovakia's common history with Serbia's province Vojvodina within the Austro-Hungarian Empire and the bonds with its minority living there have contributed to strengthening inter-country relations.⁴⁵²

Academics such as Kai-Olaf Lang refer to good relations as one of the underlying reasons behind Slovakia's stand on Kosovo's independence, demonstrated by the fact that the Western Balkans were described as a priority for Slovak foreign policy.⁴⁵³ It is fair to say that the Western Balkans were the focus of Slovak foreign policy; however, the argument that Slovakia did not recognise Kosovo because of its good relations with Serbia is of limited use. Slovakia's good relationship with Serbia was not continuous; for example Slovakia did not assume a pro-Serb stance earlier (in 1991-92 and during the NATO bombing in 1999) despite public sentiment. Therefore, one can argue that historic friendships are rarely uppermost in the minds of policy makers. However, with regard to the Kosovo case, and as will be shown, while there might have been some element of Slavic solidarity towards Serbia, it did not play a decisive role.

3.4.2 Regional Stability

A further argument points towards the destabilising potential of the region and security concerns. This is relevant when considering the region's violent wars and ethnic conflicts of the 1990s. As Sláviková argues, 'the desire to contribute to the security and stability of the Western Balkans is natural, considering the proximity of

⁴⁵⁰ Miroslav Mojžita and Dušan Škvarna, 'Národné záujmy Slovenskej republiky', *Medzinárodné otázky*, 1 (1992), 46-55 (p. 53).

⁴⁵¹ Mojžita and Škvarna, 'Národné záujmy Slovenskej republiky', p. 53.

⁴⁵² For this point see also Vladimír Bilčík, 'Foreign and Security Policy Preferences', in *From Listening to Action? New Member States in the European Union*, ed. by Darina Malová et al. (Bratislava: Comenius University, 2010), pp. 129-44 (p. 141). Serbia's province Vojvodina was part of the Austro-Hungarian Empire; the rest of Serbia belonged to the Ottoman Empire.

⁴⁵³ Kai-Olaf Lang, 'Slowakei: Keine Anerkennung, aber Partnerschaft', *Südosteuropa*, 56 (2008), 435-40 (p. 439).

the region to Slovakia's border, while recognizing that instability in its nearest neighbourhood represents a serious security concern'.⁴⁵⁴ In this respect, as Lang emphasised, the 'Declaration of the National Council of the Slovak Republic on the Solution of the Future Status of the Serbian province Kosovo' passed by the Slovak Parliament in March 2007 addressed this concern.⁴⁵⁵

Weiss notes that the Slovak representatives clearly demonstrated it was unwise to take a decision which in the mid- to long-term would lead to increased tension and conflict, not only in the Balkans, but also in other related and non-related parts of Europe.⁴⁵⁶ The US in particular viewed the situation in a different light, and due to fears of a new wave of violence similar to those of 2004, it decided to honour its promise to recognise Kosovo's statehood. Although Slovak officials presented regional stability as a relevant factor that impacted on the decision,⁴⁵⁷ the evidence presented in this thesis shows that it cannot be considered essential for the non-recognition of Kosovo; in reality, it did not drive the Slovak stance. As some interviewees confirmed, this argument was used as a 'fig leaf' to cover up the main reasons for the negative attitude towards Kosovo's statehood. This evidence will be discussed in more detail in the next chapters.

3.4.3 The Issue of International Law

The third explanation for the Slovak policy of non-recognition of Kosovo's independence hinges on the argument that independence was contrary to international law. As Szilágyi and Strážay state, Slovakia, unlike other Višegrad countries,⁴⁵⁸ claimed that the unilateral declaration of independence did not conform

⁴⁵⁴ Eliška Sláviková, 'Slovakia and Kosovo: Closer Than They Seem', in Kosovo Calling, International Conference to Launch Position Papers on Kosovo's Relation with EU and Regional Non-recognising Countries, Fondacioni i Kosovës për Shoqëri të Hapur, September 2011, pp. 27-38 (p. 28).

⁴⁵⁵ Lang, 'Slovakia', p. 439.

⁴⁵⁶ Weiss, *Národný záujem a zodpovednosť v slovenskej zahraničnej politike*, p. 474.

⁴⁵⁷ Notably, however, the same argument was used for Kosovo's recognition not only by the US but also France, Canada, Turkey, Bulgaria and others. For more details, see Grace Bolton and Gezim Visoka, 'Recognizing Kosovo's independence: Remedial secession or earned sovereignty?' *South East European Studies at Oxford*, Occasional Paper No 11/10, St Antony's College, October 2010, pp. 19-20. In regards to Turkey, it followed the line of Western countries and recognised Kosovo a day after it unilaterally declared independence. For an analysis of its foreign policy towards Kosovo's statehood, see Birgül Demirtaş Coşkun, 'Independence of Kosovo and Turkish Foreign Policy (1990-2008)', *Uluslararası İlişkiler*, 7 (2010), 51-86.

⁴⁵⁸ Czech Republic, Hungary and Poland.

to international law.⁴⁵⁹ From the Slovak point of view, being a small state meant that respect for international law was important for guaranteeing stability. Szilágyi and Strážay conclude that ‘since the EU did not develop a common position in this matter, Slovakia’s approach is respected’.⁴⁶⁰ Many politicians in Slovakia underlined the political consequences of Kosovo’s independence and emphasised the importance of complying with the UN Charter, the Helsinki Final Act of 1975, and UN Security Council Resolution 1244.⁴⁶¹ Perhaps the clearest explanation of the Slovak position on Kosovo in relation to respect of international law was given by Miroslav Lajčák, the Slovak Minister of Foreign Affairs who stated:

In our opinion, it [the unilaterally declared independence of Kosovo] violated several provisions of international law, such as the principle, according to which the right to self-determination applies only to nations and not to national minorities. We also find it difficult to accept the fact, that the independence was not declared by mutual agreement and that the decision on the choice of the predominant legal principle was not made by the international community, represented by the UN SC, but by individual states. For the same reasons, we did not recognise the unilaterally declared independence of Abkhazia and South Ossetia.⁴⁶²

Importantly, Slovakia was not alone in arguing that Kosovo’s independence violated international law. Four other EU member states – Cyprus, Greece, Romania and Spain – as well as Russia were of the same opinion.⁴⁶³ Nevertheless, despite this official line, the international law argument was not the reason why Slovak politicians did not agree to Kosovo’s independence; rather, it was used to validate its decision.⁴⁶⁴

3.4.4 The Role of Political Party Opposition

Another point explaining Slovakia’s stance on Kosovo’s independence relates to the role of domestic politics and political party opposition. Yet, from the research

⁴⁵⁹ Imre Szilágyi and Tomáš Strážay, *New Dimensions of Cooperation: Hungary and Slovakia’s Joint Involvement in the Western Balkans* (Bratislava: Research Center of the Slovak Foreign Policy Association, 2009), p. 22.

⁴⁶⁰ Szilágyi and Strážay, *New Dimensions of Cooperation*, p. 22.

⁴⁶¹ Lőrincz, ‘Slovakia and the Western Balkans’, p. 89.

⁴⁶² Miroslav Lajčák, ‘Self-Determination and Territorial Integrity: Awkward bed-fellows’, Speech of the Minister of Foreign Affairs of the Slovak Republic, Chatham House, London, 20 April 2009.

⁴⁶³ For a detailed analysis of the Russian position, see Ker-Lindsay, *Kosovo*, particularly pp. 113-17.

⁴⁶⁴ For instance, as an anonymous observer put it to the author, ‘the Slovak position was “wrapped” in the international law argument’.

conducted for this thesis, none of the international articles tackling the Slovak position have considered this a cause for the non-recognition of Kosovo.

The ‘Declaration on the status of Kosovo’ passed by the Slovak Parliament in March 2007 had a considerable impact on the official Slovak stance. Limited attention has been paid to political parties in parliamentary systems’ foreign policy-making and very few studies have looked at the role of parliament in foreign political decisions. This is largely because parliaments do not generally influence the external behaviour of states and rarely challenge governments on foreign political issues.⁴⁶⁵ However, Kesgin and Kaarbo argue that parliaments are more powerful than is often assumed.⁴⁶⁶

As Sláviková points out Slovak politicians ‘woke up’ at the beginning of February 2007 when Ahtisaari’s status plan was presented.⁴⁶⁷ To the surprise of the EU representatives, Dzurinda, the leader of Slovak opposition, initiated a discussion in Parliament with the aim of expressing a negative stance towards Kosovo’s statehood. This came as a surprise to the Prime Minister, Róbert Fico; however, he took this challenge in his favour by including Kosovo among his priorities and publicly adopting the standpoint of not recognising Kosovo.

Sláviková perceives the debate around Kosovo as one of myths and emotions – not about Serbia, Kosovo or the EU – but rather ‘about us [Slovaks]’. She argues that this debate was then presented to the wider public as a foreign political discussion about Slovak interests.⁴⁶⁸ Her claim is that, in 2005, when the status talks started, the Slovak Ministry of Foreign Affairs was aware of the necessity of the status process, as well as the responsibility arising from Slovakia’s membership in the UN Security Council (2006-2007) and the EU.⁴⁶⁹ In her view, the debate around Kosovo questioned why the opposition raised the declaration on Kosovo by the Slovak Parliament and why it did not raise the question earlier when it was in the coalition

⁴⁶⁵ See Baris Kesgin and Juliet Kaarbo, ‘When and How Parliaments Influence Foreign Policy: The Case of Turkey’s Iraq Decision’, *International Studies Perspectives*, 11 (2010), 19-36; and Heiner Hänggi, ‘The Use of Force under International Auspices: Parliamentary Accountability and ‘Democratic Deficits’, in *The Double Democratic Deficit*, ed. by Hans Born and Heiner Hänggi (Aldershot: Ashgate Publishing, 2004), pp. 3-18.

⁴⁶⁶ Kesgin and Kaarbo, ‘When and How Parliaments Influence Foreign Policy’, p. 20.

⁴⁶⁷ Sláviková, ‘How the SDKÚ Saved Slovakia’s Reputation’, p. 3.

⁴⁶⁸ Sláviková, ‘How the SDKÚ Saved Slovakia’s Reputation’, p. 3.

⁴⁶⁹ Sláviková, ‘How the SDKÚ Saved Slovakia’s Reputation’, p. 4.

(between 1998-2006) and had enough space for discussion.⁴⁷⁰ In this respect, Sláviková is the only scholar who looked at Kosovo from the domestic politics perspective.

The above suggests that the opposition party SDKÚ-DS took the step on the basis of domestic political calculations. The opposition changed its position, as during the Kosovo conflict in 1999, it had supported the NATO bombing. It would appear that these political calculations were simply part of electoral tactics.⁴⁷¹ Therefore, the domestic politics argument related to the political party opposition implies a tactical stance requiring further investigation.

3.4.5 The Notion of Kosovo as Precedent

The final argument presented in the literature is the precedent Kosovo's unilateral declaration of independence might set for other regions. Lang argues that, according to the Slovak view, the recognition of Kosovo would represent a precedent which could be used in the future by other regions or minorities for their own secessionist tendencies or autonomous aims.⁴⁷² He states that this Slovak 'fear' is connected to the Hungarian minority living in Slovakia. In other words, the precedent factor becomes important precisely because of Slovakia's own domestic minority. As Bugajski states, the Hungarian minority position 'has proved to be the most contentious nationality issue in Slovakia since democratic changes. After the "Velvet Revolution", Hungarian activists began to organize openly and to campaign for their collective rights'.⁴⁷³

Vachudova argues that during the 1999 NATO intervention, nationalist parties in Slovakia, Romania and Bulgaria considered wide territorial autonomy (possibly even independence) for Kosovan Albanians as against their countries' interests.⁴⁷⁴ To be clear, 'all three states harbour a single, politically cohesive ethnic minority whose

⁴⁷⁰ Sláviková, 'How the SDKÚ Saved Slovakia's Reputation', pp. 4-5.

⁴⁷¹ On this note, Tim Haughton noted that in Slovakia, politics is a 'battle between rival camps'. 'Going in the Right Direction: A Roundtable on the Czech and Slovak Elections of 2010 and their Aftermath', 25 October 2010, University College London, School of Slavonic and Eastern European Studies.

⁴⁷² Lang, 'Slowakei', p. 438.

⁴⁷³ Janusz Bugajski, *Ethnic Politics in Eastern Europe: A Guide to Nationality Policies, Organizations, and Parties* (London: M. E. Sharpe, 1994), p. 325.

⁴⁷⁴ Vachudova, 'The Atlantic Alliance and the Kosovo Crisis', p. 214.

aspirations for greater autonomy are threatening to some part of the majority nation'.⁴⁷⁵ On this note, Vachudova states: 'While Poland, the Czech Republic, and Hungary are relatively homogenous, in Slovakia, Bulgaria, and Romania one cohesive ethnic minority forms about 10 percent of the population'.⁴⁷⁶ In Slovakia and Romania, it is the Hungarian minority and, in Bulgaria, the Turkish minority. In this respect, Bulgaria remains the exception because, despite its 10 percent Turkish ethnic minority, it recognised Kosovo. That said, before Kosovo's declaration of independence, Bulgarian president Georgy Parvanov stated that Bulgaria would recognise Kosovo only if the EU took a unified stance on the issue. Ivailo Kalfin, the Bulgarian Minister of Foreign Affairs, further claimed that Kosovo's independence would destabilise the region.⁴⁷⁷

As Brzica and colleagues state, although no Hungarian party in Slovakia has articulated overtly secessionist demands, over the years they have repeatedly called for autonomy and devolution of power to a local level of government.⁴⁷⁸ However, Lörincz argues that the Hungarian minority in Slovakia, even its most radical party – the Party of Hungarian Coalition (SMK) – was unfairly accused of secessionist tendencies.⁴⁷⁹ Since 2006, the politics of the Hungarian minority representatives have become more radicalised and the Kosovo issue stirred the domestic political scene, even though the representatives of the Hungarian minority parties distanced themselves from any similarity with Kosovo in terms of demands.

As Marušiak rightly argues, despite the fact that Slovakia is a member of the EU (the same also applies to Romania, where a large Hungarian minority lives)⁴⁸⁰ and the Hungarian minority has unlimited options for contacts with Hungary, the importance of the 'minority agenda' increased in Hungarian political discourse.⁴⁸¹ Šagát points

⁴⁷⁵ Vachudova, 'The Atlantic Alliance and the Kosovo Crisis', p. 214.

⁴⁷⁶ Vachudova, 'The Atlantic Alliance and the Kosovo Crisis', p. 219, footnote 34.

⁴⁷⁷ Stephan Orth, Nadine Michel and Maike Jansen, 'Breakaway Role Model: Separatist Movements Seek Inspiration in Kosovo', *Spiegel Online International*, 22 February 2008, available at <<http://www.spiegel.de/international/europe/0.1518.537008.00.html>> [accessed 17 May 2011].

⁴⁷⁸ Daneš Brzica, Zuzana Poláčková and Ivo Samson, 'The Slovak Republic: Bridge between East and West', in *Mittleuropa: Between Europe and Germany*, ed. by Peter J. Katzenstein (Oxford: Berghahn Books, 1997), pp. 192-239 (p. 228).

⁴⁷⁹ Lörincz, 'Slovakia and the Western Balkans', p. 89.

⁴⁸⁰ According to the last census from 2011, the Hungarian minority in Romania accounts for about 6.5 percent (i.e. 1,237,746) of the total population. See 'Press release on the provisional results of the 2011 Population and Housing Census', Central Population and Housing Census Commission, *National Institute of Statistics*, Romania, 2 February 2012.

⁴⁸¹ Marušiak and others, 'Slovak Foreign Policy', p. 404.

out that since 2006 Slovak-Hungarian bilateral relations have once again emerged as an important foreign policy issue in Slovakia.⁴⁸² As Szilágyi and Strážay put it, the Slovak-Hungarian relationship has consumed a lot of the time and energy of high ranking Slovak diplomats in recent years.⁴⁸³

The literature has in the main criticised Bratislava's opposition to Kosovo's independence and considered the role of the ethnic Hungarian minority as decisive in its negative position to Kosovo. Lörincz argues that the Slovak view is 'a bit beyond reality', considering the evolution of the situation in Kosovo; he questions whether the stand of the five EU countries does not in fact negatively impact the dynamics of Western Balkan integration into the EU.⁴⁸⁴ He further states that the Slovak position was based on a one-sided perspective, as it looked at the case through the prism of minority issues and did not take into account the tragedy of Albanians in Kosovo.⁴⁸⁵ In fact, Lörincz dismisses the previously officially presented violation of international law as a reason behind the Slovak political elite's decision. He agrees with the view of a social anthropologist, Juraj Buzalka,⁴⁸⁶ who states that the 'Slovak policy on Kosovo is primarily dictated by the fear of acceptance of multi-ethnicity in its own state, and so mainly by the fear of the Hungarian minority'.⁴⁸⁷ Šagát notes that the Kosovo issue has overshadowed other foreign political issues in Slovakia, arguing that 'instead of becoming part of the solution, Slovakia became part of the problem'.⁴⁸⁸ In this light, he claims that through this act Slovakia destroyed its reputation and chance of shaping international policy in Kosovo.⁴⁸⁹

One of the few authors supportive of the Slovak decision is Weiss, who notes that Slovakia faced a dilemma of how to ensure it would not be subject to a domestic and foreign territory contest – based on the Kosovo case – sometime in the future.⁴⁹⁰ Several other authors highlight that the Slovak decision is based on the ethnic question. Dunay emphasises that Spain and some East-Central European states, such

⁴⁸² Šagát, 'Slovak Foreign Policy towards the Western Balkans', p. 49.

⁴⁸³ Szilágyi and Strážay, *New Dimensions of Cooperation*, p. 24. Chapter 5 will look in detail at the relationship.

⁴⁸⁴ Lörincz, 'Assisting the Painful Process of Coming in Terms with the Past', p. 69.

⁴⁸⁵ Lörincz, 'Slovakia and the Western Balkans', p. 89.

⁴⁸⁶ Lörincz, 'Trauma slovenskej zahraničnej politiky', p. 13.

⁴⁸⁷ Juraj Buzalka, 'Nezávislosť Slovenska a Kosovo', *Pravda*, 28 July 2010, p. 35.

⁴⁸⁸ Šagát, 'Slovak Foreign Policy towards the Western Balkans', p. 46.

⁴⁸⁹ Šagát, 'Slovak Foreign Policy towards the Western Balkans', p. 46.

⁴⁹⁰ Weiss, 'Kosovské dilemy slovenskej diplomacie', p. 24.

as Romania and Slovakia, challenged Kosovo's independence due to their concerns regarding the creation of states based on ethnicity.⁴⁹¹ Likewise, MacShane argues that it was the fear of 'the nationalist claims from Budapest over the Hungarian-speaking areas' in Romania and Slovakia that prevented these two countries from recognising Kosovo's independence; they demonstrated the EU's inability 'to stop the vulgar nationalist language of the Hungarian right as they assert claims to Slovakian and Romanian territory where Hungarian ethnic groups live'.⁴⁹²

As Ker-Lindsay argues, without UN authorisation, the countries that did not recognise Kosovo's independence were concerned about its implications on themselves.⁴⁹³ In Judah's view, some countries remained unconvinced of the merits of recognising Kosovo due to their own issues. As he suggests, 'Slovakia and Romania are worried about their Hungarian minorities'.⁴⁹⁴ Similarly, Perritt notes that the European states looked at Kosovo in relation 'to their own intractable ethnic problems'.⁴⁹⁵ Regarding the challenges to European unity Perritt points out:

Not only the usual suspects – Greece, Slovakia, and perhaps Spain – were sceptical about independence, smaller states and individual actors also demonstrated an unhelpful naiveté about the Kosovo problem, believing they could come up with some idiosyncratic solution that should be pursued instead of the Ahtisaari recommendation.⁴⁹⁶

This overview demonstrates that Slovakia's ethnic minority problem was identified as the most relevant argument for the Slovak stand on Kosovo. On this note, two points need to be highlighted. First, the impact of ethnic politics on decision-making in recognition issues, as was the case with the Slovak non-recognition of Kosovo, has not been the focus of a wide debate. For example, Richard Caplan's book *Europe and the Recognition of New States in Yugoslavia* looked at the recognition policy applied in the 1990s by the EC (now EU) towards the new states in Yugoslavia, but did not address the role of states' own ethnic political issues in decisions to

⁴⁹¹ Pál Dunay, 'The Changing Political Geography of Europe: after EU and NATO Enlargements', in *European Security in a Global Context: Internal and External Dynamics*, ed. by Thierry Tardy (London: Routledge, 2009), pp. 74-92 (p. 81).

⁴⁹² Denis MacShane, *Why Kosovo Still Matters* (London: House Publishing Ltd, 2011), p. 120.

⁴⁹³ Ker-Lindsay, *Kosovo*, p. 121.

⁴⁹⁴ Tim Judah, *Kosovo: What Everyone Needs to Know* (Oxford: Oxford University Press, 2008), p. 135.

⁴⁹⁵ Perritt, *The Road to Independence for Kosovo*, p. 134.

⁴⁹⁶ Perritt, *The Road to Independence for Kosovo*, pp. 187-88. As an example, Perritt mentions Italy. In his view, at the beginning of 2007, the Prodi government surprised the EU and UNOSK with statements which questioned the desirability of Kosovo's independence.

recognise the seceding Yugoslav republics.⁴⁹⁷ On the other hand, Judith Kelley looked at ethnic politics but not from the perspective of foreign policy decision-making, focusing instead on how EU institutions used various norms and incentives to shape domestic policies towards ethnic minorities in the candidate countries, Slovakia included.⁴⁹⁸ This thesis thus contributes to this literature by examining the Slovak position towards Kosovo on the basis of ethnic politics and emphasises its impact on the decision-making process.

An analysis of the political context in which Slovakia decided to refuse recognition of Kosovo's statehood is also absent in the literature. The role of Hungarian politicians and representatives of the Hungarian minority in Slovakia at that time were not taken into account. One should not look at the Kosovo issue as an isolated Slovak foreign political issue. To understand how the ethnic minority element could have had such a strong influence on the Slovak decision it needs to be put in a necessary context.

In comparison to the previous argument about the role of political party opposition, which was of a tactical nature, the precedent argument can be characterised as a principled stance. However, to appreciate the importance of the precedent argument it is necessary to understand the wider political context in which the decision of Kosovo's non-recognition was taken and look at relations between Slovakia, Hungary and the Hungarian minority living in Slovakia. These factors contributed to the Slovak position, but a detailed analysis of this account, as undertaken in this thesis, is absent in the literature.

Conclusion

Since 2004, as a member of the EU and NATO, Slovakia has had a more secure and influential standing in terms of stating its opinions on foreign political issues. The Slovak minority's position on the Kosovo issue was 'accepted' in the European Union, as the EU left it up to individual states to decide.

⁴⁹⁷ See Richard Caplan, *Europe and the Recognition of New States in Yugoslavia* (Cambridge: Cambridge University Press, 2005).

⁴⁹⁸ See Judith Green Kelley, *Ethnic Politics in Europe: the Power of Norms and Incentives* (Princeton: Princeton University Press, 2004).

The literature highlights five arguments that explain the position of the Slovak Government on the status of Kosovo. The role of political party opposition, the notion of Kosovo as precedent and the issue of international law have more weight than arguments on the historical relationship with Serbia and regional stability. However, key gaps remain. Although much has been written about the importance of the Balkans in Slovak foreign policy, the Slovak position towards Kosovo has not been a widely debated topic. Various academic sources identified the importance of precedent (the ethnic minority problem) as being decisive in terms of Slovakia's non-recognition of Kosovo, but the political context in which this decision was taken has not been examined.

The relationship between Hungary and Slovakia, particularly in terms of the Hungarian minority living in the latter, is a legacy of historical developments in this area. The evidence examined suggests that the relevance of the precedent argument increased through tensions in Slovak-Hungarian relations, and for this reason it needs to be further explored. In other words, the wider context and the role of contingent factors in the Slovak debate on Kosovo's independence need to be understood in regard to the Hungarian minority issue.

Šagát argues that Slovak foreign policy has always been influenced by domestic politics⁴⁹⁹ and this seems to have some relevance. However, with the exception of the work of Sláviková, there is an absence of any detailed analysis of internal dynamics, i.e. the impact of political party opposition on the Slovak stance towards Kosovo.

This chapter identified two principal domestic factors that shaped Slovakia's policy on Kosovo: party politics (i.e. the role of political party opposition) and Slovakia's own ethnic Hungarian minority. As these two factors have not been analysed in any depth, this thesis seeks to fill this gap and explain how they interplayed to produce Slovak opposition towards Kosovo's independence. The following chapters will discuss the two arguments this thesis considers central to understanding Slovak policy on Kosovo. Chapter 4 will look at the role of political party opposition and its

⁴⁹⁹ Šagát, 'Slovak Foreign Policy towards the Western Balkans', p. 50.

impact on the Slovak position towards Kosovo. It will also emphasise the fact that Kosovo became a key issue for Slovakia in its relations with the EU and other powers in the world because at a crucial time, it was a non-permanent member of the UN Security Council (2006-2007). The role of the Hungarian minority in Slovakia and the notion of Kosovo as a precedent will be examined in Chapter 5.

CHAPTER 4: Impact of Political Party Opposition on Slovakia's Policy towards Kosovo's Independence

*'Slovakia would be absolutely key to maintaining European unity in the UNSC on Kosovo status [...]'*⁵⁰⁰

Introduction

This chapter reflects on the key period of Slovakia's two year membership of the United Nations Security Council (UNSC) in 2006-2007, explores the Slovak parliamentary resolution on Kosovo, and shows why the Slovak position on Kosovo became a domestic political issue used by political parties – particularly their leaders – as a tactical tool to regain or remain in power. At the same time, it demonstrates the pressure coming from the external environment, particularly the US and EU, illustrating how the decision was taken to resist it on the back of domestic political factors. The objective is to show how significant pressure by major external powers on a country, particularly a small state, does not always produce the desired, if not expected, results. Furthermore, the chapter emphasises that small states, despite their size and power, can still pursue an independent policy regardless of external pressures.

On 28 March 2007, the Parliament of Slovakia – the National Council of the Slovak Republic – surprised the US and EU when it passed a Declaration on Kosovo's status refusing to recognise Kosovo's independence without Belgrade's consent. This was one of the most significant foreign policy decisions taken by Slovakia since independence. The Declaration bound the Slovak government to a reserved position towards Kosovo's statehood that went against the initial policy of the Ministry of

⁵⁰⁰ US UN Political Minister-Counsellor William Brencick was reported to note during his meeting with the Political Coordinator of Slovakia's Diplomatic Team on the UN Security Council, Michal Mlynár. See 'Slovakia will not discuss status issues during UNSC UNMIK meeting', US mission UN New York, reference ID 07USUNNEWYORK, 17 March 2007, <<http://wikileaks.org/cable/2007/03/07USUNNEWYORK215.html>> [accessed 3 May 2012].

Foreign Affairs (MFA), which was supportive of the Ahtisaari plan favouring a conditional recognition of Kosovo. As a result, the MFA was left in a very difficult position navigating between conflicting pressures from the external and domestic environments.

The Slovak Parliament's decision was puzzling not only because it went against the view of the Slovak MFA. Slovakia, as a member of the EU and NATO, was traditionally a strong ally of the US and had established a tradition of siding with its EU and US partners on foreign political issues.⁵⁰¹ However, the biggest surprise was that the debate on Kosovo was initiated by Mikuláš Dzurinda, the leader of the Slovak opposition, who had, during his two terms as Prime Minister (1998-2002, 2002-2006), always been seen as closely aligned to US positions. For instance, in 1999, despite strong public opposition, Dzurinda's government opened Slovak airspace for the NATO bombing of Serbia.⁵⁰² Similarly, in 2003, his government supported the military action against Iraq; as in 1999, this was not backed by a UN mandate. Clearly, on both occasions, Slovakia aligned itself with its Western partners despite public sentiments. However, following the unveiling of the Ahtisaari plan, Dzurinda took a tactical step and challenged the government by arguing that Kosovo should not be granted independence without Belgrade's consent, and that Slovakia should be ready to stand outside the EU mainstream. Thus, Slovakia's resistance to recognise an independent Kosovo came as a surprise. What made this resistance not just surprising but also significant was the fact that Slovakia was a non-permanent member of the UNSC at the time. It was therefore directly involved in the debates on the future status of Kosovo. This fact considerably increased Bratislava's importance.

Analysis of the interactions between the international actors, the Slovak MFA and the Slovak Parliament will explain why Slovakia implemented the non-recognition policy despite initial, albeit private, indications from the MFA that Slovakia would be willing to support Kosovo's independence.

⁵⁰¹ As a Senior European diplomat put it, 'Slovakia, up to that point [Slovak Parliament's Declaration on Kosovo] had pursued a line of being in the EU mainstream. Slovaks continued to be very anxious and nervous about departing from the EU mainstream'. Senior European diplomat, comments to the author, April 2011. In light of this, an anonymous source also noted: 'We [Slovakia] are strong in collective but not as an individual'.

⁵⁰² This point was discussed in detail in the previous chapter.

4.1 The Ahtisaari Process and UNSC Debates on Kosovo

The end of 2005 marked two important moments. First, on 10 October, Slovakia was elected as a non-permanent member of the UNSC for the period 2006-2007.⁵⁰³ Secondly, on 10 November, former Finnish President Martti Ahtisaari was approved by the UNSC as the Special Envoy for the future status process of Kosovo.⁵⁰⁴ Significantly, the Slovak membership in the SC coincided with the duration of the Kosovo status talks led by Ahtisaari; thus, the Slovak involvement in the Kosovo debate was crucial. The then Slovak Minister of Foreign Affairs, Eduard Kukan, even stated that ‘it is a happy coincidence that exactly during our time in the SC, issues where we want to be active [...] and where it is expected from us that we will be active will be decided. And that is exactly Kosovo’.⁵⁰⁵ Due to Slovakia’s membership in the UNSC and its knowledge about the region, Ahtisaari officially travelled twice to Bratislava in 2006 to meet with Slovak MFA representatives – in April with the Minister of Foreign Affairs, Kukan, and later in November with the Director of the Political Section at the MFA, Lajčák.⁵⁰⁶

Indeed, when Slovakia assumed its Security Council seat in January 2006, the Slovak Ministry of Foreign Affairs stated that priority attention would be given to the Western Balkans, particularly to the issue of Kosovo’s status.⁵⁰⁷ This emphasis

⁵⁰³ In the UN General Assembly, Slovakia was elected to the UNSC by 185 votes out of 191 cast. This support by an overwhelming majority of UN members was considered a considerable success for Slovak diplomacy. ‘Slovak candidacy and election to the seat of a non-permanent member on the UN Security Council for the 2006-2007 term of office’, *Press release*, Ministry of Foreign Affairs of the Slovak Republic, accessed 18 March 2007.

⁵⁰⁴ See ‘Letter dated 10 November 2005 from the President of the Security Council addressed to the Secretary-General’, *UN Security Council Document*, S/2005/709, 10 November 2005. The Annex of the letter included ten guiding principles agreed by the Contact Group that were to be considered as a basis for the final decision on the future status of Kosovo. Importantly, Principle 6 stated: ‘The settlement of Kosovo’s status should strengthen regional security and stability. Thus, it will ensure that Kosovo does not return to the pre-March 1999 situation. Any solution that is unilateral or results from the use of force would be unacceptable. There will be no changes in the current territory of Kosovo, i.e. no partition of Kosovo and no union of Kosovo with any country or part of any country. The territorial integrity and internal stability of regional neighbours will be fully respected’.

⁵⁰⁵ ‘Eduard Kukan: Dohoda o rozpočte únie je možná’, *Hospodárske Noviny*, 26 October 2005.

⁵⁰⁶ As Ahtisaari explained in April 2006, it was important for him to visit Bratislava because ‘first of all Slovakia is extremely knowledgeable about the region. Secondly, Slovakia is a member of all the important organizations European Union, NATO, OSCE, and is at the moment also in the Security Council’. See ‘Statement by Special Envoy Martti Ahtisaari during his joint press conference with Foreign Minister Eduard Kukan of Slovakia’, 21 April 2006, Bratislava, available at <<http://www.unosek.org/unosek/en/pressconf.html>> [accessed 5 May 2012]. But perhaps one could argue that the Slovak experience in the region was not fully appreciated and used in solving the Kosovo question. Also having in mind a comment made in the 2007 Annual Report of the Slovak Ministry of Foreign Affairs, ‘it is often the small states which are able to offer and mediate solutions where large countries have failed to do so’, more could have been done in using the Slovak potential. ‘Annual Report. Ministry of Foreign Affairs of the Slovak Republic: Foreign Policy in 2007’, *Ministry of Foreign Affairs of the Slovak Republic*, Bratislava, 2008, p. 11.

⁵⁰⁷ ‘Slovakia’s membership in the UN Security Council (2006-2007)’, *Press release*, Ministry of Foreign Affairs of the Slovak Republic, accessed 18 March 2007. Other areas of Slovak interest on the SC included Cyprus, Eastern Europe and the Middle East. Later in June 2006, Slovakia opened a Liaison office in Pristina, as due to its SC membership it wanted to be informed and have closer contact with Kosovo. Slovak diplomatic

reflected the considerable experience that many Slovak diplomats had with the region, which had become a long term Slovak foreign policy priority. In the 1990s, Slovakia was involved in the Balkans through the so called ‘Bratislava process’ (1999-2002), which organised meetings between the Serbian opposition and non-governmental organisations on ‘neutral’ territory of Bratislava to facilitate discussions about the removal of Milošević’s regime.⁵⁰⁸ During this time, Eduard Kukan, the then Slovak Minister of Foreign Affairs, was the UN Secretary-General’s Special Envoy to the Balkans (1999-2001). Another key actor was Miroslav Lajčák. A former Slovak Ambassador to the Federal Republic of Yugoslavia (later Serbia and Montenegro), Albania and Macedonia (2001-2005), as Personal Representative of the EU High Representative for Common Foreign and Security Policy he oversaw the Montenegrin referendum on independence in 2006; he undertook this task together with František Lipka, another Slovak diplomat, who served as the Referendum Commission President (Chairman of the Electoral Commission). After 2006, Slovak diplomatic activity in the Balkans remained high, when Lajčák became the High Representative/EU Special Representative in Bosnia and Herzegovina (2007-2009). More recently, Lajčák was Managing Director for Russia, Eastern Neighbourhood and the Western Balkans in the European External Action Service (2010-2012) – a post considered one of the most important within the Service.⁵⁰⁹ For these reasons, Slovakia clearly had considerable experience with the Western Balkans, and thus was likely to take a strong position in the debate on Kosovo’s status.

Ahtisaari’s main mandate was to resolve Kosovo’s status after a number of years under the rule of the United Nations Interim Administration Mission in Kosovo (UNMIK), which was established in Kosovo following the 1999 NATO bombing

representative, comments to the author, 26 October 2009. The Liaison office operates as a branch of the Slovak Embassy in Belgrade and is accredited to the UNMIK, established under UNSC Resolution 1244 (1999).

⁵⁰⁸ For more on the Bratislava Process, see Miroslav Mojžita, *Belehrad: Poznámky 1995 - 2001* (Bratislava: Dilema, 2003). Mojžita was Slovak Ambassador to Belgrade between 1997 and 2001. Currently, he is Ambassador to Bosnia and Herzegovina.

⁵⁰⁹ See ‘EU High Representative Catherine Ashton appoints two Managing Directors for the External Action Service’, *European Union Press Release*, A 258/10, Brussels, 14 December 2010. In April 2012, Lajčák was appointed the Slovak Minister of Foreign Affairs. In any case, Slovakia continues to be actively involved in the region; for instance, most recently, since January 2013 the Slovak Embassy in Serbia has served as a contact NATO Embassy in Belgrade. However, as Lajčák confirmed, Slovakia has no plans to interfere in Belgrade’s relationship with NATO. As for Serbia’s interest in becoming a member of NATO, Serbian President Tomislav Nikolić clearly stated that he would never propose it even if Serbs themselves would ever wish so. ‘Slovensko preberá úlohu kontaktnej ambasády NATO v Srbsku’, *TA3*, 6 January 2013.

against Serbia.⁵¹⁰ UNMIK was created under Resolution 1244 (1999) in order to oversee Kosovo until its status would be settled. However, the resolution was not specific in giving direct time frames or stating what the final settlement should look like. More importantly, it confirmed the territorial integrity and sovereignty of the then Federal Republic of Yugoslavia.⁵¹¹ Violent riots in Kosovo in 2004 exposed the necessity to deal with Kosovo's final status. Washington's message to Pristina was that the final result would be independence, so Kosovo Albanians had no intention to consider any other alternative than independence. Taking this into consideration, negotiations on Kosovo's status aimed to validate a decision made long before the start of the talks and provide a cover for Serbia's anticipated loss.⁵¹²

Between February 2006 and March 2007, Ahtisaari led status talks between Belgrade and Pristina; however, after a year of negotiations no agreement was reached between the parties on the final settlement of the province.⁵¹³ It was evident that Kosovo Albanians would not agree to anything other than independence. However, this was unacceptable to Serbia. As far as the US was concerned, it openly supported Ahtisaari's efforts for Kosovo's independence. This had a major impact. As an EU Commission official noted, 'if you have the US behind your back then you don't want anything else, no other alternative'. Significantly, he added, 'in the middle, it's full of options, but get me a set of politicians from each side [Kosovo and Serbia] who would do it, who would compromise, and then go back to their country and get re-elected. It would not happen'.⁵¹⁴ Despite the existence of these options, Ahtisaari was from the very beginning clear on what he considered should be the final settlement – there was no alternative to independence.⁵¹⁵ This not only raised

⁵¹⁰ For a detailed account of NATO's air campaign, see Michael McCgwire, 'Why did we bomb Belgrade?', *International Affairs*, 76 (2000), 1-23.

⁵¹¹ UN Security Council Resolution 1244 (1999), 10 June 1999.

⁵¹² Doug Bandow, 'Washington's Destabilising Crusade', in *Kosovo: The Score 1999-2009* (Washington D.C: The American Council for Kosovo and The Lord Byron Foundation for Balkan Studies, 2009), pp. 21-30 (p. 24).

⁵¹³ For two different views on the Ahtisaari plan, see James Ker-Lindsay, *Kosovo: The Path to Contested Statehood in the Balkans* (London and New York: I.B.Tauris, 2009) and Henry H. Perritt Jr., *The Road to Independence for Kosovo: A Chronicle of the Ahtisaari Plan* (Cambridge: Cambridge University Press, 2010).

⁵¹⁴ European Commission official, comments to the author, July 2010. A point raised by this official in order to resolve Kosovo's status was the need for finding some 'face-saving formula' for the Serbs.

⁵¹⁵ A Senior Slovak diplomat noted that he was very disappointed about how Ahtisaari led the status talks. 'The destiny of Kosovo was decided during the NATO operation. US then said that Kosovo would become independent and the Kosovars did not want to accept anything else'. He also suggested that the status could have been solved if some influential world figure would have been involved in it. Comments to the author, July 2010. For a comprehensive analysis of Ahtisaari's role in the negotiations and his perceptions of Kosovo's independence, see James Ker-Lindsay, 'The Importance of Process in Peacemaking', *Peace Review: A Journal of Social Justice*, 22 (2010), 57-64; and Ker-Lindsay, *Kosovo*, particularly pp. 110-13.

questions about his impartiality,⁵¹⁶ it also made the search for consensus within the UNSC more difficult. An anonymous observer noted that, from the start, Ahtisaari had emphasised that he had a one year mandate for resolving Kosovo's status and was not interested in extending the status talks. As Ahtisaari confirmed, already in November 2005 he had told the Serbian Prime Minister Koštunica that he had lost Kosovo.⁵¹⁷ Ahtisaari's approach to the status talks was perhaps most clearly demonstrated by a comment he made on mediation and peace talks: 'Without exception, if you cannot have the US government behind your back, you can go home'.⁵¹⁸

During the UNSC debates between February 2006 and December 2007, it became clear that there were two groups among the permanent members. The first group, made up of the US, the UK and France, emphasised that Kosovo was a 'special case'. The status decision was to be reached during 2006 and needed to be accepted by the population of Kosovo. For example, during the SC debates, the UK representative to the UN noted that 'independence is an option for Kosovo – some would say that it is the only option that will bring lasting peace and security to the region'.⁵¹⁹ In December 2006, the UK openly stressed the growing likelihood of

⁵¹⁶ It is perhaps telling that Ahtisaari even considered himself 'half American'. Between 1977 and 1991 Ahtisaari lived in New York. See 'Ambassador Barrett meets with former Finnish President Ahtisaari', US Embassy Helsinki, reference ID 08Helsinki270, 24 June 2008, <<http://wikileaks.org/cable/2008/06/08HELSINKI270.html>> [accessed 4 June 2012]. Notably, Ahtisaari himself did not agree that a mediator has to be neutral. He asked rhetorically: 'Neutral from what?' Rather, he considered that a mediator needs to be 'an honest broker'. 'An afternoon with Martti Ahtisaari', Public event, London School of Economics and Political Science, 26 November 2012.

⁵¹⁷ 'An afternoon with Martti Ahtisaari', Public event, London School of Economics and Political Science, 26 November 2012. In fact, Ahtisaari was quite blunt in his message to the Russians. As he noted, he had said to them: 'You better tell the Serbs that if they want to join the EU, they better recognise Kosovo'. In this respect, Miroslav Lajčák, the Slovak Minister of Foreign Affairs, commented that unlike the split of Czechoslovakia which was 'good and friendly', in the cases of former Yugoslavia and the Soviet Union, 'part of the problem was that somebody else wanted to tell you what's better for you'. Responding to a question from the audience asking for 'advice' to English people in respect to the planned 2014 referendum on Scottish independence – from the perspective of the Slovak experience – Lajčák, emphasising he did not want to give advice, nevertheless made a significant comment in relation to England's view on the issue: 'Listen to your partners, ask them what makes them feeling uncomfortable. Don't try to answer for them; don't tell them what's better for them. You might believe in that but everybody should know what's best for them'. In light of Lajčák's latter comment, had this approach been adopted also with Kosovo, would the status have been solved by now? 'EU on a Cross-road and the Future of Our European Project – a View from Central Europe', Lecture with Miroslav Lajčák, LSE European Institute Perspectives on Europe, London School of Economics and Political Science, 13 February 2013.

⁵¹⁸ 'An afternoon with Martti Ahtisaari', Public event, London School of Economics and Political Science, 26 November 2012. As one anonymous source told the author, the outcome of the status talks was clear from the start and the way Ahtisaari led the talks was 'an example of how not to do it'. As this source explained, 'Ahtisaari didn't show an indication of compromise; he didn't understand the situation and the mentality'. As a result of this complete lack of understanding, both sides – Belgrade and Pristina – were just fighting over 'how not to agree'.

⁵¹⁹ 5522nd Meeting of the Security Council, *UN Security Council Document*, S/PV.5522, 13 September 2006, p. 15.

independence.⁵²⁰ The second group, consisting of Russia and China, supported ‘no strict time frames’, and emphasised the need to respect international law (including UN Resolution 1244) and Serbia’s territorial integrity. They also stressed the necessity of endorsing any decision on Kosovo’s status through a new SC resolution. In contrast to the US, Russia considered 2006 as an artificial target for settling Kosovo’s status and argued that a solution could not be imposed on Belgrade.⁵²¹ For Russia, independence of Kosovo without Belgrade’s consent was not acceptable due to violation of international law, given that Resolution 1244 recognised Kosovo as Serbian territory.⁵²² Matters were further complicated by the issue of South Ossetia and Abkhazia, which the West continued to see as inalienable parts of the Republic of Georgia.⁵²³ As Fawn notes, Russia strongly objected to the application of Western double standards to Kosovo. While Western governments frequently insisted that they respected the inviolability of all state boundaries, they considered Serbia an exception.⁵²⁴

The differences between Ahtisaari and Moscow became evident during the UNSC debates on Kosovo. During a closed meeting in July 2006 Ahtisaari briefed the SC on his progress in overseeing the Kosovo status process.⁵²⁵ As a leaked US cable revealed, at the end of these consultations there was an exchange of arguments between Ahtisaari and the Russian representative, Vitaly Churkin. Ahtisaari argued that the violence against Kosovars during the Milošević period could not be forgotten, whereas Churkin commented that repressions during Milošević should be

⁵²⁰ 5588th Meeting of the Security Council, *UN Security Council Document*, S/PV.5588, 13 December 2006.

⁵²¹ 5373rd Meeting of the Security Council, *UN Security Council Document*, S/PV.5373, 14 February 2006.

⁵²² The US was aware of the legal difficulties presented in the case of Kosovo. A leaked US cable reporting on a meeting, held on 25 April 2006 between UN Secretary-General Kofi Annan and the US Special Representative for the Kosovo Final Status Talks, Ambassador Frank Wisner, notes how Wisner confirmed the US believed that the status would be completed in 2006 and that Ahtisaari’s report would be approved by the UNSC, making it ‘a chapeau under which Kosovo could become independent’. Significantly, Wisner was reported to comment that ‘one question to be addressed was precedent for the UN disassembling a legally sovereign nation. It would be necessary to study whether there was anything useful in past cases such as East Timor’. However, Annan did not consider East Timor or Ethiopia/Eritrea cases applicable as both included referenda and in the case of Kosovo the international community would be ‘acting by fiat’. See ‘Ambassador Wisner discusses Kosovo status process with Secretary General Annan’, US mission at UN New York, reference ID 06USUNNEWYORK882, 27 April 2006, <<http://wikileaks.org/cable/2006/04/06USUNNEWYORK882.html>> [accessed 6 May 2012].

⁵²³ James Ker-Lindsay, ‘Between “Pragmatism” and “Constitutionalism”’: EU-Russian Dynamics and Differences during the Kosovo Status Process’, *Journal of Contemporary European Research*, 7 (2011), 175-94 (p. 184). In August 2008, after a military conflict, Russia eventually recognised Abkhazia and South Ossetia. ‘Russia recognised Abkhazian & South Ossetian independence’, *RT TV*, 26 August 2008. For more details on these two cases of contested session, see James Ker-Lindsay, *The Foreign Policy of Counter Secession: Preventing the Recognition of Contested States* (Oxford: Oxford University Press, 2012), pp. 47-53.

⁵²⁴ Rick Fawn, ‘The Kosovo-Montenegro-effect’, *International Affairs*, 84 (2008), 269-94 (p. 292).

⁵²⁵ ‘Official communiqué of the 5485th (closed) meeting of the Security Council’, *UN Security Council Document*, S/PV.5485, 13 July 2006.

dealt with in The Hague and not during the status process. According to this cable, Ahtisaari claimed that the status process could not be separated from the history of the region.⁵²⁶ On a different occasion, in May 2006, when Ahtisaari briefed the Contact Group along with Greece, Slovakia and Denmark, he was reported to note that his answer to Serbian political leaders' arguments that Serbia should not be punished for Milošević was: 'nor should you be rewarded'.⁵²⁷

As far as Slovakia was concerned, in the SC in 2006 it occupied middle ground on the question of Kosovo's status and refrained from any direct statements on the option of Kosovo's independence. While it confirmed support for the Ahtisaari process, it advocated a compromise between the parties.⁵²⁸ Peter Burian, the Slovak representative to the UN, highlighted the significance of refraining from any type of statements which would give the impression that the outcome of the status talks was predetermined.⁵²⁹ This point was repeatedly mentioned during the SC meetings. Mainly, Burian emphasised that Kosovo's future status should be disconnected from other developments, so that it would not serve as a precedent for other conflict situations. In the UNSC Slovakia advocated a solution taking into account both Belgrade's and Pristina's concerns and expressed belief that all options for the status outcome should remain on the table.⁵³⁰ Similarly to Russia, Slovakia supported longer-lasting negotiations and was not in favour of a quick final settlement.⁵³¹ However, in general terms, it appeared as though Slovakia was in alignment with its key Western partners. As will be discussed in the next section, in private meetings with US officials Slovak representatives expressed support for Kosovo's independence.

⁵²⁶ 'Special Envoy Ahtisaari briefs UNSC on Kosovo future status talks', US mission UN New York, reference ID 06USUNNEWYORK1378, 18 July 2006, <<http://wikileaks.org/cable/2006/07/06USUNNEWYORK1378.html>> [accessed 2 May 2012].

⁵²⁷ 'UNMIK/Kosovo: Ahtisaari Briefs Contact Group', US mission UN New York, reference ID USUNNEWYORK1010, 18 May 2006, <<http://wikileaks.org/cable/2006/05/06USUNNEWYORK1010.html>> [accessed 6 May 2012].

⁵²⁸ See 5522nd Meeting of the Security Council, *UN Security Council Document*, S/PV.5522, 13 September 2006, p. 16; 5588th Meeting of the Security Council, *UN Security Council Document*, S/PV.5588, 13 December 2006, p. 15.

⁵²⁹ 5373rd Meeting of the Security Council, *UN Security Council Document*, S/PV.5373, p. 18. Peter Burian was Permanent Representative of Slovakia to the UNSC (2006-2007). Following this post he was Slovak Ambassador to the US (2008-2012) and since April 2012 has served as the State Secretary of the Ministry of Foreign Affairs of the Slovak Republic.

⁵³⁰ 5373rd Meeting of the Security Council, *UN Security Council Document*, S/PV.5373, pp. 18-19.

⁵³¹ As Eduard Kukan, former Slovak Minister of Foreign Affairs, noted, more time was needed for the negotiations and more work was required on the final status. Comments to the author, 13 July 2010.

As predicted, the status talks led by Ahtisaari brought no progress on the final status. In early February 2007, Ahtisaari presented his proposals for a final settlement to Pristina and Belgrade. As expected, he appeared to recommend independence. In response, and despite the private indications of support for independence from within the Slovak MFA, Slovakia now started to voice its reservations about the proposal. The key factor for this change was the growing opposition to Kosovo's independence by the Slovak opposition, which had initiated a parliamentary debate on the topic, scheduled for the end of March 2007. As a result, Ján Kubiš, the Slovak Minister of Foreign Affairs, needed to reflect domestic developments. In February 2007, at the regular monthly meeting of the General Affairs and External Relations Council (GAERC) in Brussels, he insisted that a sentence 'welcoming' Ahtisaari's proposals was cut from the GAERC conclusions, an initiative supported by Cyprus. Ministers expressed support for Ahtisaari in further negotiations but left the status question open.⁵³²

Officially, the impact of the Slovak domestic situation was not mentioned as a reason for this decision. After all, the parliamentary debate on Kosovo was scheduled to take place the following month. The diplomatic explanation of the Slovak position was presented by a member of the Slovak delegation at GAERC who explained that the process was still open and that welcoming the proposals at that stage would be 'as if we [Slovakia] would say that it has already decided about the independence of Kosovo'.⁵³³ For its part, Cyprus was reserved towards Kosovo's independence due to its concerns about the implications that Kosovo could have for its efforts to prevent the international recognition of the 'Turkish Republic of Northern Cyprus'.⁵³⁴ However, privately Slovak officials were keen to stress that the positions of the two countries should not be linked. This became even more evident as 2007 progressed.

⁵³² 'Kubiš: Kosovo áno. Fico: Nie', *SME*, 13 February 2007, p. 2; 'Ministri zahraničných vecí EÚ v Bruseli podporili plán splnomocnenca OSN M. Ahtisaariho o budúcom štatúte Kosova', *STV 2, News and Comments*, 13 February 2007. For the GAERC conclusions on Western Balkans, see 'General Affairs and External Relations', *Council of the European Union*, 2780th Council Meeting, Press release 6039/07 (Presse 18), Brussels, 12 February 2007, p. 13.

⁵³³ 'Kubiš: Kosovo áno. Fico: Nie', *SME*, 13 February 2007, p. 2.

⁵³⁴ 'Saying 'No' to Kosovo independence', *BBC News*, 5 March 2008. For a better understanding and a comprehensive account of the conflict between Cyprus and Turkey, see James Ker-Lindsay, *The Cyprus Problem: What Everyone Needs to Know* (Oxford: Oxford University Press, 2011).

Slovak representatives believed that it was crucial that Slovakia and Cyprus should not be seen to be the only two EU states against Kosovo's independence.⁵³⁵

In March 2007, following a further round of talks between Belgrade and Pristina, Ahtisaari presented the final status proposal. As expected, he announced that independence was the only option for Kosovo.⁵³⁶ For Serbia this was not acceptable and Russia took the same line. In contrast, the US and major EU countries – the UK, France and Germany – supported Ahtisaari's proposal. However, along with Slovakia and Cyprus, a number of other EU members – including Romania, Greece and Spain – were now also expressing concern about Kosovo's independence. Therefore, the EU Council was not able to support Ahtisaari's report.⁵³⁷

By now the Slovak Parliament had discussed Kosovo and had passed a declaration on Kosovo's status effectively confirming that Slovakia would not support Kosovo's unlimited independence without Serbia's consent.⁵³⁸ This was a crucial step as parliamentary declarations are binding for the Slovak government. As a result, Kubiš could not express strong support for the Ahtisaari plan at the late March 2007 'Gymnich' – the informal meeting of EU Foreign Affairs Ministers – in Bremen. Indeed, he found it difficult to explain the Slovak Parliament's Declaration to other ministers, many of whom were surprised by the decision.⁵³⁹ However, Slovakia was certainly not isolated over Kosovo. In addition, Greece, Romania, Spain, Italy and Cyprus also expressed in Bremen their reservations towards Kosovo's supervised independence.⁵⁴⁰ In view of the number of reservations voiced by EU members, the EU foreign affairs ministers could not agree on a joint position.⁵⁴¹ The disunity over

⁵³⁵ See 'Ambassador's courtesy call with foreign minister Kubiš', US Embassy Bratislava, reference ID 08Bratislava1, 2 January 2008, <<http://wikileaks.org/cable/2008/01/08BRATISLAVA1.html>> [accessed 6 May 2012]. This was also confirmed by two anonymous sources.

⁵³⁶ 'Report of the Special Envoy of the Secretary-General on Kosovo's future status', *UN Security Council Document*, S/2007/168, 26 March 2007. As Economides points out, the Ahtisaari plan together with the UNSC Resolution 1244 (1999) aiming to resolve Kosovo's future actually set the ground for current problems around Kosovo's status. See Spyros Economides, 'The making of a failed stated: the case of Kosovo', *European View*, 10 (2011), 195-200 (p. 196).

⁵³⁷ See 'Kosovo: No Good Alternatives to the Ahtisaari Plan', *International Crisis Group*, Europe Report No 182, 14 May 2007, p. 10.

⁵³⁸ The factors that shaped this decision will be explored later in the chapter.

⁵³⁹ 'Slovakia's stance on Kosovo exceptional in EU', *Serbianna.com*, 2 April 2007.

⁵⁴⁰ Ekrem Krasniqi and Renáta Goldfrová, 'EU ministers to avoid Kosovo question amid ongoing disunity', *Euroobserver.com*, 19 April 2007.

⁵⁴¹ 'Die EU uneins über Ahtisaaris Kosovo-Plan: Ausweichende Stellungnahme am Aussenministertreffen in Bremen', *Neue Zürcher Zeitung*, 31 March 2007.

Kosovo also meant that the topic of Kosovo's statehood was taken off the agenda of the 23 April 2007 EU foreign ministers' meeting in Luxembourg.⁵⁴²

It was not only the EU that could not agree on Kosovo's status. Deep differences had emerged in the Security Council. A number of efforts were made by Britain, France and the United States to draft a resolution on Kosovo acceptable to all SC members. These failed due to strong Russian opposition.⁵⁴³ Eventually, in August 2007, in a final attempt to broker a deal, it was agreed that a Troika made of three senior US, EU and Russian diplomats would lead a final round of talks between Pristina and Belgrade. This led to some innovative thinking.⁵⁴⁴ For example, Wolfgang Ischinger, the EU representative in the Troika, proposed a solution based on the informal relationship that existed between the two Germanys during the Cold War.⁵⁴⁵ Given the diametrically opposed views of Belgrade and Pristina, it came as no surprise that the final Troika report, forwarded to the UNSC in December 2007, concluded that no agreement was reached between the parties on Kosovo's status.⁵⁴⁶ Prior to the last SC debate on Kosovo in 2007, Vitaly Churkin, the Russian representative, circulated among the members a draft SC resolution which supported further negotiations between the parties. However, the UK, US and France stated that options for dialogue were exhausted and the time had come to solve the Kosovo question.⁵⁴⁷ On 19 December, the SC met for a closed discussion on the Troika report but, as expected, there was no breakthrough.⁵⁴⁸ Considering the deep divisions among SC members, no agreement was reached. After two years, status talks ended in deadlock.

⁵⁴² Krasniqi and Goldírová, 'EU ministers to avoid Kosovo question amid ongoing disunity', *EUobserver.com*, 19 April 2007.

⁵⁴³ See 'Russland stellt sich gegen Unabhängigkeit des Kosovo', *Neue Zürcher Zeitung Online*, 29 June 2007; 'Rusko odmieta nový návrh rezolúcie o Kosove', *SME*, 17 July 2007; 'UN-Sicherheitsrat: Moskau verhindert Kosovo-Einigung', *Focus Online*, 20 July 2007.

⁵⁴⁴ Kubiš told the press after his December 2007 visit of Belgrade that Serbian officials considered the Troika talks as interesting and 'more of negotiations than anything else that happened before'. 'Kubiš o Kosove: Akákoľvek dohoda je lepšia ako jednostranné kroky', *TASR*, 3 December 2007.

⁵⁴⁵ 'Belgrade rejects Kosovo Ischinger idea', *B92*, 30 October 2007. As Roman Bužek, the then Political Director at the Slovak MFA, was reported to note, Ischinger also visited Bratislava during this time. Meeting with Kubiš on 31 August 2007, Ischinger emphasised the need for EU unity and the necessity to prepare for the scenario if there would be no UNSC resolution on Kosovo. See 'Tour d'horizon with new Slovak Political Director Bužek', US Embassy Bratislava, reference ID 07Bratislava503, 6 September 2007, <<http://wikileaks.org/cable/2007/09/07BRATISLAVA503.html>> [accessed 5 May 2012]. Bužek's predecessor, Lajčák, was in June 2007 appointed as EU High Representative for Bosnia and Hercegovina.

⁵⁴⁶ 'Letter dated 10 December 2007 from the Secretary-General to the President of the Security Council', *UN Security Council Document*, S/2007/723, 10 December 2007. Enclosed was 'Report of the European Union/United States/Russian Federation Troika on Kosovo', 4 December 2007.

⁵⁴⁷ 'Kosovo: Pred BR OSN vystúpi srbský premiér aj kosovský prezident', *SME*, 15 December 2007.

⁵⁴⁸ 'Official communiqué of the 5811th (closed) meeting of the Security Council', *UN Security Council Document*, S/PV.5811, 19 December 2007.

For the EU, the disunity within the SC had severe consequences. While it was able to reach unity over the deployment of the EU's largest civilian crisis management mission (EULEX), which would eventually take over many of the functions from UNMIK following the now expected unilateral declaration of independence by Kosovo,⁵⁴⁹ on the crucial question of recognition of Kosovo, there was no joint position. Without a UN resolution, it was likely that EU countries would each respond in their own way to the expected unilateral declaration of independence by Kosovo. Certainly, Slovakia's position was a key contributing factor to this lack of unity. However, Slovakia was by no means alone; four other EU countries were of the same opinion. Moreover, as a Slovak representative in Brussels noted, 'we cannot say now that Slovakia is there to be blamed for the non-unity in the EU. We could then turn it and say that those 22 countries are to be blamed'.⁵⁵⁰

The next two sections will look closely at the involvement of the Slovak government's position on Kosovo throughout 2006-2007 and the parliamentary debate leading to the passing of the Slovak Parliament's Declaration on Kosovo's status.

4.2 Position of the Slovak Government and the Ministry of Foreign Affairs – Coping with the Pressure to Align with the US

In 2006, particularly during the first half of the year, the Slovak political scene did not pay much attention to Kosovo's status. Indeed, one author commented that it was 'relatively passive' on the question of status.⁵⁵¹ As Milan Ježovica, former foreign

⁵⁴⁹ 'Presidency Conclusions', *Council of the European Union*, 16616/07, Brussels, 14 December 2007. See also, 'Európski lídri: Postrážime Kosovo', *SME*, 15 December 2007. Interestingly, the Council of the EU took joint action to establish EULEX before Kosovo's declaration of independence, on 4 February 2008. See 'Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO', *Council of the European Union*, Brussels, published in Official Journal of the European Union, 42/92, 16 February 2008, available at <http://www.eulex-kosovo.eu/en/info/docs/JointActionEULEX_EN.pdf> [accessed 25 May 2011]. Significantly, in June 2012, the EU's rule of law mission EULEX was prolonged by two more years until 14 June 2014, with a budget of EUR 111 million for the first year. See 'Council prolongs EULEX Kosovo for two more years', *Council of the European Union*, European Union Press Release, 10740/12, Presse 240, Brussels, 5 June 2012. The deployment of EULEX was a crucial decision inasmuch as it was widely accepted that Kosovo would be practically unable to govern itself after a unilateral declaration of independence. If the EU wanted to avoid disaster, it needed to take over some functions of governance. For a detailed explanation of the EU's position on Kosovo including the decision to deploy EULEX, see Spyros Economides and James Ker-Lindsay, 'Forging EU Foreign Policy Unity from Diversity: The 'Unique Case' of the Kosovo Status Talks', *European Foreign Affairs Review*, 15 (2010), 495-510.

⁵⁵⁰ Peter Mišík, Ambassador, Representative to the Political and Security Committee, Permanent Representation of the Slovak Republic to the EU, comments to the author, 14 July 2010.

⁵⁵¹ See Elemír Nečej, 'Západný Balkán: štiepenie a integrácia', in Ľubomír Lupták, Alexander Hersi, Róbert Ondrejcsák and Vladimír Tarasovič (eds), *Panoráma globálneho bezpečnostného prostredia 2005-2006*

political advisor to Prime Minister Dzurinda noted, in 2006 there was no wider debate on Kosovo and there was ‘no order’ to discuss this topic in Slovakia.⁵⁵² Unlike in 1999, when Kosovo became an emotional matter due to Slovak aspirations to join NATO, Slovaks were in general virtually uninterested in the topic of Kosovo’s independence.⁵⁵³ Significantly, 2006 was a year of parliamentary elections in Slovakia, and as Ježovica suggested, there was no reason for Kosovo being a key topic in the electoral campaign.⁵⁵⁴

A number of leaked cables from the US Embassy in Bratislava reporting on meetings between US diplomats and Slovak officials, including members of the MFA as well as political leaders, show that the US was keen to ensure that Bratislava followed Washington’s line on Kosovo. During 2006, the chances that this would happen appeared to be good. From the wires discussed below it is evident that, throughout 2006, the Slovak MFA effectively signalled its commitment to support the Ahtisaari mission that was evidently designed to lead towards Kosovo’s independence.

Early into its UNSC membership, the US urged Slovakia to become actively engaged in SC issues, including one of the Slovak priorities for the Council, namely Kosovo. It was expected that a SC resolution on Kosovo would be passed during Slovakia’s term on the SC, and the US encouraged Slovaks to engage Serbs on the need for a resolution. This was communicated in March 2006 when Kristen Silverberg, Assistant Secretary of State for International Organizations for the United States government, visited Bratislava to discuss the UNSC agenda with Slovak MFA officials.⁵⁵⁵ At the beginning of the Ahtisaari process, the US could not openly state that independence was the only way ahead. However, when in April 2006, Rosemary DiCarlo, the United States’ Deputy Assistant Secretary in the

(Bratislava: Odbor bezpečnostnej a obrannej politiky Ministerstva obrany Slovenskej republiky, 2006), pp. 197-216 (p. 214); and Elemír Nečej, ‘Západný Balkán’, in Lubomír Lupták and colleagues (ed.), *Panoráma globálneho bezpečnostného prostredia 2006-2007* (Bratislava: Odbor bezpečnostnej a obrannej politiky Ministerstva obrany Slovenskej republiky, 2007), pp. 133-45 (p. 142).

⁵⁵² Milan Ježovica, comments to the author, 29 June 2012. Ježovica was Dzurinda’s advisor between 2003 and 2006.

⁵⁵³ Oľga Gyarfášová, comments to the author, 7 April 2011. As she noted, despite the fact that the ‘awareness’ of Slovak public in terms of foreign political issues increased over the recent years it is still not of great interest to the people.

⁵⁵⁴ Milan Ježovica, comments to the author, 29 June 2012.

⁵⁵⁵ ‘A/S Silverberg visit to Bratislava: Slovakia holds middle ground on UNSC issues’, US Embassy Bratislava, reference ID 06Bratislava192, 8 March 2006, <<http://wikileaks.org/cable/2006/03/06BRATISLAVA192.html>> [accessed 15 March 2012].

Bureau of European and Eurasian Affairs, visited Bratislava, her message to the Slovak MFA officials was very clear. She was reported to have noted that ‘the US does not see an option for Kosovo other than independence’. However, as she also explained, the US could not publicly state it, for Belgrade needed time to adjust.⁵⁵⁶ Considering the Slovak membership in the UNSC, the US planned to look to Slovakia for support of the resolutions on the final status of Kosovo. For their part, Slovak MFA representatives expressed their alignment with the US view. For instance, Štefan Rozkopal, the then Director for the Commonwealth of Independent States and the Balkans at the Slovak MFA, commented during the meeting with DiCarlo that ‘some kind of conditional independence is inevitable’, however, it was not just the final status but rather the process itself that was Slovakia’s priority.⁵⁵⁷ A similar message was conveyed during another meeting with Lawrence R. Silverman, then the US Chargé d’Affaires ad interim in Bratislava. Slovak MFA officials confirmed their support for Ahtisaari’s mission and agreed with US messages to Belgrade and Pristina. Marcel Peško, the UNSC Coordinator at the Slovak MFA, was reported to have noted during the meeting that ‘Slovakia is “99 percent” in accordance with US views, only differing slightly in regard to the desired speed of the Ahtisaari process’.⁵⁵⁸ A wire also reported Peško saying that the Slovak government shared the US view ‘that independence was probably the most realistic status outcome’.⁵⁵⁹ Reports from these meetings also indicate that Slovak officials were keen to emphasise that they were not ‘pro-Serb’ but were instead concerned about the ‘spillover effect’ of Kosovo’s independence.⁵⁶⁰

⁵⁵⁶ ‘Slovakia wants to take it slower on Kosovo’, US Embassy in Bratislava, reference ID 06Bratislava360, 5 May 2006, <<http://wikileaks.org/cable/2006/05/06BRATISLAVA360.html>> [accessed 16 March 2012].

⁵⁵⁷ See ‘Slovakia wants to take it slower on Kosovo’, US Embassy in Bratislava, reference ID 06Bratislava360, 5 May 2006. However, for Ahtisaari the process was not a priority. Significantly, in 2008 he noted that he did not believe that the process presented an important part in peacemaking. Rather, he considered that it was the outcome – Kosovo’s independence – that mattered. See James Ker-Lindsay, ‘The Importance of Process in Peacemaking’, *Peace Review: A Journal of Social Justice*, 22 (2010), pp. 57-64.

⁵⁵⁸ ‘Slovakia agrees on Kosovo status, but concerned with timeline of process’, US Embassy Bratislava, reference ID 06Bratislava310, 19 April 2006, <<http://wikileaks.org/cable/2006/04/06BRATISLAVA310.html>> [accessed 15 March 2012]. US Embassy reported that Slovak officials, including Minister of Foreign Affairs, Kukan, considered that the US moves too fast towards a negotiated independence that would lead to ‘Serbs feeling disenfranchised’. See ‘A/S Silverberg visit to Bratislava: Slovakia holds middle ground on UNSC issues’, US Embassy Bratislava, reference ID 06Bratislava192, 8 March 2006. Various anonymous sources confirmed to the author that Slovakia was not satisfied with the speed of the status process. Similarly, as an EU official noted, the status talks were done ‘too fast’. European Union official, comments to the author, July 2010.

⁵⁵⁹ ‘Slovakia agrees on Kosovo status, but concerned with timeline of process’, US Embassy Bratislava, reference ID 06Bratislava310, 19 April 2006.

⁵⁶⁰ ‘A/S Silverberg visit to Bratislava: Slovakia holds middle ground on UNSC issues’, US Embassy Bratislava, reference ID 06Bratislava192, 8 March 2006.

Following the 17 June 2006 parliamentary elections,⁵⁶¹ Róbert Fico from SMER-SD became the new Prime Minister leading a coalition of three parties: SMER-SD, ĽS-HZDS and SNS. Direction-Social Democracy (SMER-SD), a centre-left party which considers itself ideologically close to the British Labour Party or the German SPD, was established in 1999 by Fico who has been its leader since.⁵⁶² The party's original name was SMER (Direction) and it was established as a breakaway from the Party of the Democratic Left (SDL) in reaction to Fico's disagreement with SDL's governmental cooperation with Dzurinda's party SDK after the 1998 elections.⁵⁶³ In 2003, it changed its name to SMER (Tretia cesta) (Direction (Third Way)). Two years later, it took over SDL and two centre-left parties – Social Democratic Alternative and Social Democratic Party of Slovakia – and adopted its current name. Its new coalition partner, the People's Party-Movement for a Democratic Slovakia (ĽS-HZDS), was established in 1991 by Vladimír Mečiar, who led the final talks on the dissolution of Czechoslovakia with the Czech Prime Minister Václav Klaus. The party dominated the Slovak political scene between 1994 and 1998. During Mečiar's term as Prime Minister, Slovakia was not invited to be part of the first wave of eastern enlargement of the EU and NATO; Mečiar was considered a populist and viewed critically from abroad. However, in 2000, in order to overcome its bad reputation and change its image, his party supported a fast integration of Slovakia into the EU and NATO.⁵⁶⁴ The second coalition partner of SMER-SD was the Slovak National Party (SNS) led by Ján Slota. SNS, perceived as a nationalist party, was sometimes also considered ultra-nationalist⁵⁶⁵ due to controversial comments towards the ethnic Hungarian minority and the Roma, expressed mostly by its leader Slota. SNS and the ethnic Hungarian party SMK repeatedly had a number of conflicts.

⁵⁶¹ The 2006 elections results were: Direction-Social Democracy (SMER-DS) 29.14 percent, Slovak Democratic and Christian Union-Democratic Party (SDKÚ-DS) 18.35 percent, Slovak National Party (SNS) 11.73 percent, Party of the Hungarian Coalition (SMK) 11.68 percent, People's Party-Movement for Democratic Slovakia (ĽS-HZDS) 8.79 percent and Christian Democratic Movement (KDH) 8.31 percent. See 'Voľby do Národnej Rady Slovenskej Republiky v roku 2006', *Štatistický Úrad Slovenskej Republiky*, available at <http://app.statistics.sk/nrsr_2006/> [accessed 15 May 2011].

⁵⁶² SMER-SD, Party profile, available at <<http://www.strana-smer.sk/67/profil-strany>> [accessed 5 September 2012].

⁵⁶³ Lubomír Kopeček, *Politické strany na Slovensku: 1989 až 2006* (Brno: Cetrum pro studium demokracie a kultury, 2007), pp. 281-82.

⁵⁶⁴ Kopeček, *Politické strany na Slovensku: 1989 až 2006*, p. 169. To improve the party's image, ĽS-HZDS also terminated its cooperation with SNS. During that time, Fico was not excluding cooperation with ĽS-HZDS but 'without Mečiar'.

⁵⁶⁵ Ian Jeffries, *Eastern Europe at the Turn of the Twenty-first Century: A Guide to the Economies in Transition* (London: Routledge, 2002), p. 352.

As a result of its decision to form an alliance with ‘the extreme nationalist SNS’, SMER-SD was criticised at EU level and suspended for two years from membership in the Party of European Socialists (PES).⁵⁶⁶ Furthermore, it was frowned upon that SMER-SD reached an agreement with the ĽS-HZDS as its leader, Vladimír Mečiar, was also viewed negatively in European circles following his term as Prime Minister in the 1990s.⁵⁶⁷ Ján Kubiš, the former Secretary General of the OSCE, succeeded Eduard Kukan as Minister of Foreign Affairs,⁵⁶⁸ and took the lead on trying to explain diplomatically SMER-SD’s choice of coalition partners.

In regards to Kosovo, Kubiš continued to be supportive of the Ahtisaari plan. Despite the fact that Fico did not favour Kosovo’s independence, Kubiš had Fico’s support. The US Ambassador in Bratislava, Vallee, briefed after his first meeting with the new Slovak Minister of Foreign Affairs that Kubiš had stressed ‘continuity’ as a theme of the Slovak relationship with the EU, NATO and the US.⁵⁶⁹ As a result, the US did not expect any changes to the Slovak MFA policy stand taken so far towards Kosovo. A dispatch from the US Embassy in Bratislava on a meeting between Ambassador Vallee and the Political Director of the MFA, Miroslav Lajčák, concerning Kubiš’s August 2006 visit to the Balkans, highlighted the extent to which Kubiš’s statements appeared to indicate that the Slovak government would support Ahtisaari and the eventual independence of Kosovo. According to the cable, Kubiš said to the Serbs that ‘the train had left the station, and the end of the journey was independence for Kosovo’.⁵⁷⁰ The dispatch also reports Lajčák saying that Serbs were surprised by this kind of message and that the former MFA Kukan never spoke so openly. However, as he also noted, Slovakia could be direct because it had

⁵⁶⁶ ‘SMER suspended from PES political family’, *PES News & Media*, 12 October 2006, available at <<http://www.pes.org/en/news/smer-suspended-pes-political-family>> [accessed 10 June 2011].

⁵⁶⁷ Significantly, a leaked US cable reported that soon after the parliamentary elections, Dzurinda had phoned Angela Merkel to consult on building a coalition with ĽS-HZDS. The wire briefed that according to Dzurinda’s adviser, Ježovica, there was a ‘long pause, a very long pause, and then Merkel said “I think you should do it”’. See ‘Slovak PM upbeat about coalition chances; KDH holds all the cards’, US Embassy Bratislava, reference ID 06Bratislava506, 22 June 2006, <<http://wikileaks.org/cable/2006/06/06BRATISLAVA506.html>> [accessed 23 July 2012]. Nevertheless, in the end, ĽS-HZDS agreed to join the coalition with SMER and SNS. In any case, it shows that to regain political power Dzurinda was prepared to cooperate even with Mečiar, who he was publicly strictly critical of.

⁵⁶⁸ Kubiš was nominated by SMER-SD but was not a member of the party.

⁵⁶⁹ ‘Ambassadors meeting with the new FM Kubiš’, US Embassy Bratislava, reference ID 06Bratislava571, 12 July 2006, <<http://wikileaks.org/cable/2006/07/06BRATISLAVA571.html>> [accessed 17 March 2012].

⁵⁷⁰ ‘Slovak FM delivers blunt messages to Serbs and Kosovars’, US Embassy Bratislava, reference ID 06Bratislava746, 8 September 2006, <<http://wikileaks.org/cable/2006/09/06BRATISLAVA746.html>> [accessed 10 February 2012].

Serbia's trust.⁵⁷¹ In any case, as these statements demonstrate, in 2006 the Slovak MFA's view on Kosovo appeared to be clear, and was communicated to Belgrade and Pristina.

The question was the degree to which the views expressed by the MFA represented the views of the government as a whole. Under usual circumstances, it would be expected that the MFA speaks for the government. Moreover, Prime Minister Fico was primarily focused on Slovak domestic politics and as such left the foreign policy agenda to Kubiš. However, there were certain indications that Prime Minister Fico and President Gašparovič did not agree with the MFA policy.⁵⁷² In the absence of overall agreement on the Kosovo case, the MFA had a difficult time coordinating the government representatives' views. The split was most evident in October 2006 when the Serbian Prime Minister, Vojislav Koštunica, visited Bratislava. During Koštunica's visit, Kubiš voiced support for Ahtisaari's activities. However, Fico expressed support for a Kosovo solution that could be revised in the future if necessary. For his part, President Gašparovič remarked that Kosovo should remain part of Serbia.⁵⁷³ These statements went against the official MFA line and principally against the statements delivered to the US officials.⁵⁷⁴

A US dispatch revealed that Lajčák was 'furious' about the situation that had been created.⁵⁷⁵ Although he had been particularly disappointed that the final conclusions of the Ahtisaari process were written before the negotiations finished,⁵⁷⁶ Lajčák nevertheless supported Kosovo's independence. Meanwhile, according to a US wire,

⁵⁷¹ 'Slovak FM delivers blunt messages to Serbs and Kosovars', US Embassy Bratislava, reference ID 06Bratislava746, 8 September 2006.

⁵⁷² In September 2006, Prime Minister Fico delivered a speech to the UN General Assembly. On the topic of Kosovo he stressed the importance of seeking an agreement through dialogue between Belgrade and Pristina. 'Only a solution that reflects the concerns of all parties involved and provides for the rights of members of all communities, notably the Kosovo Serbs, can ensure lasting security and stability in the region. The Kosovo issue is truly a sui generis case', he added. 'Address by His Excellency Mr. Robert Fico, Prime Minister of the Slovak Republic', United Nations General Assembly, 61st Session, 15th Plenary Meeting, *A/61/PV.15*, 21 September 2006, pp. 18-19.

⁵⁷³ See 'Koštunica hovoril na Slovensku o referende', *Pravda*, 2 October 2006; 'Koštunica a Fico sa zhodli: Kosovo musí zostať Srbsku', *SME*, 2 October 2006; 'Yesterday at home', *Slovenský rozhlas*, 3 October 2006, available at <<http://www.oldweb.rozhlas.sk/inetportal/web/index.php?lang=1&stationID=0&page=showNews&id=34254>> [accessed 21 June 2012].

⁵⁷⁴ Notably, a US wire reported that to undo the created perception, a press release was issued to confirm the Slovak stance on Kosovo and a circular was sent to EU partners, Belgrade and Pristina to clarify Slovakia's position. See 'President and PM improvise on Kosovo', US Embassy Bratislava, reference ID 06Bratislava807, 6 October 2006, <<http://wikileaks.org/cable/2006/10/06BRATISLAVA807.html>> [accessed 20 March 2012].

⁵⁷⁵ 'President and PM improvise on Kosovo', US Embassy Bratislava, reference ID 06Bratislava807, 6 October 2006.

⁵⁷⁶ Senior Slovak diplomat, comments to the author, July 2010.

the Slovak MFA assured US diplomats and other ambassadors that despite the October press headlines there was no change in the Slovak position – it supported Ahtisaari and saw no alternative to independence for Kosovo.⁵⁷⁷ Clearly, MFA – represented by Kubiš and Lajčák in particular – were behind Ahtisaari, but the Prime Minister and President had their own personal opinions on Kosovo’s status which did not always match the view of the MFA.⁵⁷⁸ Despite their statements, it was understood that the Prime Minister and President were both concerned about EU unity and wanted to see Slovakia in the mainstream. To this extent, it was expected that the MFA’s approach towards Kosovo would eventually be accepted by the government as a whole. However, the US was disturbed by the situation and in a dispatch US Ambassador Vallee questioned the steps necessary in order to eliminate future contrasting policy messages by Kubiš and Fico on one of Slovakia’s key priority regions.⁵⁷⁹

Nevertheless, soon after, on 30 October 2006, Fico met in Bratislava with the Secretary General of NATO, Jaap de Hoop Scheffer. Talking to the journalists after the meeting, Fico repeated his recently stated personal view which was not in line with the MFA position:

In relation to Kosovo our opinion, the opinion of the Government of the Slovak Republic, is clear – we are of course for adoption of such a solution which would secure stability in the region. On the other side, I personally endorse a solution that could be revised. I do not think that at the moment it is correct to adopt a decision which would permanently

⁵⁷⁷ ‘President and PM improvise on Kosovo’, US Embassy Bratislava, reference ID 06Bratislava807, 6 October 2006. According to the US Ambassador Vallee, Lajčák also said to the diplomats that ‘this position isn’t easy to sell to the Slovak public, which sees the Serbs as “Slavic brothers” and knows Albanians are active in organized crime rings in Slovakia. There is also sensitivity to the separation of territories by minorities, due to occasional calls for autonomy by radicals in Slovakia’s ethnic Hungarian minority’.

⁵⁷⁸ In November 2006, Joachim Rücker, Special Representative of the UN Secretary-General for Kosovo and head of UNMIK together with Agim Çeku, Kosovo’s Prime Minister, visited Bratislava. During the visit, Çeku met with Kubiš and other Slovak MFA representatives and NGOs but there was no meeting with the Prime Minister or President. This also indicated the split. In order not to stir the domestic situation, after the meeting with Çeku, Kubiš avoided any press statements. Çeku asked the Slovak government to support independence of Kosovo but it only confirmed that it supported negotiations about the future status of Kosovo led by Ahtisaari. See ‘Çeku vyzval SR k podpore nezávislého Kosova’, *Pravda*, 6 November 2006, <http://spravy.pravda.sk/eku-vyzval-sr-k-podpore-nezavisleho-kosova-fku-/sk_domace.asp?c=A_061106_143604_sk_domace_p23> [accessed 3 May 2012]. During his visit, Çeku delivered a talk at the Slovak Foreign Policy Association (SFPA). It was a closed debate co-organised by the SFPA and other NGOs. The Slovak MFA acted as an intermediary. As Sláviková argues, it was Lajčák who as Political Director at the Slovak MFA invited Çeku to Bratislava. See Eliška Sláviková, ‘Slovakia and Kosovo: Closer than they seem’, in *Kosovo Calling. International Conference to Launch Position Papers on Kosovo’s Relation with EU and Regional Non-recognising Countries*, Fondacioni i Kosovës për Shoqëri të Hapur, 2011, pp. 27-38 (p. 31).

⁵⁷⁹ ‘President and PM improvise on Kosovo’, US Embassy Bratislava, reference ID 06Bratislava807, 6 October 2006.

solve the status of Kosovo and then it would not be possible to adopt any further corrections. I told Mr Secretary General that I am afraid if it would come to an immediate decision on the independence of Kosovo, the role of NATO military mission in this region would be considerably more demanding as some expect because this decision could cause great tension in the region and at the same time, it would not be a good example for other countries which would like to solve their internal problems this way.⁵⁸⁰

Talking to the Quint embassies at the end of 2006, Lajčák expressed concern about Moscow's standpoint towards Kosovo.⁵⁸¹ In a leaked cable, the US Ambassador in Slovakia, Vallee, reported Lajčák's pessimistic outlook of the situation. In contrast to the view of the US government, Lajčák, on the basis of his talk with the Russian Ambassador to Belgrade, estimated that Russia would veto a UNSC resolution. Stressing that the international community needed to 'wake up', as this was not the same Russia the West dealt with in the past,⁵⁸² the cable also reported that Lajčák believed that Russia wanted to show that without its input no global issue could be solved and that Moscow 'believes that the lack of solution sets a helpful precedent for other frozen conflicts'. For this reason, he was also reported to have said that the US needed to think about alternative options. The Slovak position would not change, but Bratislava nevertheless wondered 'whether alterations to the plan for instruments of sovereignty could provide for greater international involvement, thereby improving prospects for broader acceptance'.⁵⁸³ With these statements, the Slovak side was signalling its perception that Russia would take a stronger stance than in 1999, but this was not taken seriously into consideration, mainly because the US remained convinced that in the end Russia would comply. Crucially, at least according to Slovak diplomats, Slovak support for Kosovo's independence seemed clear.

At the end of the first year of Slovak membership in the UNSC, it appeared that Kosovo would not be an issue for Slovakia in 2007. Indeed, until February 2007, it looked like the US aim to bring Slovakia closer to the American view on Kosovo

⁵⁸⁰ 'Transcript of the press conference after the meeting between Prime Minister Fico and General Secretary of NATO Jaap de Hoop Scheffer', *Government Office of the Slovak Republic*, 30 October 2006.

⁵⁸¹ The Quint included France, Germany, Italy, the UK and the US.

⁵⁸² 'Pessimism on Kosovo', US Embassy Bratislava, reference ID 06Bratislava929, 29 November 2006, <<http://wikileaks.org/cable/2006/11/06BRATISLAVA929.html>> [accessed 13 March 2012].

⁵⁸³ 'Pessimism on Kosovo', US Embassy Bratislava, reference ID 06Bratislava929, 29 November 2006.

had been achieved, and that the Slovak MFA was willing to assist with the realisation of American interests. As a US cable reveals, in early 2007 the US mission in the UN surveyed SC members on their views on the future process of Kosovo's status.⁵⁸⁴ This survey was clearly done with an aim to identify countries that had reservations towards Kosovo's independence and take steps to persuade these countries to reconsider their view. The cable reported Dušan Matulay, the Slovak Deputy Permanent Representative to the UN, as having said that Kosovo's recent history makes independence its only reasonable final status. In his view, any resolution on Kosovo should explicitly call for independence and differentiate it from other cases by pointing to unique reasons. However, like Lajčák's earlier statements, he also warned about disagreements on Kosovo's status in the SC, noting that we are 'now dealing with a very different Russia than the one we dealt with on Balkan issues in the 1990's'. Matulay also claimed that Russia is 'much more confident and ready to assert its national interests'.⁵⁸⁵

This statement demonstrated clearly that, at the beginning of 2007, Slovakia was prepared to support Kosovo's independence, but was concerned about possible veto by Russia at the SC. This was further illustrated by Lajčák's comment during an early January meeting with US Ambassador Vallee saying that Slovakia, as a responsible ally of the EU and NATO, would help the EU to be united on the Kosovo issue and that 'its obligations dictate the proper role on Kosovo'.⁵⁸⁶ This was a significant statement. Crucially, Lajčák also said that Prime Minister Fico and President Gašparovič should be in line with the view of the MFA. Another notable piece of information reported in the cable was that leaders of the Slovak National Party (SNS) had told US officials that, despite being principally against Kosovo's statehood, they would accept 'what they view as inevitable'. The cable also noted

⁵⁸⁴ 'USUN surveys Security Council members on Kosovo', US mission UN New York, reference ID 07USUNNEWYORK3, 5 January 2007, <<http://wikileaks.org/cable/2007/01/07USUNNEWYORK3.html>> [accessed 29 March 2012].

⁵⁸⁵ 'USUN surveys Security Council members on Kosovo', US mission UN New York, reference ID 07USUNNEWYORK3, 5 January 2007, <<http://wikileaks.org/cable/2007/01/07USUNNEWYORK3.html>> [accessed 29 March 2012]. Significantly, he also added that Slovakia was worried that the international community 'may be creating the perfect conditions for a failed state' as he considered the Kosovo Albanians not ready for the practicalities of government. He also said that effort should be made to get a Kosovo-Serb agreement on an independence package, arguing that there are 'reasonable Serbs in Kosovo' who would accept the right deal.

⁵⁸⁶ 'Slovak MFA supports EU position on Kosovo', US Embassy Bratislava, reference ID 07Bratislava16, 10 January 2007, <<http://wikileaks.org/cable/2007/01/07BRATISLAVA16.html>> [accessed 29 March 2012].

that Prime Minister Fico had told the UK Ambassador that although his personal view is different, he would support the MFA position on Kosovo.⁵⁸⁷

4.3 Understanding Slovakia's Position

Talking to the Slovak Parliamentary Committee for European Affairs on 6 February, prior to the 12-13 February GAERC meeting, Foreign Minister Kubiš stressed that Kosovo's independence was inevitable. 'It is a process which goes only in one direction. We cannot stop it', said Kubiš.⁵⁸⁸ As far as the MFA was concerned, there was no practical alternative to Kosovo's independence. Significantly, all eight members of the Foreign Affairs Committee, including representatives of the governing SMER and SNS, voted to support Ahtisaari's plan eventually leading to independence and agreed for Slovakia to welcome the plan at the EU level.⁵⁸⁹ In addition, Kubiš mentioned to the Committee that the Serbian public was indifferent to Kosovo's independence. He reported that the Serbian Foreign Minister, Vuk Drašković, told him during an informal meeting that the real turnout in the Serbian constitutional referendum in October 2006 was only 42 percent, instead of the officially presented 53 percent.⁵⁹⁰ This comment sparked criticism from opposition MPs who accused Kubiš of a diplomatic faux pas. More to the point, in an official statement, Drašković denied that he said anything of the kind. Thereafter, Kubiš argued that he never questioned the integrity of the Serbian referendum and it was only a 'hyperbole' – he only wanted to make a point about the importance of this issue for Serbian voters.⁵⁹¹

On the same day as Kubiš's talk in Parliament, Dzurinda, the previous Prime Minister, and now the leader of the Slovak opposition, visited Belgrade, where he met with the Serbian Prime Minister Koštunica. Significantly, the initiative for this meeting came from the German Chancellor Angela Merkel.⁵⁹² On 30 January 2007, the SDKÚ-DS leader Dzurinda met in Berlin with Merkel and the Kosovo question

⁵⁸⁷ 'Slovak MFA supports EU position on Kosovo', US Embassy Bratislava, reference ID 07Bratislava16, 10 January 2007. This was confirmed by an anonymous observer who told the author that Fico was prepared 'to go with the flow' on Kosovo.

⁵⁸⁸ 'O Kosove je rozhodnuté, myslí si Kubiš', *Pravda*, 6 February 2007.

⁵⁸⁹ 'O Kosove je rozhodnuté, myslí si Kubiš', *Pravda*, 6 February 2007.

⁵⁹⁰ Slávka Boldocká, 'Prílišná angažovanosť škodí', *Hospodárske noviny*, 9 February 2007, p. 7. This referendum was significant inasmuch as the text of the new constitution referred to Kosovo as an integral part of Serbia.

⁵⁹¹ Mirek Tóda and Miroslav Kern, 'Drašković poprel Kubišove slová', *SME*, 8 February 2007.

⁵⁹² Mikuláš Dzurinda, comments to the author, 3 July 2012.

was one of the main topics of their discussion.⁵⁹³ As Dzurinda noted, Merkel asked him to meet with Koštunica because she ‘felt that if somebody could influence Serbia, it is Slovakia’.⁵⁹⁴ However, Dzurinda explained to her that he could not do as she wanted: ‘I remember the impression from this meeting – a fixed belief that if someone will ever have a chance to contribute to a sustainable relationship between Belgrade and Pristina, it will be Slovakia, but it [Serbia] cannot consider us as traitors’.⁵⁹⁵ Asked by journalists why he went only to Belgrade and was not interested also in the view of Pristina, Dzurinda argued that it was not Belgrade who wanted to be separate from Pristina, but the other way round.⁵⁹⁶ The fact that Merkel initiated Dzurinda’s meeting with Koštunica is significant insofar as it shows that Dzurinda was seen as pro-Western and it was expected that he would assist the Western partners with Kosovo. However, it turned out that the opposite was the case.

Soon after, doubts about Slovakia’s position on Kosovo crept in. While up to early February 2007, when Ahtisaari presented his future status solution for Kosovo, the Slovak MFA considered independence inevitable, Ahtisaari’s report sparked a heated debate in Slovakia. Dzurinda took a tactical step and challenged the government by arguing that Kosovo should not be granted independence without Belgrade’s consent and that Slovakia should be ready to stand outside the EU mainstream.⁵⁹⁷

Dzurinda’s sudden reaction surprised not only international but also domestic partners, particularly in view of his very pro-American orientation in the past. As one Senior European diplomat put it, ‘no one expected Mr Dzurinda to come up with this, to be the catalyst of this change, because after all it had been Mr Dzurinda who had done pretty much everything the EU had asked of him’. However, the observer added, it appeared as though he was looking for something with which to embarrass

⁵⁹³ ‘SDKÚ-DS: M. Dzurinda sa stretne s Angelou Merkelovou’, *SITA*, 26 January 2007. As Ježovica noted, it was Dzurinda who initiated the meeting with Merkel. Milan Ježovica, comments to the author, 29 June 2012. Similarly, Kubiš said in a conversation with the US Ambassador Vallee that Dzurinda had specifically told him that his debate with Angela Merkel was Dzurinda’s initiative. See ‘Kubiš looking for domestic agreement on Kosovo in the fine print’, US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA117.html>> [accessed 20 April 2012].

⁵⁹⁴ Mikuláš Dzurinda, comments to the author, 13 July 2012.

⁵⁹⁵ Mikuláš Dzurinda, comments to the author, 13 July 2012.

⁵⁹⁶ Miroslav Kern and Mirek Tóda, ‘Minister Kubiš je v úzkych. Pre Kosovo’, *SME*, 9 February 2007, p. 2.

⁵⁹⁷ ‘Dzurinda: Nezávislé Kosovo proti vôli Srbska by bolo chybou’, *SITA*, 8 February 2007. Dzurinda also argued that it would not be the first time that Slovakia would be in the minority. For instance, he noted that he was the only one who insisted on the start of EU negotiations with Croatia.

Fico.⁵⁹⁸ As the diplomat explained, Dzurinda had by now been out of ‘power for about eight-nine months and it was about the time that the main opposition leader did something to cause Fico a headache’.⁵⁹⁹ Indeed, the question of Kosovo’s independence appeared to be a suitable topic to stir the situation and challenge Fico.

At the time of Dzurinda’s public statements towards Kosovo’s status, Fico was on an official visit to China. As a result, Dzurinda had enough time to challenge Kubiš and criticise the coalition without a direct response from the Prime Minister. Crucially, at this stage Dzurinda’s stand was not the official position of the SDKÚ-DS; it was his personal view.⁶⁰⁰ This was confirmed by Eduard Kukan, a member of the SDKÚ-DS and the former Slovak Minister of Foreign Affairs, who told the US Ambassador in Bratislava that Dzurinda’s harsh statements opposing Kosovo’s independence were of his own initiative and not inspired by the party.⁶⁰¹ Vallee briefed in a cable that Kukan explained to him that ‘sometimes Dzurinda gets an idea in his head that is hard to dislodge’. Nevertheless, Kukan believed that it would be possible to bring Dzurinda closer to the US view on Kosovo.⁶⁰² Meanwhile, the KDH, SDKÚ-DS’s opposition partner, would not itself initiate steps against international partners on Kosovo’s status or lead the idea of a binding resolution on Kosovo. However, its leader, Pavol Hrušovský, nonetheless noted that when Dzurinda spoke against a parliamentary resolution that did not include Serbia’s agreement, the KDH felt the need to come up with statements similar to Dzurinda’s.⁶⁰³ Importantly, Hrušovský was also reported to have noted that while Dzurinda was Prime Minister his stance

⁵⁹⁸ Senior European diplomat, comments to the author, April 2011.

⁵⁹⁹ Senior European diplomat, comments to the author, April 2011. Additionally, government representatives did not have a united position on Kosovo and in light of this, in early February 2007 circumstances and time were right for Dzurinda to initiate a debate on Kosovo and take a lead on it. As Greenstein wrote in relation to the role of individual actors in politics, ‘emphasis is placed on the need for the times to be ripe in order for the historical actor to make his contribution’. See Fred I. Greenstein, *Personality & Politics: Problems of Evidence, Inference, and Conceptualization* (Princeton: Princeton University Press, 1987), p. 41.

⁶⁰⁰ Mikuláš Dzurinda, comments to the author, 3 July 2012.

⁶⁰¹ ‘Fico opposes independence for Kosovo’, US Embassy Bratislava, reference ID 07Bratislava87, 12 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA87.html>> [accessed 10 April 2012]. Indeed, at the end of 2006, Kukan expressed a different view when he noted: ‘I think that the issue of Kosovo’s future status will contain some kind of independence. We can be diplomatic or juggle politically to disguise it. But if we talk discreetly, we will probably all agree with this kind of proposition. Perhaps it could be explained also to Serbia, but there is the problem that no Serbian politician could publicly admit it. It would mean the end of his political career’. Lucia Najšlová, ‘Eduard Kukan: Ak chceme mať rešpekt, musíme byť zodpovední’, *Zahraničná Politika*, 5 (2006), 11-13 (p. 13).

⁶⁰² ‘Fico opposes independence for Kosovo’, US Embassy Bratislava, reference ID 07Bratislava87, 12 February 2007.

⁶⁰³ ‘Kubiš looking for domestic agreement on Kosovo in the fine print’, US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007.

was very different and he never supported any claim that would be against the views of the US or the international community.⁶⁰⁴

On 8 February, two days after his meeting with Koštunica, Dzurinda announced that Kosovo should not be granted independence without the support of Serbia. Importantly, he declared that within the next two weeks SDKÚ-DS would introduce a parliamentary resolution on how the Slovak government should vote on Kosovo in the UNSC.⁶⁰⁵ This was crucial inasmuch as the prime actors involved in Slovak foreign policy-making are the President, the Government and the National Council. Dzurinda stated that Kubiš's earlier statement referring to the inevitability of Kosovo's independence was a big mistake.⁶⁰⁶ In his view, the Foreign Minister had even harmed Serbia's negotiating position.⁶⁰⁷ For the US Embassy officials in Bratislava, Dzurinda's open criticism of Kubiš and of the Slovak government's position on Kosovo was a 'big surprise and disappointment'.⁶⁰⁸ Meanwhile, reacting to Kubiš's statements on the inevitability of Kosovo's independence and the Serbian referendum, the KDH leader, Pavol Hrušovský, even requested Kubiš's resignation for damaging the trustworthiness of Slovakia.⁶⁰⁹ This was the starting point of a heated debate on the province's future. Kosovo's status captured the attention of Slovak politicians like few foreign political topics had before and came to dominate media reports.

Initially, SMER-SD supported Kosovo's independence, as proposed by Ahtisaari.⁶¹⁰ Boris Zala, Chairman of the Parliamentary Foreign Affairs Committee and MP for SMER-SD, despite having reservations towards the proposed model for Kosovo due to the precedent it would create, considered that even if it would not come to an agreement between Belgrade and Pristina, Slovakia would support the Ahtisaari

⁶⁰⁴ 'Kubiš looking for domestic agreement on Kosovo in the fine print', US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007.

⁶⁰⁵ 'Dianie okolo Kosova zamestnáva aj našu politickú scénu', *Radio station Viva*, Main News, 8 February 2007.

⁶⁰⁶ 'Názory na budúcnosť Srbska a Kosova rozdeľujú našu politickú scénu', *TV Markíza*, TV News, 8 February 2007.

⁶⁰⁷ 'Otázka budúceho usporiadania Kosova rozbúrila politickú a diplomatickú hladinu aj na Slovensku', *Rádio Slovensko*, Rádiožurnál, 8 February 2007.

⁶⁰⁸ 'MFA moves closer to U.S. on Kosovo; political parties move further away', US Embassy Bratislava, reference ID 07Bratislava83, 8 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA83.html>> [accessed 4 April 2012].

⁶⁰⁹ 'KDH: Kubiš by mal odstúpiť', *Hospodárske noviny*, 9 February 2007, p. 2.

⁶¹⁰ Ľubica Končalová, SMER-SD's spokeswoman, confirmed this position to a news portal. 'Ficov Smer je za samostatné Kosovo', *Aktuálne.sk*, 7 February 2007. See also 'KDH: Kubiš by mal odstúpiť', *Hospodárske noviny*, 9 February 2007, p. 2.

plan. In addition, he saw no reason for a parliamentary declaration.⁶¹¹ The SMK, a Hungarian minority party, was clearly for the Ahtisaari plan. However, according to its representative Gyula Bárdos, it was not reasonable to adopt any declaration by the Slovak Parliament in support of Serbia or Kosovo's independence.⁶¹²

Other parties were strongly opposed. Ján Slota, leader of SNS and a coalition partner, compared the status proposal to the 1938 Munich agreement,⁶¹³ stating that his party was against Kosovo's independence. Importantly, and in a move that surprised his coalition partners, Slota expressed his party's support for Dzurinda's plan to draft a parliamentary declaration emphasising the non-changeability of Serbia's borders.⁶¹⁴ He argued that it would be unthinkable for a national minority to get the right to create its own state.⁶¹⁵ Meanwhile, although Slota's coalition partners from SMER and ĽS-HZDS did not support the idea of a declaration, there were nevertheless some signs that even SMER-SD was not united on the issue.⁶¹⁶ The ĽS-HZDS appeared to be more reserved on the matter and Zdenka Kramplová, MP of the party, did not expect the initiative to succeed.⁶¹⁷

On 12 February, Dzurinda announced during a press conference that the SDKÚ-DS had presented to the Parliament a draft for the Slovak Parliament's declaration on Kosovo. He stressed that Ahtisaari's status proposal could not be imposed on any of the two sides, but should be considered as a basis for negotiations. An independent Kosovo should not be created without the consent of Serbia. Explaining that 'Kosovo is the most sensitive and most painful problem of Europe',⁶¹⁸ he criticised Prime Minister Fico and the Slovak government for not expressing a clear and strict stance on the issue from an early stage. Behind the lack of a principled position towards the sensitive and complicated issue of Kosovo's status, he saw 'chaos in the

⁶¹¹ 'Zala: Podporíme samostatnosť Kosova', *HN online.sk*, 8 February 2007. Similarly, on the same day, Zala stated that Slovakia could fully support the Ahtisaari plan if 'it would bring stability to the Balkans'. 'Otázka samostatnosti Kosova rozdelila aj našich politikov', *TV JOJ, News*, 8 February 2007.

⁶¹² 'SMK podporuje plán Ahtisaariho ohľadne budúceho štatútu Kosova', *TASR*, 13 February 2007.

⁶¹³ See 'Munich Pact September 29, 1938', The Avalon Project (Documents in Law, History and Diplomacy), Yale Law School, Lillian Goldman Law Library, available at <<http://avalon.law.yale.edu/imt/munich1.asp>> [accessed 29 May 2011].

⁶¹⁴ 'Kosovo rozhádalo slovenský parlament', *TA3, Main News*, 8 February 2007.

⁶¹⁵ 'KDH: Kubiš by mal odstúpiť', *Hospodárske noviny*, 9 February 2007, p. 2.

⁶¹⁶ Miroslav Kern and Mirek Tóda, 'Minister Kubiš je v úzkych. Pre Kosovo', *SME*, 9 February 2007, p. 2.

⁶¹⁷ 'SNS bojuje proti nezávislosti Kosova', *STV I, News STV*, 8 February 2007.

⁶¹⁸ 'Dzurinda: Kosovo je najcitlivejší a najboľavejší problém Európy', *SITA*, 12 February 2007.

head of Robert Fico'.⁶¹⁹ In addition to the SDKÚ-DS proposal, which aimed at binding Slovak government with an exact mandate, on 12 February the SNS also prepared a resolution supporting Serbia's territorial integrity – the first party in fact to do so.⁶²⁰ However, in contrast to the SDKÚ-DS proposal, it would be non-binding. Despite being initially against any parliamentary declaration, once it was clear that the Slovak Parliament would discuss Kosovo, the Hungarian minority party SMK decided to present its own proposal.⁶²¹

On his return from China, Prime Minister Fico told journalists that he considered attempts to speed up Kosovo's independence absolutely irresponsible. 'Efforts to grant Kosovo independence could lead to uncontrolled actions in other countries and have enormous consequences', he said. Furthermore, he emphasised that the 'role of the international community, including Slovakia as a member of the UNSC, is to also take into account Serbia's legitimate interests and create all preconditions for an agreement between Belgrade and Pristina on the status of Kosovo as an integral part of Serbia. This is a position that I will present in the government'.⁶²²

Responding to Dzurinda's criticism that the government did not take a clear stance on Kosovo, Fico argued that he had already been very clear in his statements on this question during his meeting with the Secretary General of NATO in 2006 in Bratislava. 'I clearly said, and since then I hold my position, that it would be very irresponsible to give an independent state status to Kosovo and that I prefer a solution which could be revised. And so, I expect that we will negotiate in the government in this spirit'.⁶²³ Furthermore, Fico stated that Dzurinda should not have been allowed to open Slovak airspace in 1999 for NATO.⁶²⁴ Emphasising how many

⁶¹⁹ 'Dzurinda: Kosovo je najcitlivejší a najboľavejší problém Európy', *SITA*, 12 February 2007.

⁶²⁰ Dzurinda said about the SNS proposal that it was 'about nothing' and that 'on the SNS playground has never been played'. Mikuláš Dzurinda, comments to the author, 13 July 2012.

⁶²¹ 'SMK predloží vlastnú rezolúciu o Kosove, ak sa bude NR SR touto otázkou zaoberať', *TASR*, 14 February 2007.

⁶²² Fico further added: 'Repeatedly [...] I prefer agreement to international dictate and a solution that could be adjusted to a given reality if necessary. Granting the status of an independent state to Kosovo does not fulfil any of these attributes. How would we feel if, similarly, somebody else would decide about Slovakia? Let them have the space, let them agree, let them look for a solution'. 'Tlačová konferencia R. Fica a L. Jahnátka', *TA3, News*, 12 February 2007. See also, 'Návrh na postoj Slovenska k statusu Kosova', *Rádio Slovensko, Rádiožurnál*, 12 February 2007.

⁶²³ 'Tlačová konferencia R. Fica a L. Jahnátka', *TA3, News*, 12 February 2007

⁶²⁴ 'R. Fico: Nezávislosť pre Kosovo by bola nezodpovedná', *TA3, Main News*, 12 February 2007. For Dzurinda the 1999 NATO bombing of Serbia was a sensitive topic. As one diplomat noted, Dzurinda 'made a big thing about the political costs he had suffered for having allowed NATO overflights of Slovakia for the bombing of Belgrade and Serbia back in 1999. He paid a heavy political price for that and he was almost saying "I have done

civilians died during the operation, he noted that at the time Greece, a member of NATO, did not allow NATO to use its own space whereas Slovakia, which was not a member, had. As he told the press, it was ‘hypocritical’ that the same people who opened the Slovak airspace were now suddenly big protectors of Serbian interests. More to the point, Fico also argued that he had not changed position on Kosovo, despite Kubiš’s recent statements.⁶²⁵ As for whether he would support the declaration that had been prepared by the SNS, Fico noted that as the next parliamentary meeting would not be held until March, there would be enough time to discuss the issue.⁶²⁶

Seizing the opportunity to attack the government, Dzurinda now turned the debate on Kosovo into an issue of great national importance.⁶²⁷ In a move that was clearly designed to increase his political visibility, Dzurinda was helped by the fact that there was obviously no official and unified position amongst the members of the government on the issue. Having been taken by surprise by the issue, meanwhile, Fico appeared to conclude that he had no option to raise Kosovo in his list of priorities and announced that his administration’s position was that it would not recognise Kosovo. Significantly, after Dzurinda’s attack, Fico’s earlier intentions to leave foreign policy to Kubiš now changed; this left Kubiš, who was obviously in favour of recognising Kosovo, in a very difficult situation. As a diplomat explained, Fico’s reaction surprised Dzurinda, who wanted to embarrass Fico. However, ‘Fico being a master tactician for years picked it up and used it to his advantage’.⁶²⁸

US Ambassador Vallee considered Fico’s assertions to push through his stance in the government as an ‘indirect slap’ to Kubiš. More to the point, Vallee stated that ‘Fico seems to have been provoked into this emotional response by his political rival Dzurinda’.⁶²⁹ Interestingly, Vallee further noted that some of this outburst might

it once, I am not going to do it again”. Personally, I didn’t find that terribly convincing but it was one of the arguments he used [...] to defend his position’. Senior European diplomat, comments to the author, April 2011.

⁶²⁵ ‘Tlačová konferencia R. Fica a L. Jahnátka’, *TA3, News*, 12 February 2007; ‘Vládni aj opoziční politici sa pretekajú, kto vyťáží z Kosova’, *Pravda*, 13 February 2007, p. 2.

⁶²⁶ ‘Tlačová konferencia R. Fica a L. Jahnátka’, *TA3, News*, 12 February 2007.

⁶²⁷ The national agenda or national approach in politics was typical for – and expected from – the Slovak National Party (SNS) and even from SMER. However, in recent years, other political parties did not exclude this topic from their programmes. Oľga Gyarfášová, comments to the author, 7 April 2011.

⁶²⁸ Senior European diplomat, comments to the author, April 2011.

⁶²⁹ ‘Fico opposes independence for Kosovo’, US Embassy Bratislava, reference ID 07Bratislava87, 12 February 2007.

have been just for show, as earlier on 9 February, Kubiš met with Fico and Gašparovič to coordinate the policy. Kubiš's Chief of Staff reported that Fico did not give Kubiš any instructions to change the official MFA stance and that Kubiš still felt in control of the situation. However, Kubiš considered the binding draft proposal by the SDKÚ a threat, and asked the US Ambassador Vallee to 'prevent parliament from tying my hands at the UNSC'.⁶³⁰ This was significant inasmuch as it shows that the MFA sought help from the US Embassy to influence domestic politicians' decision on Kosovo. As a result, the US's main aim was to influence MPs to withdraw the plan for a binding parliamentary resolution,⁶³¹ so that Kubiš would have space to manoeuvre; additionally, the US sought public support from NGOs active in Kosovo.⁶³² In the meantime, on 13 February, the president met with political leaders to calm the situation and discuss Kosovo, for he considered the turmoil created domestically around Kosovo unnecessary.⁶³³ Importantly, it was agreed that no extraordinary session on Kosovo would be called, but MPs would wait until the Parliament resumed session on 20 March.

'Slovakia is the only country in the world, except of course Serbia, where the question of Kosovo became from one day to another an important topic in domestic politics', commented Kubiš on the latest developments.⁶³⁴ In an interview for the daily *Pravda*, he also explained the recent Slovak position at GAERC.⁶³⁵ He diplomatically clarified the standpoint, no longer mentioning the inevitability of Kosovo's independence but highlighting the need for negotiations between Belgrade and Pristina. He criticised politicians in the opposition, who – since they were not in the government – would not consider Slovakia's real interests. Furthermore, Kubiš warned about a binding resolution, as that could lead to Slovak isolation in the international community and Slovakia could become 'a factor that would block the

⁶³⁰ 'Fico opposes independence for Kosovo', US Embassy Bratislava, reference ID 07Bratislava87, 12 February 2007.

⁶³¹ As one anonymous observer noted, perhaps the Slovak Ministry of Foreign Affairs could have worked more intensively with political parties and more could have been done in terms of explaining the situation.

⁶³² 'Fico opposes independence for Kosovo', US Embassy Bratislava, reference ID 07Bratislava87, 12 February 2007.

⁶³³ 'Prezident I. Gašparovič si vypočul postoje politických strán ku kosovskej budúcnosti', *TV JOJ*, News, 13 February 2007.

⁶³⁴ Ján Kubiš, 'Cieľom je Kosovo bez porazených', *Pravda*, 13 February 2007, p. 11.

⁶³⁵ Slovakia enforced that a sentence on 'welcoming' Ahtisaari's proposals was cut from the GAERC conclusions.

solution'.⁶³⁶ In essence, this was Kubiš's main concern. Slovak cooperation on Kosovo was crucial for him, as he considered that this situation could adversely affect Slovak relations with the US and key EU partners, and thus Slovakia's standing in the EU.

In an effort to influence Dzurinda, a US cable reported, the US Ambassador met him on 14 February and argued that a binding parliamentary resolution would alienate Slovakia from its transatlantic partners. Despite Dzurinda's acknowledgement that the language of the draft could be altered he refused to withdraw it. As Ambassador Vallee noted in the cable, 'Dzurinda clearly relished an upcoming fight in Parliament that would give him the chance to take on the Fico government'.⁶³⁷ The dispatch further reported a meeting between Dzurinda and Daniel Fried, Assistant Secretary of State for European and Eurasian Affairs, where Dzurinda expressed concern about the 'use of Kosovo as a precedent in other conflicts, humiliating treatment of Serbia, and implications for the Hungarian minority in Slovakia'.⁶³⁸

As a cable exposed, while the MFA's message to SDKÚ was not to tie the hands of the MFA with a binding resolution, to concerned diplomats it was reported that the situation was under control; however, Lajčák disclosed to the US Embassy that Kubiš underestimated domestic difficulties and the MFA could not expect what would happen next. In addition, Lajčák expressed frustration over the domestic situation as in his view, nobody took into account Slovak interests and responsibilities as a member of the EU, NATO and UNSC.⁶³⁹

It was becoming clearer that despite his commitment to coordinate the views of Slovak political representatives, Kubiš did not have the situation under control. In February 2007, during a meeting in New York between Kubiš and Kristen

⁶³⁶ Ivan Drábek and Miroslav Čaplovič, 'Prečo Kubiš nevíta návrh pre Kosovo', *Pravda*, 14 February 2007, p. 1; p. 5.

⁶³⁷ 'Slovakia's debate on Kosovo still simmering', US Embassy Bratislava, reference ID 07Bratislava102, 20 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA102.html>> [accessed 15 April 2012]. Interestingly, in March, Dzurinda's former foreign-political advisor, Ježovica, told the US Ambassador that Angela Merkel would be the best person to moderate Dzurinda's standpoint if she would be willing to do it. See 'Rhetoric in Bratislava overshadows Kubiš in Belgrade', US Embassy Bratislava, reference ID 07Bratislava154, 15 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA154.html>> [accessed 25 April 2012].

⁶³⁸ 'Slovakia's debate on Kosovo still simmering', US Embassy Bratislava, reference ID 07Bratislava102, 20 February 2007.

⁶³⁹ 'Slovakia's debate on Kosovo still simmering', US Embassy Bratislava, reference ID 07Bratislava102, 20 February 2007.

Silverberg, Assistant Secretary of State for International Organizations for the United States government, which was also attended by the acting US Permanent Representative to the UN, Alejandro Wolff, Silverberg advised Kubiš that ‘the US would not look favourably on any Slovak action that undermined UN Special Envoy Martti Ahtisaari’s proposals on Kosovo in the Security Council’. Kubiš reportedly noted that he was ‘working hard to ensure that the Slovak MFA has the “diplomatic flexibility” to play a constructive role on Kosovo in the UNSC’.⁶⁴⁰ His position at that time was best illustrated by a comment made by Slovak MFA representative Rozkopal, who was reported to note to the US Ambassador that Kubiš has two full-time jobs: first, to present Slovak foreign policy to the world and second, to Slovakia itself and the government in particular.⁶⁴¹

4.3.1 Opposing Europe? The Slovak Parliament’s Declaration on Kosovo and ‘Europe’s big test’

Considering that only one month was left until the Slovak Parliament would debate a draft resolution on Kosovo, international diplomats increased their efforts to persuade Slovakia to stay in the mainstream on Kosovo. Notably, most active was the Quint – Ambassadors of the UK, the US, France, Germany and Italy – who regularly met in Bratislava to exchange views on how to influence the Slovak position on Kosovo. They agreed that a demarche to the MFA would be counter-productive. As reported in a US dispatch, they would continue engaging with their contacts in the Slovak government and political parties. Importantly, it was agreed that on the side of the 16 March EU Presidency lunch at the German Embassy they would approach Fico. Furthermore, the Italians were encouraged to talk about Kosovo during President Gašparovič’s official visit to Italy planned for 27-28 February.⁶⁴²

⁶⁴⁰ ‘A/S Silverbergs meeting with Slovak FM Kubiš’, US mission UN New York, reference ID 07USUNNEWYORK149, 22 February 2007, <<http://wikileaks.org/cable/2007/02/07USUNNEWYORK149.html>> [accessed 28 April 2012].

⁶⁴¹ ‘Ahtisaari plan sparks debate in Slovakia’, US Embassy Bratislava, reference ID 07Bratislava76, 7 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA76.html>> [accessed 29 March 2012]. As an anonymous source told the author, Kubiš was balancing between the Slovak position in the EU, the UNSC and the domestic political scene.

⁶⁴² ‘Kubiš looking for domestic agreement on Kosovo in the fine print’, US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007.

In the meantime, prior to the Parliament's debate on Kosovo, Lajčák was very active in organising meetings between Slovak politicians and EU/US representatives in order to influence the parliamentary debate on Kosovo and convince coalition and opposition representatives not to tie the MFA's hands.⁶⁴³ For instance, according to a US cable, Lajčák co-organised a meeting on 26 February 2007 in Berlin between Ahtisaari and Zala, the Chairman of the Slovak Parliamentary Foreign Affairs Committee – Zala also met with Javier Solana and German Minister of Foreign Affairs Frank-Walter Steinmeier – and Kubiš's early March 2007 meeting with Ahtisaari in Vienna. Furthermore, at the end of February 2007, Rosemary DiCarlo met in Bratislava with Zala and other Slovak MPs from coalition and opposition parties.⁶⁴⁴ A US dispatch commented that despite Zala's reservations towards Kosovo's independence, he told DiCarlo that 'Slovakia was realistic and understood there was no other way', but emphasised Kosovo as a unique case.⁶⁴⁵ DiCarlo also met with SMK representatives who expressed their support for the Ahtisaari plan and a united EU on the issue. They were reported to note that minority rights guarantees in the plan were more important for them than ethnically-based requests for independence.⁶⁴⁶ The SNS representative confirmed opposition to Kosovo's statehood. However, a KDH official, despite resistance to Kosovo's independence, stated that the party had no wish to contradict international partners and would not take a lead in the debate. As the dispatch further briefed, representatives of SDKÚ had told the US Embassy that they wanted to go ahead with the resolution but were aware that there would not be enough votes in the Parliament to support it.⁶⁴⁷

Fico was convinced that Dzurinda was trying to push him into isolation within the EU on Kosovo. This was revealed during his meeting with the US Ambassador on 2 March. A cable reported that Fico was grateful for the US support to Kubiš and for

⁶⁴³ 'Kosovo: Slovak MFA still trying to persuade GOS, but worrying political signs continue', US Embassy Bratislava, reference ID 07Bratislava 115, 23 February 2007, <<http://wikileaks.org/cable/2007/02/07BRATISLAVA115.html>> [accessed 20 April 2012].

⁶⁴⁴ See 'Kosovo: Slovak MFA still trying to persuade GOS, but worrying political signs continue', US Embassy Bratislava, reference ID 07Bratislava 115, 23 February 2007; 'Fico: I will not allow my government to be isolated on Kosovo', US Embassy Bratislava, reference ID 07Bratislava133, 2 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA133.html>> [accessed 20 April 2012].

⁶⁴⁵ 'Fico: I will not allow my government to be isolated on Kosovo', US Embassy Bratislava, reference ID 07Bratislava133, 2 March 2007.

⁶⁴⁶ 'Fico: I will not allow my government to be isolated on Kosovo', US Embassy Bratislava, reference ID 07Bratislava133, 2 March 2007.

⁶⁴⁷ 'Fico: I will not allow my government to be isolated on Kosovo', US Embassy Bratislava, reference ID 07Bratislava133, 2 March 2007

stressing to Dzurinda that Slovakia should not go against Europe in regard to the Ahtisaari plan. More to the point, Fico confirmed his support of Kubiš.⁶⁴⁸ After an early March meeting with Ahtisaari in Vienna, Kubiš criticised the SDKÚ-DS draft proposal related to Slovakia's disagreement with Kosovo's independence without Serbia's consent. He argued that this position could lead to Slovak isolation within the EU and NATO and even obstruct the UNSC resolution.⁶⁴⁹ Indeed, he told the press that the SDKÚ-DS initiative 'took our partners aback' and Ahtisaari was interested if SDKÚ-DS really wanted to tie the government's hands on Kosovo.⁶⁵⁰

Prior to the passage of the Slovak Parliament's declaration, the US Ambassador in Bratislava, Vallee, commented in a leaked cable: 'Intense US diplomatic efforts to convince Slovakia to adhere to "European unity" on Kosovo have started to turn political opinion, but [...] the battle is not yet won. It is necessary to keep pressure on our European partners to carry water on the issue as well'.⁶⁵¹ Considering the approaching parliamentary debate on Kosovo, it was quite clear that attempts to persuade Slovak officials to change the course of action would intensify.

Meanwhile, on 13 March 2007, another incident arose that appeared to show the continuing divisions between the MFA and other parts of the government. This time the catalyst for the disagreement was the visit of Zoran Stanković, the Serbian Minister of Defence, to Bratislava. During a joint press conference, his Slovak counterpart, Fratišek Kašický, stated that 'it is not possible to support any degree of Kosovo's independence without the consent of Belgrade. It is not possible to support a development resulting in a national minority, which has its own mother state, claiming to create another state'.⁶⁵² This stood in stark contrast to the message Kubiš had delivered in Belgrade and Pristina. The MFA's attempt to present a single position on Kosovo had once again been obstructed. Crucially, the failure of the

⁶⁴⁸ 'Fico: I will not allow my government to be isolated on Kosovo', US Embassy Bratislava, reference ID 07Bratislava133, 2 March 2007.

⁶⁴⁹ 'Kubiš: KFOR je pripravené zasiahnuť', *Pravda*, 2 March 2007.

⁶⁵⁰ 'Kubiš rokoval s Ahtisaarim o Kosove, aj o postojoch politických strán v SR', *TASR*, 2 March 2007. As Augustin Palokaj noted, 'Dzurinda was strange, he was accusing the then government of not being pro-American but what he did went completely against the US'. Augustin Palokaj, comments to the author, 16 July 2010.

⁶⁵¹ 'Update on Slovakia's Kosovo debate', US Embassy Bratislava, reference ID 07Bratislava146, 12 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA146.html>> [accessed 25 April 2012]. As one observer stated, Slovakia was under pressure from the big players – the US and the EU. In short, 'it would have been easier for us [Slovakia] to recognise Kosovo', he added.

⁶⁵² 'Zoran Stanković ocenil postoj Slovenska', *Obrana*, 4/2007, Ministerstvo Obrany SR, Bratislava, p. 20.

government to generate a united position on the issue created a favourable situation for the opposition to attack the government on its position towards Kosovo's status. This was especially the case given that a March 2007 survey revealed that Fico's party SMER increased its popularity; 40 percent of voters now said that they would support him.⁶⁵³

On 16 March, Fico met with EU Ambassadors; a US dispatch reported he had confirmed that Slovakia would stand with the EU on Kosovo, and at the UNSC it would vote for the Ahtisaari plan.⁶⁵⁴ Returning from a Moscow visit, Lajčák briefed the US Ambassador that Russia signalled a very firm position on Kosovo. Furthermore, Foreign Minister Titov and Kosovo envoy Botsan-Kharchenko said that the Ahtisaari plan would require alteration and that Ahtisaari was not considered the best person to continue with the talks, but rather a new envoy should be named.⁶⁵⁵

Kubiš did not want to comment on the Kosovo debate in Slovakia. However, he argued that the way Slovakia dealt with this topic was not standard, pointing out the recent note by the Serbian Prime Minister Koštunica who had felt as if Kosovo was a part of Slovakia.⁶⁵⁶

As Tonra suggests, governments depend on 'their domestic base to underpin the strength of their international position' but also they may 'rely upon their international responsibilities to shield them from domestic political pressures'.⁶⁵⁷ In this respect, pointing to the need for a joint EU position on Kosovo was a means for the Slovak government, and the MFA in particular, to resist the pressure by MPs and justify its aim to stay with the mainstream on Kosovo. However, despite the effort, it did not bring the desired result.

⁶⁵³ Miroslav Kern and Jozef Čavojec, 'Smer berie takmer všetko', *SME*, 16 March 2007, p. 1.

⁶⁵⁴ 'Kosovo: Fico reassures diplomats; MPs work on non-binding resolution; Russians scare MFA', US Embassy Bratislava, reference ID 07Bratislava162, 19 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA162.html>> [accessed 28 April 2012].

⁶⁵⁵ 'Kosovo: Fico reassures diplomats; MPs work on non-binding resolution; Russians scare MFA', US Embassy Bratislava, reference ID 07Bratislava162, 19 March 2007.

⁶⁵⁶ 'SDKÚ-DS, SNS a SMK pripravujú deklaráciu o Kosove', *STVI*, News STV, 18 March 2007.

⁶⁵⁷ See Ben Tonra, 'Denmark and Ireland', in *The Foreign Policies of European Union Member States*, ed. by Ian Manners and Richard G. Whitman (Manchester: Manchester University Press, 2000), pp. 224-42 (p. 233).

Considering the Slovakian reservations and increasing opposition towards Kosovo's independence on the domestic political scene, US Ambassador Vallee pressed Kubiš to either support Ahtisaari or not to comment at all during the 19 March UNSC closed discussions. Kubiš confirmed that Slovakia would not comment on the final status negotiations.⁶⁵⁸ He considered the Slovak stance towards the question of Kosovo's status as crucial and advocated unity among EU members. This position was clearly demonstrated when he disclosed to the US Ambassador Vallee that if he was forced into a position opposing the international community he would resign.⁶⁵⁹ This only highlighted how vital it was for Kubiš not to be bound by a parliamentary resolution to vote against the Ahtisaari plan at the UNSC and what a high price he was prepared to pay, for he believed that Kosovo was 'Europe's big test'.⁶⁶⁰ Although Kubiš was under domestic pressure, he still had some space to manoeuvre and was able to comply with US requests.

During March, the Parliamentary Foreign Affairs Committee met several times to discuss draft resolutions on Kosovo.⁶⁶¹ In addition to the SDKÚ-DS proposal,⁶⁶² draft resolutions were also tabled by the SNS, SMK and eventually SMER. Of the four, only the SMK's proposal supported Ahtisaari's plan and Kosovo's independence. Dzurinda accused SMER of having come up with their own resolution in order to split the Committee's votes with the aim of preventing any resolution from being passed.⁶⁶³ As he saw it, SMER wanted to have 'free hands' to join the majority on Kosovo. In the end, on the basis of a political agreement between the coalition party SNS and opposition parties SDKÚ-DS and KDH, Jozef Rydlo (SNS) presented a new SNS draft text. As a result of this cooperation, Dzurinda withdrew the SDKÚ-DS proposal from the Committee debate. On 23 March, the Committee failed to pass any of the draft resolutions, which meant that the proposals would be referred to Parliament and debated on 27 March.⁶⁶⁴ As Kosovo now became an

⁶⁵⁸ 'Rhetoric in Bratislava overshadows Kubiš in Belgrade', US Embassy Bratislava, reference ID 07Bratislava154, 15 March 2007.

⁶⁵⁹ 'Kubiš looking for domestic agreement on Kosovo in the fine print', US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007. This was confirmed to the author by an anonymous source who explained that for Kubiš it was a 'question of Slovak prestige' and he did not want to harm his country.

⁶⁶⁰ 'Kubiš looking for domestic agreement on Kosovo in the fine print', US Embassy Bratislava, reference ID 07Bratislava117, 26 February 2007.

⁶⁶¹ Lörincz who in 2007 participated at the debates of the Foreign Affairs Committee noted that in fact, some MPs did not even know where Kosovo lies. Július Lörincz, comments to the author, 20 April 2010.

⁶⁶² On 2 March, SDKÚ-DS replaced its initial draft proposal from February 2007 by a new draft text.

⁶⁶³ 'Téma Kosovo láme parlamentné rekordy', *STV1*, News STV, 20 March 2007.

⁶⁶⁴ 'Včera doma', *Slovenský rozhlas*, 23 March 2007.

‘absolute phenomenon’ in the Slovak parliament,⁶⁶⁵ it was nevertheless widely believed that there would not be enough votes to pass any of the declarations by the Parliament as a whole.

In the meantime, because Fico disliked the idea that previously SNS had cooperated with the opposition parties – SDKÚ and KDH – on the draft resolution, one day prior to the parliamentary debate on Kosovo, he met with his coalition partners and they agreed on an additional joint coalition draft text.⁶⁶⁶ As a result, there were now five drafts before the Parliament. In the end SNS and SMER withdrew their texts,⁶⁶⁷ thereby leaving the joint coalition text, as well as the draft resolution by the SDKÚ-DS and the pro-independence resolution of the SMK.⁶⁶⁸

At the end of March 2007, the Slovak Parliament finally started to discuss Kosovo’s status and the position that Slovakia should take. MPs recalled history, religion, moral duty and long-term relations with Serbia as factors that should contribute to the Slovak position. Present at the debate was also Foreign Minister Kubiš. On 27 March, he presented to the Parliament the ‘Report on the Fulfilment of Foreign Policy Tasks of the Slovak Republic in 2006’ and ‘Slovakia’s Foreign Policy Orientation for 2007’.⁶⁶⁹ Eduard Kukan, SDKÚ-DS MP and former Foreign

⁶⁶⁵ ‘V parlamente sú už štyri deklarácie o Kosove’, *TA3*, Nočný žurnál, 20 March 2007.

⁶⁶⁶ According to a US cable, Kubiš discussed the language of the coalition draft with Fico who reassured him that it would not change Kubiš’s mandate or his authority at the UNSC vote. See ‘Heated parliamentary debate over Kosovo continues; FM Kubiš says he still has a mandate to do the right thing’, US Embassy Bratislava, reference ID 07Bratislava187, 27 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA187.html>> [accessed 25 April 2012].

⁶⁶⁷ ‘Kosovskú bitku rozhodla Elektra’, *Pravda*, 28 March 2007, p. 2. SNS was not keen to withdraw its text and it was a big surprise for the opposition. Jozef Rydlo, SNS MP who presented the SNS draft that gained support of SDKÚ-DS and KDH, expressed, on 27 March in front of the Parliamentary Foreign Affairs Committee, disagreement with the new coalition draft text. However, as he stated, on the basis of the coalition agreement from the previous day, he would vote for the coalition text in the Parliament. He criticised the new text because it did not discuss the territorial integrity of Serbia, however stated that ‘I have a “socialistic” commitment to vote for this declaration with which I internally disagree’. He added that the decision to vote for it is a coalition decision because on the basis of the coalition SNS agreement they are bound to vote with the coalition and not the opposition. Talking to journalists, he added that behind the coalition declaration on Kosovo is party politics competition between SMER-SD and SDKÚ-DS. ‘I am convinced that the declaration prepared by SNS and then co-signed also by SDKÚ and KDH, is very acceptable to everybody who has a good will. But if it turns strictly into a political arena where there is a contraposition – SMER vs. SDKÚ, or the other way round – it does not bring any good result’. ‘Koalícia čiastočne odmietne nezávislosť Kosova’, *SME*, 27 March 2007.

⁶⁶⁸ Despite the fact that the SDKÚ-DS proposal was not debated by the Foreign Affairs Committee and as a result, there was no vote on it, it was included in the parliamentary discussion on 27-28 March 2007. Dzurinda insisted that he withdrew the text from the Committee – because there had appeared to be an agreement on one of the drafts – but he did not withdraw it from the Parliament. See Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012], pp. 44-45.

⁶⁶⁹ The Parliament eventually passed both materials – on 27 March, the Report (of the 144 MPs present; 81 voted for it, 62 were against and 1 abstained) and on 28 March, the Orientation (of the 139 MPs present; 76 voted for it, 31 were against and 32 abstained). Significantly, Slovakia’s Foreign Policy Orientation for 2007 included a

Minister, noted that Slovakia should not be passive to the solution of the Kosovo problem; he criticised Kubiš because the MFA Orientation for 2007 supported Ahtisaari's mission without mentioning that border changes in Europe should depend on the consent of both parties.⁶⁷⁰ Kubiš responded that Dzurinda's previous two governments were passive, as they accepted development of the situation. He added that responsibility for the existing situation had lain with the previous government – which was there for eight years – because development around Kosovo had already been initiated in 1999.⁶⁷¹ Importantly, during his presentation of the Orientation of Slovak foreign policy in 2007, Kubiš argued that the government's position on Kosovo was very clear. The MFA – responding to the published Ahtisaari plan – officially expressed its stance on 26 March 2007:

The Ministry of Foreign Affairs noted publication of recommendations by the Special Envoy of the UN Secretary General for the process of determining the future status of Kosovo, Martti Ahtisaari, in regards to his proposal for future arrangements in Kosovo, as well as the fact that the UN Secretary General, Ban Ki-moon, presented on 26 March 2007 a proposal and recommendations of the Special Envoy Ahtisaari to the members of the Security Council and expressed his full support for them.

The Slovak Ministry of Foreign Affairs expects the start of informal discussions on Ahtisaari's proposals recommended in the UN Security Council, as well as on the preparation of a new UN Security Council Resolution.

In accordance with current opinions, during these discussions, the Slovak Republic will promote proposals and ideas that will respect the objective reality in the Kosovo question and ultimately lead to consolidation of peace and security.

At the same time, the Slovak Republic will seek to fulfil the main objective of its policy towards the Western Balkans, which is to strengthen the stability and European perspective of the whole region on the basis of a united EU action.

statement on the EU unity on Kosovo. It stated, 'Slovakia mainly emphasises the need of a coherent approach by the international community to the issue of the status of Kosovo. Slovakia will continue to support the implementation of plans of the international community based on the authority of the Contact Group and mission for the process of the future status of Kosovo with which the UN Secretary General tasked his Special Envoy Mr. Ahtisaari. In this process, Slovakia will be pro-active in the UN Security Council, EU, NATO and other relevant institutions with the aim to contribute to such a solution that will lead to strengthening stability, prosperity and European integration in the region on the basis of a united EU action'. See Ministry of Foreign Affairs of the Slovak Republic, 'Slovakia's Foreign Policy Orientation for 2007', Odbor analýz a plánovania MZV SR, pp. 20-21, available at <http://www.mzv.sk/sk/zahranicna_politika/zahranicna_politika> [accessed 23 August 2012].

⁶⁷⁰ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 9.

⁶⁷¹ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 22.

In this respect, the Slovak Republic will support all proposals that could bring the process of determining Kosovo's future status to a mutually acceptable solution.

The Slovak Republic will also enforce the UN Security Council Resolution affirming that any solution to the issue of Kosovo is a *sui generis* solution and does not represent a precedent for any other situations and cases.

The Ministry of Foreign Affairs fully supports controlling and determining the role of the Contact Group in the process of finding the future status of Kosovo.

We are convinced that the significance of the Contact Group work, for a successful solution of Kosovo's status, will intensify in the upcoming debate in the UN Security Council. For this reason, the Ministry of Foreign Affairs believes that members of the Contact Group will make every effort necessary to restore its unity of opinion, which is an important prerequisite for a successful adoption of a decision on the future status of Kosovo and its implementation.

In its opinions in the UN Security Council, as well as later in the process, the Slovak Republic will support EU unity of opinion and demonstrate that – in this issue so important for the future fate of a common Europe – it can assume its responsibilities as a member of the EU, NATO and the UN Security Council.⁶⁷²

It was evident that Kubiš's main emphasis was on Slovakia's duty to act as a responsible member of these international organisations. Referring to the MFA statement, he noted that Ahtisaari's proposals and recommendations were fully supported by the UN Secretary General Ban Ki-moon, the Secretary General of NATO and the EU's High Representative for Common Foreign and Security Policy Javier Solana. 'We often refer to these people, so let's refer to them consistently', he added. On the united course of the EU action, he made a clear statement:

We cannot afford and do not want to afford to compromise our position, our state interests, by playing the kind of policy that would absolutely discredit us and would undermine our international standing in a way that would actually lead to our considerably obstructed functioning both within the European Union or NATO. This is our natural environment; in this lies continuity of our foreign policy, continuity of our existence and this is our state interest, not any further statements. Therefore, we will pursue this also in the UN Security Council during discussions on a new UN Security Council resolution on the basis of a united EU process. We

⁶⁷² During his speech, Kubiš quoted each paragraph of the MFA statement separately and then interpreted it. Here, the official statement is quoted in full first followed by some of Kubiš's most significant comments. Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 23-26.

could elaborate at length on what the European Union states' disunity within the framework of the SC discussion and development of the overall situation in Kosovo would mean. I guarantee that it would be a great misfortune and the Security Council, in case it came to any tragic developments, would have to deal in turn with this issue, but in terms of finding solutions to strengthen peace and security that would be a completely different operation. We don't want that. We want controlled development, guided discussions, no matter how difficult they would be.⁶⁷³

Explaining the significance of unity on the part of the Contact Group members in the context of Kosovo, Kubiš noted:

Why unity of opinion? Because it appears that in the last phase of negotiations there is no absolute unity of opinion; one member of the Contact Group, namely the Russian Federation, simply opens a whole range of questions. And our European Union and NATO partners' question is clear – on which side in this debate do we stand? And I have only one answer: on the side of the European Union, on the side of NATO; as a responsible member of the Security Council, as a part of the Alliance, part of the European Union. I will not accept any other answer in these situations; not even in these discussions.⁶⁷⁴

Referring to Kubiš's talk, Dzurinda noted that he was captivated by the strong inclination towards unity in Kubiš's speech which he found 'sympathetic'. However, in relation to unity, Dzurinda saw a contradiction in the coalition draft text; on one hand, the text supported unity and expected that the government would look for a common solution with other EU members, but on the other, it was also a reminder of mistakes made in 1999 in relation to the destabilisation of the Western Balkans.⁶⁷⁵

Likewise, Dzurinda did not understand Kubiš's criticism of the opposition expressed to international partners. He quoted Fico's statement on his return from China and added, 'we [SDKÚ-DS] are in an absolute agreement with Prime Minister Fico. So why are you attacking us? Vote for our declaration'.⁶⁷⁶ Later on, referring to Koštica's visit in 2006, he questioned the government's contrasting messages on Kosovo. Furthermore, Dzurinda probed that on one hand, the coalition draft text included statements such as Parliament believed that 'the future status of Kosovo would not set a precedent in international law' and on the other, Prime Minister Fico

⁶⁷³ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 24.

⁶⁷⁴ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 26.

⁶⁷⁵ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 32.

⁶⁷⁶ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 32-34.

had noted that ‘efforts to grant Kosovo independence could lead to uncontrolled moves in other countries and have enormous consequences’. Therefore, he argued that while the coalition MP’s text did not consider it a precedent, Fico did.⁶⁷⁷ From this early exchange of arguments it was clear that considerable differences in opinions existed.

The debates were very heated. MPs frequently referred to the events of 1999 when Slovakia opened its airspace for the NATO intervention. Referring to the text of the resolution that the Slovak Parliament passed on 14 April 1999 in relation to the situation in Kosovo, Dzurinda stressed that the resolution had called all interested parties to find a solution that would ‘keep the territorial integrity of FRY’.⁶⁷⁸ In this respect, he claimed that there was continuity in their opinion. Arguing that a solid discussion on Kosovo was missing in Europe, Dzurinda added that ‘we do not need to rely on the Americans and we should not’.⁶⁷⁹ He also noted that Europe should be more devoted to the question of Kosovo than to any other issue. ‘It is our responsibility to alert our allies that they are mistaken’, stressed Dzurinda. Despite acknowledging that he was in general a strong supporter of the US, in this case, he felt that they were wrong.⁶⁸⁰

Dzurinda criticised the new coalition draft, arguing that it indirectly supported Kosovo’s independence and that the withdrawn draft by the SNS was actually in Slovak national and state interest. Moreover, he stressed that unlike the SNS draft, which had had the support of both opposition parties – SDKÚ-DS and KDH – the new coalition text failed to address the question of Serbia’s territorial integrity and left enough room for the government’s eventual approval of Kosovo’s independence.⁶⁸¹ By expressing support for the withdrawn SNS draft, Dzurinda

⁶⁷⁷ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 80.

⁶⁷⁸ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 91. For a full text of the resolution, see ‘Vyhlásenie Národnej rady Slovenskej republiky k situácii v Kosove schválené Národnou radou Slovenskej republiky uznesením zo 14. apríla 1999’, Nr 262, *Národná rada Slovenskej republiky*, 14 April 1999. Prior to this declaration, on 23 March 1999, the Slovak Government passed the controversial resolution which opened Slovak airspace for the NATO intervention in FRY.

⁶⁷⁹ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 92.

⁶⁸⁰ See Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 123.

⁶⁸¹ See Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 123-24.

evidently attempted to cause a split in the coalition.⁶⁸² Dzurinda also argued that he did not insist on voting for the SDKÚ-DS draft and that the Parliament could vote for the SNS proposal, which in his words was ‘good, balanced and truthful’, as it included the principle of territorial integrity.⁶⁸³ Nevertheless, during the first day of debate, Anna Belousovová, the Vice-Chairman of SNS, expressed her satisfaction that the coalition had prepared a single joint declaration and was prepared to support it. In light of this, it appeared that the coalition would remain united over their declaration text.

Prime Minister Fico, who was also present at the debate, stressed that a similar discussion on other important domestic political issues, not only on Kosovo, would be welcome. He noted that Slovakia was probably the only country in Europe dealing with the issue of Kosovo’s future as if it were a domestic political topic. Furthermore, he emphasised that the coalition draft text had a very clear interpretation and refused all accusations that it supported independence. More to the point, he expressed his belief that if Dzurinda were Prime Minister, he would be ‘the first one to stand with banners and shouting “independence to Kosovo, grant it an independent state!”’⁶⁸⁴

Boris Zala, the Chairman of the Parliamentary Foreign Affairs Committee and SMER MP, was the only one during this debate who referred also to collective rights, for he argued that for Slovakia it was important that any solution for Kosovo – be it international protectorate, limited independence, ‘more than autonomy’ solution or autonomy based on collective minority rights – should not set a precedent for other countries. He considered it a challenge for Slovak foreign policy to minimise the option of a precedent.⁶⁸⁵

⁶⁸² As the US Ambassador Vallee reported, by arguing that the coalition draft would allow the cabinet to support Ahtisaari, Dzurinda aimed to win members of the SNS. ‘Slovakia to join the EU unity on Kosovo, but only in the UNSC’, US Embassy Bratislava, reference ID 07Bratislava190, 28 March 2007, <<http://wikileaks.org/cable/2007/03/07BRATISLAVA190.html>> [accessed 28 April 2012].

⁶⁸³ See Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 123.

⁶⁸⁴ See Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 115-17.

⁶⁸⁵ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 103.

Responding to Fico's statement, KDH representative Vladimír Palko argued that Kosovo was a foreign political topic and it was Fico who had made it a domestic one. He noted that both opposition and coalition MPs were aware that 'the topic of Kosovo touches upon Slovak national interests'. He further stressed that the Parliament could have reached a position – with a considerable majority – that would have expressed the state interest of the Slovak Republic; however, by referring to the 1999 events, coalition MPs blocked this chance.⁶⁸⁶ Enquiring about the coalition meeting – taking place a day before the parliamentary debate and resulting in the coalition draft text on Kosovo – opposition MPs frequently questioned SNS's standpoint and the sudden change leading to the withdrawal of the SNS proposal.

In general, the first day of parliamentary debates on Kosovo was characterised by numerous attempts to apportion blame for the current situation. Opposition MPs repeatedly accused the coalition representatives that their draft text opened the way to Kosovo's independence and that SNS did not stand its ground, whereas coalition MPs claimed the opposite. Kubiš's speech was significant. It was evident that he was concerned about non-unity on Kosovo among the EU members and the effects of the parliamentary resolution on relations with Slovakia's partners in the EU and NATO. Given the very clear differences in the views of coalition and opposition MPs, by the end of the day there was no consensus on the horizon.

On the second day of debates, Pavol Hrušovský from KDH asked Kubiš – who was absent at that point of the debate – how the Slovak representative in the SC would vote if the coalition draft text would pass.⁶⁸⁷ Similar questions on Kubiš's instructions for the Slovak vote in the SC were addressed several times by opposition MPs. Daniel Lipšic (KDH) expressed belief that the Parliament's declaration would be an important factor for how Slovakia would vote in the UNSC: 'I believe that our government and minister will respect the decision of the Parliament'.⁶⁸⁸ However, Kubiš did not directly respond to these types of queries. Palko (KDH) argued that the reason for SMER preventing a consensus in the Parliament was that the Prime

⁶⁸⁶ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 119.

⁶⁸⁷ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 6-7.

⁶⁸⁸ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 62-63.

Minister, Foreign Minister and the party itself would need to advocate this agreement against the Ahtisaari plan and in favour of Serbia, but Fico would not be able to do so.⁶⁸⁹

Religion, particularly Christianity, was also one of the themes that were addressed during the debates. For instance, MP Peter Gabura (KDH) noted that ‘recognition of Kosovo’s independence is not in the interest of Slovak Republic and the EU, also because it is not right to support Islamic positions in Europe’.⁶⁹⁰ Similarly, Jozef Halecký (ĽS-HZDS) noted, ‘I think that the creation of an Islamic state in Europe is something we are not prepared for, neither mentally nor, as we can see, via statements [...]’.⁶⁹¹

Significantly, Rafaj from SNS made some important comments. He noted that international law did not grant minorities’ right to self-determination. ‘Neither full, nor partial – no sovereignty for the minority’, he added.⁶⁹² His main point, however, was to stress that SNS did not support the Ahtisaari plan and was against any precedent. He emphasised that he did not want to play the Hungarian card, but Slovakia had a large minority too. Most notably, in order to find unity in the Parliament on Kosovo, he offered to make some adjustments to the coalition text.⁶⁹³ In the end, it was František Mikloško, a KDH MP, who in order to reach an agreement between coalition and opposition parties, proposed some changes to the coalition draft text. Specifically, he suggested cutting from the original coalition draft text a section recalling the decisions of the Slovak Government in 1999 that had, it was argued, contributed to destabilising the Western Balkans region. Furthermore, a proposal was made to cut a part mentioning that the future status of Kosovo would not set a precedent in international law and to add that the future status of Kosovo

⁶⁸⁹ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 52.

⁶⁹⁰ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 14.

⁶⁹¹ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 8.

⁶⁹² Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 18.

⁶⁹³ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 21-22.

should be based on Serbia's legitimate needs.⁶⁹⁴ Coalition MPs Zala (SMER) and Rydlo (SNS) agreed with the proposed changes.

Crucially, and surprisingly, Belousovová, despite her earlier statements endorsing the coalition text, now announced that the SNS was prepared, despite insults from the opposition towards the party, to support amendments proposed by Mikloško. She added that if the Minister of Foreign Affairs had a strong mandate – support of 150 MPs – then Slovakia could really say ‘no’ in the SC and it would be noticed that Slovakia was a sovereign country.⁶⁹⁵ Opposition representatives from KDH and SDKÚ-DS were of a similar opinion. For instance, Lipšic (KDH) argued that if the Parliament decides against Kosovo's independence it would considerably strengthen Kubiš's mandate in the EU and the SC.⁶⁹⁶ In this respect, Pavol Frešo (SDKÚ-DS) said, ‘I think that Slovakia, as a non-permanent member of the SC, has a unique opportunity as a country from the region which is immediately concerned with it [Kosovo], to convey the opinion of the Slovak citizens but also of some other countries in relation to the problem of Kosovo. I think that it has a unique opportunity to show what we think and to point out to the rest of the world, or those who are for an independent Kosovo, how very mistaken they are’.⁶⁹⁷ Referring to the coalition draft, Zala (SMER) argued that from the text it was very clear that the Slovak representative in the SC would not vote for Kosovo's independence. Due to this, he argued, all MPs could, with a peaceful conscience, vote for it.⁶⁹⁸ From Horváth's perspective (SMER), it was Dzurinda who misused the topic of Kosovo for an opposition fight and SDKÚ-DS's aim to bind Kubiš's hands.⁶⁹⁹ Halecký (ĽS-HZDS) opined that it would not be a happy decision to bind Kubiš's hands as the upcoming weeks' development could be ‘surprising, dynamic’.⁷⁰⁰ These statements indicated that most of the coalition and opposition MPs now expected that Slovakia

⁶⁹⁴ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 44-47.

⁶⁹⁵ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 67-69.

⁶⁹⁶ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 67.

⁶⁹⁷ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 65.

⁶⁹⁸ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 93.

⁶⁹⁹ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 73.

⁷⁰⁰ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 78.

would not vote for Kosovo's independence in the SC, putting Kubiš in an extremely difficult position.

Commenting on the two days of debates, Kubiš, at the end of the parliamentary session, made some concluding remarks. He stressed that the government had had a position on Kosovo which reflected the current development and was available on the MFA website. 'However, if you don't like it that's not my fault, that's a different matter', he added. Referring to the comments that Slovakia should stand with the minority on Kosovo, he stressed that the vast majority of governments adopting a position on Kosovo decided for full support of Ahtisaari.⁷⁰¹ Therefore, he refused that Slovakia would be in 'some kind of' minority on Kosovo. To this extent, Kubiš saw only one way ahead:

For me here is one or two questions which I would like to ask when considering the whole situation. How is it possible that (...) 26 EU member states see something and we don't? How is it possible that we are here so perfect? And all others don't see it, don't want to reflect on it? So that for them it is irrelevant, that they close their eyes? I don't know. That's a question. I am asking it. I don't want to answer it and I won't. We, the Slovak diplomacy, see some challenges and big risks. We talk about these risks, also with our partners by the way, very openly during all our activity and my activity in the government.⁷⁰²

Touching on the question of national interests, Kubiš said that there was nothing better than defending the national interests of Slovakia, and therefore he would do so also in the case of Kosovo. In fact, he specified: 'The state interest of the Slovak Republic is as a member of the EU, as a member of NATO, as a member of the SC. With all my respect, sympathy and empathy, which I could have for any other state and in the first place in this case to Serbia, I will protect the state interests of the Slovak Republic and not those of Serbia if they are in conflict'.⁷⁰³

Referring to the position that the Slovak Parliament would pass, he noted that it would be a significant factor for the Slovak standpoint and not just expression of the

⁷⁰¹ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 81.

⁷⁰² Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 83.

⁷⁰³ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 83-84.

Parliament's will. But at the same time, he expected that the Parliament's view would respect that the Government would, with full seriousness, fulfil its responsibility. He clarified that he 'will act in this way in any case'. More to the point, Kubiš stressed the necessity for a SC resolution: 'Because if we don't achieve it, we risk too much. Indeed, from my point of view, we risk a destabilising development. And that is not in our interest'.⁷⁰⁴

Vladimír Palko, an opposition MP from KDH, was surprised by Kubiš's question on why 26 EU countries did not see the situation in the same light as Slovakia. He pointed out the views of Kubiš's coalition partner SNS and the Prime Minister who said – unlike any of the other 26 Prime Ministers – that he did not consider Kosovo's independence to be in the Slovak interest.⁷⁰⁵ On this note, Dzurinda rhetorically asked: 'Who of all EU member states should understand Serbia more if not us?' Furthermore, Dzurinda said to Kubiš, 'I think that you personally are clear [on Kosovo]. But the government is not'. He referred to the constitution by saying that in principal matters of foreign policy, the government should decide as one body, which was not the case on Kosovo.⁷⁰⁶ While Kubiš argued that there was a united position among the government members, in essence, this line of reasoning raised the most significant issue he had to face.

In response to Kubiš, Lipšic (KDH) noted that it would be right to vote according to Slovak state interests; however, the question was: what are Slovak state interests? He considered that based on the parliamentary debate, an absolute majority of MPs opined that an independent Kosovo would go against Slovak state interests. As a result, Lipšic asked if the executive would in this way respect expressed Slovak state interests supported by a declaration.⁷⁰⁷

⁷⁰⁴ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 84-85.

⁷⁰⁵ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 85.

⁷⁰⁶ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 87.

⁷⁰⁷ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 86.

As a result of two days of heated debates, on 28 March 2007, Parliament eventually approved the ‘Declaration of the National Council of the Slovak Republic on the Solution of the Future Status of the Serbian province Kosovo’, stating the following:

The National Council of the Slovak Republic expressing its belief that full and unlimited independence of the province of Kosovo is not in the interest of the stability of the region which was exposed to long years of tragedies and crisis; that not all possibilities of dialogue aimed at reaching an agreement have been exhausted; that the future status solution of Kosovo should be based on Serbia’s legitimate needs as well as on respect for the UN Charter and other international legal standards;
expects that the Slovak Government will search for a common solution regarding the future settlement of relations in the Western Balkans in co-operation with other EU member countries, with a clear perspective of integrating the Western Balkan countries into the European Union;
believes that the will of the National Council of the Slovak Republic expressed in this way will contribute to the stabilisation of the relations in the region.⁷⁰⁸

The Declaration was supported by 123 MPs out of 142 in attendance, with no opposing votes. Abstaining from the vote were 18 MPs from the Hungarian minority party, SMK, and one from the KDH, Martin Fronc.⁷⁰⁹ The passed resolution was the draft text proposed by the coalition SMER-SNS-HZDS, with amendments by KDH representative Mikloško, which had been the most moderate out of all non-recognition texts. After this draft version was passed, Dzurinda withdrew the SDKÚ version, stating that his party believed that their proposals had now been incorporated into the declaration that had been passed.⁷¹⁰ As he noted, he was ‘quite happy’ that the declaration passed.⁷¹¹ The SMK’s draft version was supported only by 18 SMK MPs.⁷¹²

⁷⁰⁸ ‘Vyhlásenie Národnej rady Slovenskej republiky k riešeniu budúceho štatútu srbskej provincie Kosovo’, Nr. 309, *Národná rada Slovenskej republiky*, 28 March 2007, available at <<http://www.nrsr.sk/default.aspx?sid=nrsr/dokumenty/vyhlasenia>> [accessed 20 July 2010]. Text translated by the author, bold text as in the original. See also ‘Parliament Approves Declaration on Kosovo’, *Radio Slovakia International*, 29 March 2007.

⁷⁰⁹ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 129. See also ‘Kosovská deklarácia je kompromis’, *SME*, 29 March 2007. Fronc’s position was rather unexpected as he was KDH’s Vice-Chairman for foreign affairs.

⁷¹⁰ Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 129-30.

⁷¹¹ Mikuláš Dzurinda, comments to the author, 3 July 2012.

⁷¹² Národná rada Slovenskej republiky, 6th day of proceedings, 8th session, 28 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 130.

4.3.2 The Slovak Position after the Parliamentary Debate

For the Slovak MFA, the crucial element of the Declaration text was the section mentioning Slovak cooperation with the EU on Kosovo's status. This 'saved' the situation as it did not tie the government's hands in the Security Council, as would have been the case under the first SDKÚ-DS draft.⁷¹³ In real terms, this now meant that Kubiš had some space to manoeuvre. Nevertheless, he needed to be careful about his next statements; he thus avoided any direct public ones. However, the number of meetings between US officials and the MFA representatives now increased. Cables from the US Embassy in Bratislava show that Kosovo was now placed high on the US Embassy programme. A Senior European diplomat confirmed that for a number of months Kosovo was very high on the agenda of any bilateral meeting in Slovakia with EU or US diplomats. The instruction put to ambassadors by the US and various EU countries that supported Kosovo's independence was to 'persuade Slovaks to change their position on Kosovo independence'. This would require 'a lot of lobbying by ambassadors'.⁷¹⁴

Although considerable effort was made to persuade Slovakia to change its mind over the course of the rest of 2007, Bratislava resisted the pressure, despite the unease this created for the Slovak government and in particular the MFA. However, some observers believe that despite the declaration, more could have been done to change the position of the Slovakian government. As a Senior EU diplomat stated, 'personally, I think we should have applied much more pressure earlier on, because ultimately I think it was a position with which many Slovak diplomats were very uncomfortable until they got used to it'.⁷¹⁵

Significantly, on 2 April 2007 Lajčák delivered a speech at the Annual Review Conference on the Foreign Policy of the Slovak Republic organised by the Slovak Foreign Policy Association (SFPA). As one attendee at the conference confirmed, in his contribution Lajčák noted that Slovakia should recognise Kosovo. 'He was

⁷¹³ Slovak diplomatic representative, comments to the author, 26 June 2008.

⁷¹⁴ Senior European diplomat, comments to the author, April 2011. He further noted, 'Americans obviously, French and others tried to persuade Slovakia that it's on a wrong course'.

⁷¹⁵ Senior European diplomat, comments to the author, April 2011. In this respect, neither were the Greek representatives happy about not being with the EU on Kosovo. However, as one Senior Greek official commented, 'this was important to Cyprus, so we had to do it – this acrobatic politics'. Senior Greek political representative, February 2012.

clearly for Kosovo's independence', the research fellow added.⁷¹⁶ This shows that after the parliamentary debate, Lajčák still tried to convey a message; however, considering the parliamentary declaration, Kubiš could not issue a strong statement to support the Ahtisaari plan at the upcoming 3 April UNSC meeting. He told the US Ambassador that he would try to avoid a joint EU statement on Kosovo at the next GAERC meeting – which as Vallee noted, would be disappointing for the Germans – and rather would focus on consensus in the SC. Significantly, Kubiš briefed the US that he had already informed Tadić and Koštunica, as well as the Indonesian Foreign minister, that Slovakia would vote with other EU members on the SC.⁷¹⁷ In public, however, Kubiš avoided commenting on how Slovakia would vote.⁷¹⁸ But as noted in a US cable, he expected a no-confidence vote in the Parliament after the SC vote, confirming that Slovakia would be with the EU. In addition, the US asked Kubiš to speak to other non-permanent members, such as South Africa and Indonesia, to make sure that they understood the difference between the position of the Parliament and the standpoint the Government would take in the SC.⁷¹⁹ This signalled the importance of the Slovak position in the SC as well as the fact that despite the parliamentary declaration, Kubiš was prepared to stay in line with the EU in the SC.

When the SC met in April for a closed discussion on Kosovo, the Slovak representative, Burian, confirmed that Slovakia would support the EU's line towards determining the future status of Kosovo.⁷²⁰ The Slovak speaking points at the SC delivered by Burian were described in a leaked US cable. The cable reported that Slovakia would welcome the opening of the negotiations at the SC and UNSC resolution, taking into account the interest of Belgrade and Pristina, and would be against any unilateral action. Furthermore, it stated that the Kosovo solution should be considered as *sui generis*, not constituting a legal precedent. It also said that Slovakia

⁷¹⁶ Tomáš Strážay, comments to the author, 29 April 2010. As Strážay further noted, there is no note of this statement in written form. When the conference contributions were later published in the SFP Yearbook, Lajčák's speech no longer included this note.

⁷¹⁷ 'Slovakia to join the EU unity on Kosovo, but only in the UNSC', US Embassy Bratislava, reference ID 07Bratislava190, 28 March 2007.

⁷¹⁸ Particularly having in view Dzurinda's perspective that Slovakia would need to vote against a UNSC resolution if its text would copy Ahtisaari's proposal for an independent Kosovo. 'Kubiš: Vláda bude v otázke Kosova konať v línii očakávaní vyhlásenia NR SR', *TASR*, 2 April 2007.

⁷¹⁹ 'Kubiš claims Slovakia still with EU when Kosovo gets to UNSC, but domestic environment negative', US Embassy Bratislava, reference ID 07Bratislava199, 2 April 2007, <<http://wikileaks.org/cable/2007/04/07BRATISLAVA199.html>> [accessed 2 May 2012]. In 2007, non-permanent members of the SC included except Slovakia, Indonesia and South Africa also Belgium, Congo, Ghana, Italy, Panama, Peru and Qatar.

⁷²⁰ 'Slovensko podporí prístup EÚ k určeniu štatútu Kosova', *SME*, 4 April 2007.

would support all proposals for a UNSC resolution that would be ‘closer to a mutually acceptable solution’; however, significantly it stated that ‘there is no reason to believe that future direct negotiations between Belgrade and Pristina could lead to a mutually acceptable solution’.⁷²¹ This was a crucial statement showing that already in early April 2007, Slovak diplomacy did not count on any consensus between the parties.

The UNSC vote on Kosovo was highly important for the US, and as a cable revealed, in the case of bad signs from the Slovak side, even a call from the US President to Fico was considered.⁷²² Privately, Fico did not want Slovakia to be isolated on Kosovo, and confirmed to the US Ambassador that Slovakia would vote with the EU on the SC.⁷²³

Kosovo was one of the topics Kubiš discussed with other SC members during informal talks at the UNSC on 17 April. He confirmed the official Slovak standpoint but personally, he was not comfortable with it. Talking after the meeting, Kubiš stated:

Our partners from the EU in particular assess our stance as one that is not quite in accordance with the stance of the EU, and in a way this already contributes to the feeling that the unity of the EU is being disrupted. I have perceived this signal, and I have to say that I was not pleased to hear such an assessment, not only from the EU, but also from some of its member countries, and naturally, also from some other countries in the Security Council. We have to think about the impact of certain political discussions in Slovakia.⁷²⁴

On 23 April at the GAERC meeting in Luxembourg, Kubiš requested that the future status of Kosovo be decided by the SC. Significantly, Kosovo was not on the agenda

⁷²¹ ‘Kubiš claims Slovakia still with EU when Kosovo gets to UNSC, but domestic environment negative’, US Embassy Bratislava, reference ID 07Bratislava199, 2 April 2007. Burian’s last quote was also confirmed in the daily *SME*. See Marián Leško, ‘Diplomat a prezident’, *SME*, 26 April 2007, p. 40. The concluding speaking points urged the Contact Group to renew its unity required for a successful UNSC adoption and stated that Slovakia would closely cooperate at the UNSC and act in unity with the EU. ‘Kubiš claims Slovakia still with EU when Kosovo gets to UNSC, but domestic environment negative’, US Embassy Bratislava, reference ID 07Bratislava199, 2 April 2007.

⁷²² US Ambassador Vallee reported: ‘At this point, we do not believe it is necessary to engage Fico from Washington. If, however, we sense that he is veering from his current EU consensus position, we may recommend a call from the President’. See ‘Securing Slovak support for UNSCR on Kosovo’, US Embassy Bratislava, reference ID 07Bratislava227, 17 April 2007, <<http://wikileaks.org/cable/2007/04/07BRATISLAVA227.html>> [accessed 2 May 2012].

⁷²³ ‘Securing Slovak support for UNSCR on Kosovo’, US Embassy Bratislava, reference ID 07Bratislava227, 17 April 2007.

⁷²⁴ ‘Kubiš debates issues of Darfur and Kosovo at U.N. Security Council’, *Radio Slovakia International*, 18 April 2007.

of the meeting but the Slovak initiative was appreciated by the EU diplomats.⁷²⁵ The following day, Serbia's President Tadić visited Slovakia. As a cable informed, President Gašparovič said during the meeting that Slovakia would be with the EU on the SC and expressed a hope that this would not negatively affect relations between Serbia and Slovakia. Prime Minister Fico and Speaker of the Slovak Parliament Paška were in line with the President. Notably, Tadić had claimed that Serbia did not expect Slovakia to be 'more Serb than the Serbs'.⁷²⁶

In early May, Fico and Kubiš visited Moscow, where Fico met with President Putin and Prime Minister Fradkov. The press reports indicated that Fico agreed with Putin that the Ahtisaari plan needed changes. After the meeting, Fico commented that as far as Russia was concerned, the Ahtisaari plan was not acceptable and it would never support it in the UNSC.⁷²⁷ As a US dispatch revealed, the US got alarmed at these remarks. However, Kubiš, who went to Moscow with Fico, informed that privately, the Prime Minister confirmed to Putin that Slovakia would vote with the EU in the UNSC; however, in public, the message was different.⁷²⁸ This explanation notwithstanding, it was clear that Kubiš needed to constantly balance and clarify statements by Slovak government members. Indeed, they started to pose a significant challenge.

Meeting the US Ambassador soon after the Moscow visit, Kubiš said that there would definitely be a way to bring Russia around. According to a US cable, Kubiš argued that Russia was looking for a way out, but it would never accept endorsement of the Ahtisaari plan or anything against Serbia's will. Once again, Kubiš confirmed that Slovakia would vote with the EU in the UNSC, but, still making the outcome clear, it would like to adjust the language of the resolution to omit direct endorsement of the Ahtisaari plan. Considering political circumstances in Slovakia, it could not co-sponsor the drafting of the UN resolution.⁷²⁹

⁷²⁵ 'Kubiš: O Kosove musí rozhodnúť OSN', *Aktualne.sk*, 23 April 2007.

⁷²⁶ 'Serbian president Tadić's visit to Slovakia', US Embassy Bratislava, reference ID 07Bratislava250, 26 April 2007, <<http://wikileaks.org/cable/2007/04/07BRATISLAVA250.html>> [accessed 2 May 2012].

⁷²⁷ 'Putin: Ak bude radar, namierime rakety', *Pravda*, 4 May 2007.

⁷²⁸ 'PM Fico in Moscow on Kosovo, MD and Energy', US Embassy Bratislava, reference ID 07Bratislava269, 7 May 2007, <<http://wikileaks.org/cable/2007/05/07BRATISLAVA269.html>> [accessed 3 May 2012].

⁷²⁹ 'FM Kubiš on Kosovo, Russia, Serbia, missile defence, and visas', US Embassy Bratislava, reference ID 07Bratislava275, 10 May 2007, <<http://wikileaks.org/cable/2007/05/07BRATISLAVA275.html>> [accessed 3 May 2012].

On 11 May, Kubiš informed the US Ambassador Vallee that he was satisfied with the first draft of the UNSC resolution and supported its content, but due to the domestic political situation could not sign it yet. As stated in a US wire, he also expressed interest to contain non-precedent language in the operative paragraph of the resolution and not just in the preamble.⁷³⁰ Meeting Vallee again on 20 June to discuss another draft of the resolution, as a US dispatch informs, Kubiš noted that he was pleased with the text from 20 June and that Slovakia was prepared to give up on the ‘sui generis’ language if that would mean that Russians would not veto the resolution.⁷³¹ Significantly, considering the view of the Slovak Parliament, Kubiš stressed that a SC resolution on Kosovo was necessary for eventual Slovak recognition of Kosovo. Furthermore, he warned that unilateral action would be the worst option. ‘We need Russia for a Security Council Resolution – and we (Slovakia) need a resolution’, Kubiš added.⁷³²

Similarly, Prime Minister Fico and President Gašparovič during separate meetings confirmed to Vallee that as far as Slovakia was concerned, bilateral recognition of Kosovo, without a UNSC resolution, would be impossible. Most notably, Fico was confident that the EU would be in a position to reach a common stance on Kosovo regardless of the concern expressed by Cyprus, Romania, Spain and other members.⁷³³ This statement shows that ultimately Fico did not see Slovakia breaking the unity.

In contrast to private views of the Slovaks, the Russians opposed the first draft of the resolution presented on 11 May as well as other versions that followed, arguing that despite the amended language, the text led to Kosovo’s independence, which was unacceptable for Russia.⁷³⁴ As a result, the SC withdrew the latest proposal for a resolution on Kosovo. Despite the reassurances voiced by Kubiš and Fico, one could only speculate whether Slovakia would have voted in favour of the SC resolution,

⁷³⁰ ‘FM Kubiš happy with draft UNSCR on Kosovo’, US Embassy Bratislava, reference ID 07Bratislava281, 11 May 2007, <<http://wikileaks.org/cable/2007/05/07BRATISLAVA281.html>> [accessed 4 May 2012].

⁷³¹ ‘FM Kubiš on Kosovo, MD and ISAF’, US Embassy Bratislava, reference ID 07Bratislava368, 20 June 2007, <<http://wikileaks.org/cable/2007/06/07BRATISLAVA368.html>> [accessed 4 May 2012].

⁷³² ‘FM Kubiš on Kosovo, MD and ISAF’, US Embassy Bratislava, reference ID 07Bratislava368, 20 June 2007.

⁷³³ ‘PM Fico and President Gašparovič on Afganistan, Kosovo, MD, and more’, US Embassy Bratislava, reference ID 07Bratislava417, 20 July 2007, <<http://wikileaks.org/cable/2007/07/07BRATISLAVA417.html>> [accessed 4 May 2012].

⁷³⁴ See ‘Russland stellt sich gegen Unabhängigkeit des Kosovo’, *Neue Zürcher Zeitung Online*, 29 June 2007; ‘Rusko odmieta nový návrh rezolúcie o Kosove’, *SME*, 17 July 2007.

what consequences it would have had on the domestic political scene and whether Kubiš would have had to resign.

Five days after the stalemate at the UN, Kubiš, during his meeting with Vallee, noted that given the failure to pass the UN resolution, the EU could develop a joint position within the 120 days' negotiating period that 'could be blessed by the Troika' and presented to the UNSC, although he was uncertain about Russian support. Interestingly, he noted that demands by some EU members for further negotiations were in reality undercutting the EU's standpoint supporting Ahtisaari. Kubiš said that he conveyed the same message at the recent GAERC meeting, on 23 July in Brussels. He also added that Kosovo Albanians would not accept anything less than 'supervised independence' and as a result, all proposals needed to be made in view of that. Notably, Kubiš noted that Slovakia would support a new UNSC resolution if it would have full EU support, but could not participate at the co-sponsoring due to the Slovak Parliament's view.⁷³⁵

In September, the new Political Director at the Slovak MFA, Roman Bužek, confirmed to US Ambassador Vallee that without a UNSC resolution, Slovakia would not recognise Kosovo's independence and could not participate at the planned ESDP Mission. But at the same time, Bužek noted that Slovakia would not stand in the way of the mission.⁷³⁶

On 18 September, Ambassador Vallee urged Kubiš to plan discreetly with EU partners how to deal with the post-December 10 possible state of affairs. Kubiš noted that the EU agreed on the need to support Troika and EU representative Ischinger. He added that the EU would not stake out a joint position which could bias the result of Troika negotiations, and that after Troika presented its report to the UN Secretary General in December, the Kosovo issue should come back to the UNSC. He repeated, once again, that Slovakia would not recognise unilaterally declared

⁷³⁵ 'FM Kubiš on Kosovo, CFE, Afganistan, UNGA', US Embassy Bratislava, reference ID 07Bratislava425, 25 July 2007, <<http://wikileaks.org/cable/2007/07/07BRATISLAVA425.html>> [accessed 5 May 2012].

⁷³⁶ 'Tour d'horizon with new Slovak Political Director Bužek', US Embassy Bratislava, reference ID 07Bratislava503, 6 September 2007. Bužek's predecessor, Lajčák, was in June 2007 appointed the EU High Representative for Bosnia and Hercegovina. See, 5713th Meeting of the Security Council, 'Security Council agrees to appointment of Slovakia's Miroslav Lajčák as new High Representative for Bosnia and Hercegovina', SC/9067, 29 June 2007.

independence of Kosovo. Furthermore, Kubiš noted that he started to work on the possibility of ‘decoupling [...] the issue of an EU mission from the results of the Troika process’ to enable the EU to prepare for action and ‘create reality’ on the ground.⁷³⁷ As a cable from the US Embassy informed, prior to the October 15 GAERC meeting in Luxembourg, Kubiš had demanded an analysis from the European Council’s legal service with the objective to clarify the legal basis of an ESDP mission.⁷³⁸ Indeed, as Kubiš indicated earlier, during GAERC the ministers expressed support for Troika and urged Belgrade and Pristina to actively engage in the remaining negotiations.⁷³⁹

Prior to a November farewell lunch hosted for the US Ambassador Vallee, Kubiš expressed his pessimism over any Troika results. As a cable briefed, Kubiš repeated his intention to create conditions for an ESDP mission as soon as possible and delink the mission from a unilateral declaration of independence. Kubiš argued that the EU needed a ‘legal fig leaf’ confirming that existing UNSC resolutions authorised the ESDP mission. He also assured Vallee that despite strong domestic opposition to a unilateral declaration of independence, the Slovak government ‘would not create problems within the EU for the 20 or so countries’ which would probably recognise Kosovo. In addition, Kubiš strongly believed that Slovakia would – even after the unilateral declaration of independence – continue its commitment to ESDP and KFOR missions.⁷⁴⁰ A week later, Bužek, the Political Director at the Slovak MFA, confirmed to Silverman, the US Chargé d’Affaires in Bratislava that Slovakia was prepared to support the ESDP mission deployed under Resolution 1244. In this sense, Bužek emphasised that acceptance of the ESDP mission and the unilateral declaration of independence were two different things. In this way, the Slovak

⁷³⁷ ‘FM Kubiš on Kosovo, missile defense, CFE, Afganistan’, US Embassy Bratislava, reference ID 07Bratislava527, 18 September 2007, <<http://wikileaks.org/cable/2007/09/07BRATISLAVA527.html>> [accessed 6 May 2012].

⁷³⁸ ‘Slovakia: Response to GAERC demarche’, US Embassy Bratislava, reference ID 07Bratislava565, 12 October 2007, <<http://wikileaks.org/cable/2007/10/07BRATISLAVA565.html>> [accessed 5 May 2012].

⁷³⁹ ‘General Affairs and External Relations’, *Council of the European Union*, 2824th Council meeting, Press release 13720/07 (Presse 227), Luxembourg, 15-16 October 2007, p. 21.

⁷⁴⁰ ‘Slovakia: Foreign Minister Kubiš on Kosovo and missile defense’, US Embassy Bratislava, reference ID 07Bratislava612, 14 November 2007, <<http://wikileaks.org/cable/2007/11/07BRATISLAVA612.html>> [accessed 5 May 2012]. Indeed, Slovakia participated in the region also via KFOR, however, its contingent in Kosovo was withdrawn in November 2010. See ‘Slovakia withdraws the troops from KFOR’, *KFOR Press Release*, 19 November 2010, available at <<http://www.nato.int/kfor/docu/pr/2010/11/p101119a.htm>> [accessed 15 December 2010]; ‘Radičová v Kosove: Slovensko v misii KFOR končí’, *SME*, 27 September 2010, available at <<http://www.sme.sk/c/5568151/radicova-v-kosove-slovensko-v-misii-kfor-konci.html>> [accessed 15 December 2010].

Parliament would not oppose the participation. However, he expressed irritation that some states wanted to push Slovakia to interpret the participation in the mission as acceptance of Kosovo's independence.⁷⁴¹ Despite the home situation, Slovakia aimed to remain constructive on Kosovo through involvement in the ESDP mission – EULEX.

Meanwhile, at the end of November, Rosemary DiCarlo, Deputy Assistant Secretary of State for European and Eurasian Affairs at the US Department of State, visited Bratislava to discuss Kosovo. Separately she met with Foreign Minister Kubiš, MFA Political Director Bužek, Head of the Parliamentary Foreign Affairs Committee Zala and former Minister of Foreign Affairs Kukan. A dispatch informed that Kubiš had confirmed the unlikelihood of the Slovak recognition of Kosovo; however, he had stressed its commitment to participate in KFOR and the ESDP mission. Kubiš had emphasised the necessity for preparing the mission before Kosovo declared independence and having a clear statement indicating its deployment under UNSC Resolution 1244. This was considered particularly important for the Slovak Parliament. Kubiš had also noted that with this kind of legal basis, 'we can walk together and work together' on everything except the recognition.⁷⁴² In this respect, Kubiš had stressed that the Kosovars need to treat all participating states equally, regardless of the recognition. Speaking to DiCarlo, Kukan, Kubiš's predecessor, had acknowledged Kubiš's careful position in order to balance his government's wish to be with the EU on Kosovo and the strong domestic feelings against independence. Furthermore, as the new US Ambassador to Bratislava, Vincent Obsitnik, briefed, Zala and Kukan had expressed their disappointment about the outcome of the talks. All three Slovak politicians had opined that the process 'was stacked heavily against the Serbs, whom they argued had made genuine, albeit not major, attempts to bridge the gap between the two parties'.⁷⁴³

⁷⁴¹ 'Slovakia: Firm on Kosovo ESDP mission; saying the right things on Bosnia, despite Spiric visit', US Embassy Bratislava, reference ID 07Bratislava623, 21 November 2007, <http://wikileaks.org/cable/2007/11/07BRATISLAVA_623.html> [accessed 5 May 2012].

⁷⁴² 'Slovakia: EUR DAS DiCarlo's November 29 visit to Bratislava', US Embassy Bratislava, reference ID 07Bratislava662, 13 December 2007, <<http://wikileaks.org/cable/2007/12/07BRATISLAVA662.html>> [accessed 6 May 2012].

⁷⁴³ 'Slovakia: EUR DAS DiCarlo's November 29 visit to Bratislava', US Embassy Bratislava, reference ID 07Bratislava662, 13 December 2007.

Despite the unease at the prospect of an independent Kosovo, the message was that Slovakia would remain constructive on the ground. DiCarlo stressed that after endorsing the Ahtisaari plan the previous spring, it ‘would have been hard for the European Union and the United States to walk back from some sort of independence for Kosovo’. Kubiš highlighted his preference for a ‘supervised interim phase’ during which Kosovars would first comply with the Ahtisaari settlement; on the basis of progress, the international community could then ‘bless independence’. Despite DiCarlo’s opposition to this scenario – based on the internal dynamics in Kosovo – Kubiš said, ‘I know they [Albanians] are impatient, but I don’t buy it. Let them wait’.⁷⁴⁴ During the meeting, Bužek confirmed that Slovakia would cooperate during the December UNSC debate on Kosovo. He said that it would prefer a UNSC resolution but noted that ‘we [Slovaks] are realists’.⁷⁴⁵

As December arrived, the number of high-level meetings scheduled on Kosovo indicated how crucial the decision on Kosovo was, particularly for the EU.⁷⁴⁶ On 2 December, during a farewell dinner for the US Ambassador Vallee hosted by Fico, the Slovak Prime Minister confirmed the standpoint that Slovakia would not recognise a unilateral declaration of independence, and further noted that ‘the EU heads of government felt enormous pressure to reach a unified position (including recognition) on Kosovo’.⁷⁴⁷ As a US wire described, Micovčín, EU Correspondent at the Slovak MFA, briefed that preparations for the 10 December GAERC meeting and 14 December EU summit were ‘chaotic’. For the Slovak Government, Kosovo was top of the agenda during both meetings. This confirmed the fact that Kubiš was drafting his Kosovo talking points himself. Micovčín expected the debate to be ‘quite tough’ as the EU had not resolved how to define ‘unity’ on Kosovo.⁷⁴⁸ The cable also briefed the UK Ambassador, informing that the EU could not agree on the

⁷⁴⁴ ‘Slovakia: EUR DAS DiCarlo’s November 29 visit to Bratislava’, US Embassy Bratislava, reference ID 07Bratislava662, 13 December 2007.

⁷⁴⁵ ‘Slovakia: EUR DAS DiCarlo’s November 29 visit to Bratislava’, US Embassy Bratislava, reference ID 07Bratislava662, 13 December 2007.

⁷⁴⁶ As one official succinctly told the author, ‘I remember having discussions with Slovak diplomats what a mess an independent Kosovo was ... banditry, drugs, criminality, corruption. I don’t doubt that any of these things are happening now [...] but I don’t think any of this amounts to an argument against doing what we did – sellotaping an independence for Kosovo’. Senior European diplomat, April 2011.

⁷⁴⁷ ‘Slovakia: Ambassador’s farewell dinner with Prime Minister Fico’, US Embassy Bratislava, reference ID 07Bratislava638, 4 December 2007, <<http://wikileaks.org/cable/2007/12/07BRATISLAVA638.html>> [accessed 6 May 2012].

⁷⁴⁸ ‘Slovakia: Ambassador’s farewell dinner with Prime Minister Fico’, US Embassy Bratislava, reference ID 07Bratislava638, 4 December 2007. As an EU official noted, whenever Kosovo was debated in the EU there was a problem. European Union official, comments to the author, July 2010.

draft Kosovo conclusions for the EU summit and as a result, during the GAERC, ministers would need to settle the dissimilarities. More concretely, Slovakia disagreed with the language, noting the necessity at that time of taking steps forward toward a settlement. Romania was reported to object to the draft's description of the situation in Kosovo as 'unsustainable', and the Dutch opposed the characterisation of the EU's role in Kosovo as 'leading'. In addition, Cyprus also disagreed with some elements.⁷⁴⁹ The cable concluded with a note by the US Embassy confirming the US attempts to navigate Slovakia towards a constructive course on Kosovo.⁷⁵⁰

In the meantime, the Slovak Prime Minister confirmed that Slovakia would have big problems recognising the unilaterally declared independence of Kosovo. Fico also argued that if the Kosovar politicians would not consider Serbian interests and reservations within the EU, they could 'forget' that Slovakia would recognise them.⁷⁵¹

The 'happy coincidence' that Kukan, the Minister of Foreign Affairs had referred to when he stated that the issue of Kosovo would be on the UN Security Council agenda during Slovakia's membership had, by the end of 2007, turned into relief that Slovakia had concluded its SC membership and would now come under less pressure.⁷⁵² As a Senior European diplomat said, 'I could feel a sigh of relief in Bratislava when Slovakia got to the end of its UNSC tenure at the end of 2007'. This diplomat's impression of the Slovaks was as if 'we [Slovaks] are off the hook now,

⁷⁴⁹ 'Slovakia: Stance on Kosovo, response to GAERC demarche', US Embassy Bratislava, reference ID 07Bratislava651, 7 December 2007, <<http://wikileaks.org/cable/2007/12/07BRATISLAVA651.html>> [accessed 6 May 2012].

⁷⁵⁰ 'Slovakia: Stance on Kosovo, response to GAERC demarche', US Embassy Bratislava, reference ID 07Bratislava651, 7 December 2007. However, the US was active in pushing for their Kosovo agenda also with other EU member states. For instance, a leaked report on a meeting held on 24 December 2007 between the Slovenian representatives – the Political Director of the Ministry of Foreign Affairs Mitja Drobnič and the Ambassador to the US Samuel Žbogar – and the US officials – Daniel Fried, Assistant Secretary of State for European and Eurasian affairs, Rosemary DiCarlo, his deputy and Judy Ansley, NSA Senior Director for European affairs clearly shows the US looking for assistance with their interests over Kosovo, and Slovenia being willing to comply. As Fried openly noted, 'it is beyond doubt that the solution of the status is a fact, which will happen under the leadership of Slovenia'. Slovenia's role was crucial particularly due to its EU presidency in the first half of 2008 – a period when the declaration of Kosovo's independence was expected. See Mastnak, 'Kosovo: A New Versailles?', *Foreign Policy In Focus*, 7 March 2008. Notably, Samuel Žbogar is currently the EU Special Representative to Kosovo; a position he has held since January 2012.

⁷⁵¹ 'Fico: Ak nebude Kosovo brat' ohľad, nech zabudne, že ho uznáme', *SME*, 14 December 2007.

⁷⁵² As Palokaj noted, crucially, during Kubiš's time in the office, Slovakia was the only EU member in the UNSC that was against Kosovo's independence. 'This was a bad situation for Slovakia', he added. Augustin Palokaj, comments to the author, 16 July 2010.

we can do what we want without fear of being castigated by our UNSC or EU colleagues'.⁷⁵³

Nevertheless, as Kosovo prepared to declare its independence, privately it appeared as though Slovakia would eventually be willing to change its position on recognition. As a US wire showed, in December 2007, Kubiš, during a discussion with the US Ambassador to Bratislava, Vincent Obsitnik, estimated that Slovakia would recognise Kosovo around June 2008 after coordination with Romania and Greece, as Prime Minister Fico did not want Slovakia to stand alone with Cyprus.⁷⁵⁴ As a Senior European diplomat noted, the message Slovak representatives were giving was 'don't worry, we won't be the last EU member state to hold out against an independent Kosovo'.⁷⁵⁵

Conclusion

The aim of this chapter was to show how internal domestic politics impacted on the Slovak position towards Kosovo's independence. Reconstruction of events after the parliamentary elections in June 2006 demonstrated that the Slovak MFA was willing to support the Ahtisaari plan and eventual independence of Kosovo in order to maintain EU unity. Slovak diplomacy's priority was to remain in line with other EU states in the crucial question of Kosovo's statehood, for it considered the matter an issue of Slovak reputation.

However, rather unexpectedly and principally to the surprise of the US partners, the situation became complicated when Dzurinda, the opposition leader, initiated a debate on Kosovo in the Slovak Parliament, claiming that without Serbia's consent Kosovo should not be granted statehood. Eventually, the Slovak Parliament passed a Declaration on Kosovo effectively restraining the MFA's next steps and making Slovak diplomatic support for Kosovo's independence impossible. For the MFA, this created a problem because its hands were tied; the Slovak Minister of Foreign

⁷⁵³ Senior European diplomat, comments to the author, April 2011.

⁷⁵⁴ 'Ambassador's courtesy call with foreign minister Kubiš', US Embassy Bratislava, reference ID 08Bratislava1, 2 January 2008. As for Greece, an official noted, 'Among the 5 EU members that are against Kosovo's independence we have no direct consequence from Kosovo's independence'. The Greek position, he added, is 'out of solidarity with Cyprus not because of home problems'. Senior Greek political representative, comments to the author, February 2012.

⁷⁵⁵ Senior European diplomat, comments to the author, April 2011.

Affairs, Kubiš, could not express full support for the Ahtisaari plan as the Parliament gave him different instructions. In light of the passed parliamentary declaration, Kubiš's main concern remained the UNSC vote. The significance of the vote was highlighted by the fact that Kubiš was prepared to vote for a UNSC resolution even if it meant he would face a no-confidence vote at home after. It never came to this scenario due to the Russian objection to the SC resolution and its indication of veto.

By the end of 2007, it was clear that Slovakia would remain opposed to Kosovo's independence. Indeed, all efforts aimed at influencing the Slovak view on Kosovo – primarily by US officials – were unsuccessful. This shows that a small state was able to resist pressure from external actors and, in view of its domestic political situation, would not and could not recognise Kosovo as an independent state. In the end, the EU was not able to show unity over Kosovo as five EU member states were against Kosovo's statehood. However, crucially, it was able to stand united at least over the deployment of the EULEX mission based on Resolution 1244.

In the meantime, another factor emerged that was to influence the evolution of the Slovak standpoint towards Kosovo. The rights of ethnic Hungarians in Slovakia were, once again, at the focus of political discussions. As the next chapter illustrates, the dynamics created between representatives of the ethnic Hungarian party, officials from Hungary and Slovak politicians impacted on the Slovak foreign policy towards Kosovo's independence. Not only did they reinforce the non-recognition of Kosovo but they also prevented any changes of the policy in the foreseeable future.

CHAPTER 5: The Notion of Kosovo as Precedent: Impact of the Hungarian Minority Issue on Slovakia's Policy towards Kosovo's Independence

*'We are destined to live together with the Hungarians'.*⁷⁵⁶

Introduction

This chapter proceeds to analyse the argument about precedent, i.e. the role of the Hungarian minority issue in the Slovak stance on Kosovo. This argument has been specifically highlighted in the scholarship as being the most influential in the Slovak position. The chapter examines its importance and explains how this factor and its perception in the political arena worked together to cultivate Slovak opposition towards Kosovo's independence. It also deals with concerns that the Kosovo case could be used to support demands for secession or autonomy on the part of the Hungarian minority in Slovakia.

Looking at Slovakia's position from the perspective of the Hungarian minority is complex, and many factors need to be taken into consideration. History and politics have contributed to the tensions between Slovakia and Hungary: different interpretations of the past and recent tensions both impact on the relationship.⁷⁵⁷ This chapter aims to show the connection between the developments of the Kosovo issue and matters related to the Hungarian minority in Slovakia. It should be stressed that the aim is not to go back in time and analyse the history of the Slovak-Hungarian relationship; rather, this chapter's main focus will be recent events, although occasionally relevant history is included. However, to give a full picture, one needs to look beyond the year 2008 when Kosovo declared independence.

⁷⁵⁶ Štefan Markuš, Slovak Ambassador to Hungary (1998-2002). See Vladimír Jancura, 'Štefan Markuš: Sme odsúdení žiť spolu s Maďarmi', *Pravda*, 14 September 2006, p. 1 and p. 6.

⁷⁵⁷ One of the most debated issues is the peace Treaty of Trianon signed after the First World War in June 1920 between the Allied Powers and Hungary. By the terms of the treaty Hungary lost two-thirds of its former territory and two-thirds of its inhabitants. This territory was divided between Austria, Czechoslovakia, Italy, Romania and the Kingdom of Serbs, Croats and Slovenes. For the online text of the Treaty, see 'Trianon Treaty', WWI Document Archive, Conventions and Treaties, Brigham Young University Library, <http://wwi.lib.byu.edu/index.php/Treaty_of_Trianon> [accessed 20 May 2011].

To understand the issue, it is necessary to examine the context in which Slovak policy towards Kosovo was formed. Kosovo's status process and eventual independence were highly debated in Slovakia's media and government. These discussions eventually led to the Slovak Parliament articulating its official stand in the 'Declaration on the future status of the Serbian province Kosovo' mentioned in the previous chapter.

As shown by the arguments against Kosovo's independence reviewed in Chapter 3, international scholars in particular have identified the Hungarian minority issue as the decisive motive for Slovak foreign policy on Kosovo. In the media, domestic secessionist issues and concerns about Slovakia's territorial integrity were particularly highlighted as the reasons for the refusal to recognise Kosovo.⁷⁵⁸ However, what the literature fails to account for is the political context in which Slovakia took its decision. The role of Hungarian politicians and representatives of the Hungarian minority in Slovakia at that time were not taken into account. Therefore, one can not look at the Kosovo issue as an isolated Slovak foreign policy issue; it must be placed in the necessary domestic and bilateral political context. To appreciate the Slovak position on Kosovo, it is important to understand the role of and interaction between Slovakia, Hungary and the Hungarian minority living in Slovakia.⁷⁵⁹

Furthermore, as part of the analysis, this chapter discusses the Ahtisaari plan presented at the beginning of 2007, with special attention given particularly to the section on collective rights, in order to highlight the largely neglected role it played in the Slovak political context.

This chapter shows that the Slovak view was not only a product of its relations with the Hungarian minority but rather a response to a combination of activities by the representatives of Hungary and the ethnic Hungarian party SMK (intensifying

⁷⁵⁸ See for instance, 'Abchasien bis Zypern: Das Kosovo als Präzedenzfall', *Frankfurter Allgemeine Zeitung*, 19 February 2008, online version at <<http://www.faz.net/artikel/C31325/abchasien-bis-zypern-das-kosovo-als-praezedenzfall-30070568.html>> [accessed 27 May 2011]; 'Kosovo/EU: Pressure eases on anti-independence five', *Oxford Analytica*, 4 January 2010; 'Jubilant Kosovo, chastened Serbia', *The Economist*, 29 July 2010, online version at <<http://www.economist.com/node/16693751>> [accessed 8 November 2010].

⁷⁵⁹ For a detailed analysis of the dynamics created between these three actors in an earlier period (1989-1999), see Stefan Wolff, "'Bilateral" Ethnopolitics after the Cold War: The Hungarian Minority in Slovakia, 1989-1999', *Perspectives on European Politics and Society*, 2 (2001), 159-95.

particularly after the change of the SMK leadership in 2007). Statements by ethnic Hungarian MPs in Slovakia supporting Kosovo and debates initiated by representatives in Hungary about the position of the Hungarian ethnic minority in Slovakia only served to fuel the tensions in Slovak-Hungarian relations. This explains Slovakia's reluctance to recognise the independence of Kosovo without prior agreement between Belgrade and Pristina.

This chapter is divided into three sections. The first focuses on showing how relations between the three aforementioned actors evolved across the 1990s leading up to 2006. It then examines the period of 2007-2011, providing the necessary political context in which Kosovo's independence was debated. The final section draws links between the three focal actors and the debates on Kosovo in Slovakia.

5.1 Evolution of Slovak-Hungarian Relations and the Ethnic Hungarian Minority Issue (1990-2006)

After the fall of communism, in 1990, the first freely elected right-wing Hungarian government was led by Prime Minister József Antall. Kiss and Zahorán describe Hungarian foreign policy under Antall's leadership:

In a strong representation of national interests, which during the communist era had been damped, practically encoded were the conflicts with neighbouring countries, mainly if we take into consideration the revival of nationalist emotions in the region. When the Antall government openly – however, sometimes without proper sensitivity and tact – stood up for the representation of the Hungarian ethnic minorities living abroad, it came into conflict with the Slovak [...] efforts to build a nation state [...].⁷⁶⁰

⁷⁶⁰ Balázs Kiss and Csaba Zahorán, 'Hungarian Domestic Policy in Foreign Policy', *International Issues and Slovak Foreign Policy Affairs*, 16 (2007), 46-64 (p. 47). See also Csaba Zahorán, 'Dvadsať rokov zmeny systému v Maďarsku: úvaha na úvod', in *Neznámy sused: Dvadsať rokov Maďarska 1990 – 2010*, ed. by Csaba Zahorán, István Kollai and Slávka Otčenášová (Bratislava: Talentum, 2011), pp. 9-20 (p. 13). In this context, problems with the Hungarian minority issue in the region at that time were indicated by Richard Holbrooke. In relation to his first year as the Assistant Secretary of State for Europe (1994-1996), he stated that there were some notable achievements done, 'including American-sponsored solutions or breakthroughs on several second-tier issues that could have escalated into first-class crises. These included [...] problems between Hungary and its two neighbors Slovakia and Romania over the treatment of their Hungarian minorities'. See Richard Holbrooke, *To End a War* (New York: Random House, 1999), pp. 60-61.

Indeed, Antall stated that although according to the constitution he is the Prime Minister of 10 million Hungarian citizens, he would in fact like to be the Prime Minister of 15 million Hungarian people.⁷⁶¹

Therefore, unsurprisingly, once Slovakia achieved its independence in 1993, the issue of the Hungarian minority started to be more intensely debated between Slovakia and Hungary. Overall, the first two Slovak governments' policies (1993-1994, 1994-1998) led by Prime Minister Vladimír Mečiar from the Movement for a Democratic Slovakia (HZDS) were criticised from abroad and his leadership was considered nationalistic.⁷⁶² In contrast to Antall, the socialist Gyula Horn, his successor as Hungarian Prime Minister,⁷⁶³ considered himself only to have power over the 10 million domestic Hungarian citizens, thus giving a clear signal about the change of foreign policy direction. During his government (1994-1998) Hungarian national policy was focused on its integration into the EU and NATO. In 1995, Mečiar and Horn, the Prime Ministers of Slovakia and Hungary respectively, signed the Slovak-Hungarian Basic Treaty.⁷⁶⁴ Its aim was to stabilise bilateral relations and establish a framework for cooperation between the two countries. It set up an intergovernmental joint commission to deal with sensitive bilateral issues. The treaty also confirmed the inviolability of both countries' common state border and respect for territorial integrity.⁷⁶⁵ However, after the ratification of the treaty, its elements were differently interpreted by the parties. In respect to autonomy, for Slovakia it

⁷⁶¹ József Antall, *Modell és valóság. Politikai beszédek Magyarországon (1989-1993)* (Budapest: Athaneum, 1994) as cited by Kiss and Zahorán, in 'Hungarian Domestic Policy in Foreign Policy', p. 47.

⁷⁶² Between 15 March 1994 and 13 December 1994 there was a temporary government led by Jozef Moravčík as a result of the collapse of the first Mečiar government. In 2000, HZDS was renamed *Ludová strana – Hnutie za demokratické Slovensko* (People's Party – Movement for a Democratic Slovakia, ĽS-HZDS).

⁷⁶³ Prime Minister Antall died before the end of his term. He was succeeded by Péter Boross who held the office from December 1993 to July 1994.

⁷⁶⁴ Kiss and Zahorán, 'Hungarian Domestic Policy in Foreign Policy', pp. 48-50.

⁷⁶⁵ For an English translation of the Treaty see 'Treaty on Good-neighbourly Relations and Friendly Co-operation between the Republic of Hungary and the Slovak Republic', Rechtsbestimmungen, Bilaterale Verträge, Bibliothek für Autonomien und Sprachminderheiten, Autonome Region Trentino-Südtirol, available at <<http://www.regione.taa.it/biblioteca/normativa/bilaterali/slovak-magyar%20english.pdf>> [accessed 21 June 2011]. Miroslav Lajčák, the then Slovak Minister of Foreign Affairs (2009-2010), reflected on the treaty on the occasion of the 15th anniversary of its signature: '[...] both countries defined their jointly acceptable principles and standards of mutual behaviour [...] Apart from reflecting the time in which it was adopted, the Basic Treaty also mirrors all the sensitivities and asymmetries of the Slovak-Hungarian relationship. [...] The treaty has proven its worth throughout the fifteen years of its existence as a basic framework of reference in our bilateral relations'. See 'The Basic Treaty between Hungary and Slovakia after Fifteen Years – Past and Future', Slovak Foreign Policy Association Conference, Address by the Slovak Minister of Foreign Affairs Miroslav Lajčák, Bratislava, 25 March 2010.

was clear that the treaty does not imply any rights to territorial autonomy; in contrast, ethnic Hungarians had their hopes for cultural autonomy.⁷⁶⁶

In November 1995, under Mečiar's government, a new Act on the State Language of the Slovak Republic was passed regulating the usage of the Slovak language and confirming its status as the only official language in Slovakia. The law also introduced fines for not complying with the regulations.⁷⁶⁷ This act was criticised by the opposition and international actors, such as the European Council and the OSCE.

As for the ethnic Hungarian parties, prior to 1998, one can speak about ethnic Hungarian party pluralism in Slovakia. In order to have an increased influence on political affairs in Slovakia, particularly in reference to the status of the ethnic Hungarians, in June 1998, the three main ethnic Hungarian parties in Slovakia⁷⁶⁸ merged into one and established the Party of Hungarian Coalition (SMK). One of the common aspects of the political programmes of all these parties was that the Hungarian language would become a second official language in the regions populated by ethnic Hungarians in Slovakia.⁷⁶⁹ However, this aim has never been fulfilled. Furthermore, autonomy for ethnic Hungarians was another topic raised by political ethnic Hungarian representatives. For instance, Duray, considered one of the most active and radical SMK members in regard to demands for autonomy, already in 1997 argued that although Slovaks considered Hungarians to be a national minority, the Hungarian community did not perceive itself as such, but on the contrary was 'aware that they live in their ancient homeland'.⁷⁷⁰

⁷⁶⁶ For more details, see Wolff, "Bilateral" Ethnopolitics after the Cold War: The Hungarian Minority in Slovakia, 1989-1999', pp. 159-95.

⁷⁶⁷ See 'Zákon Národnej rady Slovenskej republiky z 15. novembra 1995 o štátnom jazyku Slovenskej republiky', Zbierka zákonov č. 270/1995, part 89, pp. 1999-2002, available at <<http://www.zbierka.sk/zp/predpisy/default.aspx?PredpisID=13423&FileName=95-z270&Rocnik=1995>> [accessed 19 June 2011].

⁷⁶⁸ Hungarian Civic Party (MOS), Hungarian Christian Democratic Movement (MKDH) and Coexistence. Two other Hungarian minority parties existed, Hungarian People's Party (MNP) and Hungarian People's Movement for Reconciliation and Prosperity, but these were not considered as 'relevant' due to the low percentage of votes they received in each election they participated in. See László Öllös, 'Programy maďarských strán', in *Maďari na Slovensku (1989-2004): Súhrnná správa od zmeny režimu po vstup do Európskej únie*, ed. by József Fazekas and Péter Hunčík (Šamorín: Fórum inštitút pre výskum menšín, 2008), pp. 59-87 (p. 64).

⁷⁶⁹ László Öllös, 'Programy maďarských strán', p. 84.

⁷⁷⁰ Miklós Duray, 'The Hungarian Nationality in Slovakia', April 1997, available at <<http://www.hhrf.org/egyutt/A-MERANO.HTM>> [accessed 20 June 2011]. This article was published on the website of the ethnic Hungarian party Coexistence which existed in Slovakia between 1990 and 1998.

Significantly, in 1998, the Hungarian Prime Minister Horn was replaced by a centre-right coalition led by Viktor Orbán (1998-2002) from FIDESZ.⁷⁷¹ Prior to the elections, Orbán demanded that the Czech Republic and Slovakia repeal the post-World War II Beneš Decrees as a precondition for their EU membership. The Beneš Decrees provided a legal basis for the removal of the Czechoslovak citizenship of German and Hungarian minorities and expropriation of their property after 1945.⁷⁷² Rupnik considered Orbán's activities as 'an upsurge in pre-electoral nationalist fever that does not hesitate to compromise future cooperation in the name of settling past scores'.⁷⁷³ Nevertheless, these demands were not fulfilled.

Regional stability and relative economic growth were good conditions for the Hungarian government's active role 'in contributing to designing instruments of linking minorities across frontiers to their kin-states'.⁷⁷⁴ The Hungarian minorities' failure to create autonomies abroad and the institutionalisation of the relations between Hungary and its kin minority were most frequently discussed by the representatives of FIDESZ.⁷⁷⁵ The cabinet's approach to the Hungarian minorities living abroad was demonstrated by its adoption of the Act on Hungarians Living in Neighbouring Countries (the so-called Status Law) in June 2001.⁷⁷⁶ This law was seriously criticised by Slovakia and Romania, the homes of the two most numerous Hungarian minority communities, as they saw Hungarian nationalism as the reason behind it. The law's aim was to support Hungarian minorities living abroad in maintaining their identity, provide them with aid and secure them the right to vote on Hungarian territory. However, the agreements of these most affected countries,

⁷⁷¹ Kiss and Zahorán, 'Hungarian Domestic Policy in Foreign Policy', pp. 48-50.

⁷⁷² See 'The Beneš Decrees: implications for EU enlargement', *Euractiv.com*, 26 June 2002, available at <<http://www.euractiv.com/en/enlargement/benes-decrees-implications-eu-enlargement/article-110130>> [accessed 21 May 2011]. For a detailed analysis of the impacts of the Beneš Decrees, see Štefan Šutaj (ed.), *Dekréty Edvarda Beneša v povojnovom období* (Prešov: Universum, 2004). The Decrees will be discussed in more detail later in this chapter.

⁷⁷³ Jacques Rupnik, 'The Other Central Europe', *East European Constitutional Review*, 11 (2002), 68-70 (p. 68).

⁷⁷⁴ Anca Popa, 'In The Grey Zone: The Status of Hungarians Living Outside Their Countries. An Assessment of Hungarian Kin-State Policies in the Post-Communist Era' (unpublished Master's thesis, Central European University, 2006), p. 49.

⁷⁷⁵ Nándor Bárdi, 'The History of Relations between Hungarian Governments and Ethnic Hungarians Living Beyond the Borders of Hungary', in *The Hungarian Status Law: Nation Building and/or Minority Protection*, ed. by Zoltán Kántor and others (Hokkaido University: Slavic Research Center, 2004), pp. 58-84 (p. 72).

⁷⁷⁶ For a variety of perspectives and an in depth analysis of the Status Law, see, *The Hungarian Status Law: Nation Building and/or Minority Protection*, ed. by Zoltán Kántor and others (Hokkaido University: Slavic Research Center, 2004).

Slovakia and Romania, were essential to the Act. During FIDESZ's leadership a compromise was secured only with Romania.⁷⁷⁷

As for Slovakia, after the elections in 1998, critical comments from abroad on the Slovak government subsided and the Hungarian minority issue received less coverage. A new government was elected, led by Prime Minister Dzurinda (1998-2002) from the Slovak Democratic Coalition (SDK). Importantly, the broad right/left coalition of parties included also the Hungarian minority party, the Party of Hungarian Coalition (SMK).⁷⁷⁸ The main goal of this government was Slovak integration into the EU and NATO. In July 1999, the Slovak Parliament adopted the Act on National Minority Languages essential for Slovakia's membership in the EU. The bill stated that an ethnic minority can use its mother tongue in official contact if, according to the last census, at least 20 percent of a municipality's population belong to an ethnic minority.⁷⁷⁹ Fines introduced by the previous government in 1995 were abolished. This led to strong criticism by the opposition, the nationalist HZDS and SNS party.⁷⁸⁰ In 2002, Dzurinda won a second term and remained in office until 2006. In addition, the ethnic Hungarian minority party, SMK, succeeded in staying in government. Indeed, SMK was most active during its two terms in the Slovak government, in 1998-2002 and 2002-2006.

In Hungary, despite protests by FIDESZ, the aforementioned Status Law from 2001 was amended under the socialist-liberal coalition led by Prime Minister Medgyessy (2002-2004), and definition of the controversial 'united Hungarian nation' was left out from the law.⁷⁸¹ In autumn 2004, Ferenc Gyurcsány took over the government with the foreign policy aim of avoiding conflicts with neighbours.⁷⁸² Yet, the atmosphere was stirred in December 2004, when the opposition party FIDESZ

⁷⁷⁷ Kiss and Zahorán, 'Hungarian Domestic Policy in Foreign Policy', pp. 50-58. The privileges for ethnic Hungarians abroad included areas such as education, culture, travel expenses, health care services, access to the labour market and financial support. For a detailed account on the privileges, see Herbert Küpper, 'Hungary's Controversial Status Law', in *The Hungarian Status Law: Nation Building and/or Minority Protection*, ed. by Zoltán Kántor and others (Hokkaido University: Slavic Research Center, 2004), pp. 313-27 (pp. 317-19).

⁷⁷⁸ Henderson, 'Slovak Political Parties and the EU', p. 152.

⁷⁷⁹ See 'Zákon z 10. júla 1999 o používaní jazykov národnostných menšín', Zbierka zákonov č. 184/1999, part 81, pp. 1418-19, available at <<http://www.zbierka.sk/Default.aspx?sid=15&PredpisID=14861&FileName=99-z184&Rocnik=1999&AspxAutoDetectCookieSupport=1>> [accessed 21 June 2011].

⁷⁸⁰ Jakub Groszkowski and Mariusz Bocian, 'The Slovak-Hungarian dispute over Slovakia's language law', Centre for Eastern Studies, *OSW Commentary*, Issue 30, 16 October 2009, 1-5 (p. 1).

⁷⁸¹ This term will be discussed in depth in the next section.

⁷⁸² Kiss and Zahorán, 'Hungarian Domestic Policy in Foreign Policy', p. 52. However, as these authors note, between 2002 and 2007 there was no meeting of Prime Ministers of Hungary and Slovakia.

initiated an unsuccessful referendum on dual citizenship for Hungarians living abroad. It was considered ‘a hot political issue’.⁷⁸³ The leader of FIDESZ, Viktor Orbán, increased the confrontational character of the referendum when he emphasised that Hungarians living abroad would not be given citizenship but would have it ‘returned’ to them.⁷⁸⁴ Expectations that this topic would be on the agenda in the near future were fulfilled after the Hungarian elections in 2010. Gyurcsány stayed in office for his second term, but then resigned in 2009 due to a decrease in his government’s popularity caused by the economic crisis. He was succeeded by Gordon Bajnai (2009-2010).⁷⁸⁵

In Slovakia, in 2006, the left wing party SMER-SD, led by Róbert Fico, won the elections. The new government consisted also of Mečiar’s LS-HZDS and the Slovak National Party (SNS). SMER-SD was criticised at the EU level for its choice of coalition partners. For ‘entering a government coalition with the extreme nationalist SNS’, SMER was suspended for two years from membership in the Party of European Socialists (PES).⁷⁸⁶ In contrast to the previous two Slovak governments, the constellation of this cabinet indicated that Slovak-Hungarian issues would be dealt with more often. Indeed, during Fico’s government, relations between Slovakia and Hungary were considered to be ‘at the lowest point for many years’.⁷⁸⁷ Significantly, in 2006, the ethnic Hungarian minority party representative, Miklós Duray, during the ‘European models of autonomy’ conference in Budapest stated that the international community denied Slovak Hungarians the right to self-

⁷⁸³ Dagmar Kusá, ‘The Slovak Question and the Slovak Answer: Citizenship During the Quest for National Self-determination and After’, in *Citizenship Policies in the New Europe*, ed. by Rainer Bauböck, Bernhard Perchinig and Wiebke Sievers (Amsterdam: Amsterdam University Press, 2009), pp. 275-304 (p. 291).

⁷⁸⁴ Marušiak and others, ‘Slovak Foreign Policy: Main Trends, Bilateral Relations, Visegrad Co-operation and Regional Initiatives’, in *Slovakia 2004: A Global Report on the State of the Society*, ed. by Miroslav Kollár and Grigorij Mesežnikov (Bratislava: Institute for Public Questions, 2004), pp. 335-417 (p. 403).

⁷⁸⁵ See ‘“Obstacle” Hungary PM to resign’, *BBC News*, 21 March 2009, available at <<http://news.bbc.co.uk/1/hi/world/europe/7956610.stm>> [accessed 23 June 2011]; and Edith Balasz and Charles Forelle, ‘Hungary’s Ruling Party Picks Premier’, *The Wall Street Journal*, 31 March 2009, available at <<http://online.wsj.com/article/SB123840402537769209.html>> [accessed 23 June 2011]. In 2010, Viktor Orbán was appointed Prime Minister after his party, Fidesz–Hungarian Civic Union (*Fidesz–Magyar Polgári Szövetség*) and the Christian Democratic People’s Party (*Kereszténydemokrata Néppárt*) (FIDESZ-KDNP), won a two-thirds majority in the latest parliamentary elections. Importantly, for the first time, the controversial far-right party Jobbik–The Movement for a Better Hungary (*Jobbik Magyarországért Mozgalom*) entered the Parliament. For more on the latest Hungarian parliamentary elections, see Nick Sitter, ‘Absolute Power? Hungary Twenty Years after the Fall of Communism’, in *20 Years since the Fall of the Berlin Wall: Transitions, State Break-Up and Democratic Politics in Central Europe and Germany*, ed. by Elisabeth Bakke and Ingo Peters (Berlin: Berliner Wissenschafts-Verlag, 2011), pp. 249-68. The situation after Orbán’s election will be debated later in this chapter.

⁷⁸⁶ ‘SMER suspended from PES political family’, *PES News & Media*, 12 October 2006, available at <<http://www.pes.org/en/news/smer-suspended-pes-political-family>> [accessed 10 June 2011].

⁷⁸⁷ ‘Protests over Slovak language law’, *BBC News*, 2 September 2009.

determination and added: ‘Kosovo Albanians will maybe have it earlier, fingers crossed’.⁷⁸⁸ This and similar statements started to resonate in Slovakia.⁷⁸⁹

Overall, from the developments in Hungarian foreign policy since the 1990s, it has become clear that the main difference between the left-wing and right-wing parties in the ruling government was in their national policies, including their approach to the issue of the Hungarian minorities living abroad. For the left-wing parties the issue of the Hungarian minorities was secondary to the cultivation and preservation of good neighborhood relations.⁷⁹⁰ On the other hand, for the right-wing party FIDESZ the status of ethnic Hungarians living abroad was a central issue, and as such was clearly reflected in its foreign political actions.⁷⁹¹

5.2 The Political Context: Slovak-Hungarian Relations (2007-2011)

On the basis of the previous section – serving as a brief explanation of relations between Slovakia and Hungary until 2006 – this part will examine Slovak-Hungarian relations in the 2007-2011 period, which provides the political context in which Kosovo’s independence was debated. This background is essential for understanding the Slovak standpoint on Kosovo. Debate about the future of Kosovo was in fact, to a great extent, a discussion about Slovak-Hungarian relations on both a national and bilateral level.⁷⁹²

As Peter Weiss, the current Slovak Ambassador to Hungary, stated, ‘regarding Slovak-Hungarian relations, about 95 percent is a positive agenda and 5 percent is, by my guess, an agenda which is connected to two points: a different perception of

⁷⁸⁸ Morvay, Peter, ‘Maďarom u nás upierajú práva, tvrdí Duray’, *SME*, 6 February 2006, available at <<http://dennik.sme.sk/c/2577616/madarom-u-nas-upieraju-prava-tvrdi-duray.html>> [accessed 21 May 2011]. For a detailed examination of the concept of self-determination from a historical and contemporary perspective and its relation to the case of Kosovo specifically, see Stefan Wolff and Annemarie Peen Rodt, ‘Self-determination after Kosovo’, *Europe-Asia Studies*, 65 (2013), 1-24.

⁷⁸⁹ Peter Weiss, the current Slovak Ambassador to Hungary, commented on this statement: ‘Of course, this has resonated in Slovakia. If [SMK] perceives the rights of an ethnic minority for self-determination in such a way that the ethnic minority aims to create its own state, then surely, this has resonated in Slovakia. This is not a phobia, it is a political programme represented by Miklós Duray, self-determination through the creation of their own statehood. So certainly, this statement was noticed by the Slovak political elite’. Peter Weiss, comments to the author, 7 April 2011.

⁷⁹⁰ Kiss and Zahorán, ‘Hungarian Domestic Policy in Foreign Policy’, p. 46.

⁷⁹¹ Therefore, when in 2010, Viktor Orbán returned to the government and became Hungarian Prime Minister, it signposted a more problematic evolution of relations between Slovakia and Hungary.

⁷⁹² Juraj Marušiak and others, ‘Zahraničná politika – hlavné trendy, dvojstranné vzťahy a regionálna spolupráca’, *Slovensko 2007: Súhrnná správa o stave spoločnosti*, ed. by Martin Bútora, Miroslav Kollár and Grigorij Mesežnikov (Bratislava: Inštitút pre verejné otázky, 2008), pp. 277-340 (p. 280).

history and historical experience and secondly, a different perception of the status and rights of ethnic minority members. These two points usually dominate'.⁷⁹³ This remark highlights the significance of the ethnic minority issues in the political discourse between the two countries.

5.2.1 The New Leader of SMK

On 31 March 2007 the SMK assembly elected a new leader, Pál Csáky, replacing Béla Bugár, who had led the party since its establishment in 1998.⁷⁹⁴ However, after the elections, conflicts between Bugár and Csáky and their respective supporters became tense.⁷⁹⁵ Bugár had earlier tried to eliminate the influence of Miklós Duray, which had been undermined by Csáky, who offered him the position of Deputy Chairman for Strategy. Duray's position was noteworthy inasmuch as he was a well-known supporter of autonomy for ethnic Hungarians in Slovakia. Soon, the new methods of policy implementation by SMK entered into a dispute with its former coalition allies, SDKÚ-DS and the Christian Democratic Movement (KDH).⁷⁹⁶ The Chairman of KDH stated that if SMK's policy 'would lead to a threat to the national and state interests of the Slovak Republic and jeopardise the sovereignty of the territory of Slovakia' it would reconsider its cooperation with SMK. This 'threat' was understood to be a strategy for autonomy in the Southern part of Slovakia.⁷⁹⁷ The internal disagreements on SMK's direction ultimately split the party, with Bugár leaving in June 2009 to create a new political party, Most-Híd. The election of Csáky and Duray's new position was significant as it indicated that party policies and the resulting decisions would become more radical. Likewise, it was expected that

⁷⁹³ Peter Weiss, comments to the author, 7 April 2011.

⁷⁹⁴ This result was perceived as a surprise. It was argued that the disagreement between the two politicians was not political but personal and that Csáky's victory is 'bad news' for political parties. See, Dag Daniš, 'Komentár: Víťaz s malým v', *Pravda*, 2 April 2007, available at <http://spravy.pravda.sk/komentar-vitaz-s-malym-v-08m-sk_domace.asp?c=A070402_082539_sk_domace_p12> [accessed 20 May 2011].

⁷⁹⁵ Some information should have leaked out of the SMK congress that before the chairman elections Csáky got on his side some members of SMK by pointing out that the former chairman of SMK, Bugár, had a better relationship with the Slovaks. Vladimír Palko, KDH representative, commented on this: 'This cannot be called differently but that Pál Csáky played with an anti-Slovak card'. See 'Hrušovský: Palkove slová sú o súťaži v KDH', *Pravda*, 3 April 2007.

⁷⁹⁶ Štefan Šutaj and Zlatica Sáposová, 'Národnostné menšiny 2007', in *Slovensko 2007: Súhrnná správa o stave spoločnosti*, ed. by Martin Bútora, Miroslav Kollár and Grigorij Mesežnikov (Bratislava: Inštitút pre verejné otázky, 2008), p. 181.

⁷⁹⁷ 'Hrušovský: Palkove slová sú o súťaži v KDH', *Pravda*, 3 April 2007, available at <http://spravy.pravda.sk/hrusovsky-palkove-slova-su-o-sutazi-v-kdh-fg6/sk_domace.asp?c=A070403_173609_sk_domace_p23>

[accessed 20 May 2011]. It is interesting to note that the initiator of this stance towards SMK was Vladimír Palko who was about to be a candidate for the chairmanship elections in KDH. Hrušovský who was the Chairman considered it a tactic from Palko's side. He argued that this was never part of the main political agenda of the party. For details, see the article above.

various aspects regarding the status of the Hungarian minority in Slovakia would be raised.

During 2007, particularly in the second half of the year, the relationship between Slovakia and Hungary was on a sensitive footing.⁷⁹⁸ Of note was an unofficial visit of the Hungarian president Sólyom in August to Slovakia. It was on the occasion of the Hungarian national day – the day of St. Stephen. Sólyom laid a wreath on the statue of St. Stephen in Diakovce, where he had been invited by SMK. However, he did not meet with the Slovak President or any other political representatives, except SMK.⁷⁹⁹

Soon after, SMK devised a requirement to compensate citizens of Hungarian nationality for the events after the Second World War, in reference to the so called Beneš Decrees.⁸⁰⁰ The first attempts to open the Beneš Decrees took place after November 1989 and in 2002, before Slovakia became an EU member, when the Hungarian Prime Minister, Viktor Orbán, claimed that they had been annulled. The initiation of this discussion united MPs in the Parliament and led, on 20 September

⁷⁹⁸ Slovak-Hungarian relations were tense also due to a case that happened in August 2006 which has not yet been closed. Hedviga Malinová, an ethnic Hungarian student, reported to be attacked by two men on her way to university after they heard her talking Hungarian. After over two weeks of investigations, Slovak police concluded that the attack never happened. In 2007, Hedviga was accused of false claims and for four years the case remained unprosecuted. Radičová's government agreed to apologise to Malinová before the European Court of Justice for there were doubts about the respect of her rights during the investigation. As a result, Malinová said she would not sue Slovakia before the European Court for Human Rights. However, Kaliňák who in 2006 as Interior Minister considered the case a lie, was reappointed after the change of government in 2012. In June 2012 the case was re-opened for an examination of the reports of Malinová's mental state and she was asked to attend a separate examination to check results of her two doctors who argued that she suffered post-traumatic shock and depression. However, Malinová refused to be hospitalised at a mental institution. It has been argued that the case has been politicised and the investigation was controversial. See Radka Minarechová, 'Malinová case re-opened by prosecutor', *The Slovak Spectator*, 24 August 2012. In December 2012, the Prosecution office issued another request to examine Malinová's mental state. See Monika Tódová, 'Hedvigu skúsia znova vyšetriť', *SME*, 27 December 2012, pp. 1-2.

⁷⁹⁹ 'Sólyom oslavoval s krajanmi a SMK', *SME*, 20 August 2007. Notably, Béla Bugár and other SMK members who did not agree with the new party leadership and did not have good relations with Duray did not participate. It was clear that they wanted to distance themselves from these types of events. During the event, Csáky, talking about the case of Hungarians at the beginning of the twenty-first century, noted that the borders of the nation are not identical with the borders of the state. Furthermore, he referred to a survey ordered by SMK. Its findings, according to Csáky, showed that the ethnic Hungarians in Slovakia mainly identify with their community and region, followed by affiliation to the Hungarian nation and Europe and only with a greater distance followed identification with Slovakia as the state where they live. See 'Sólyom oslavoval s krajanmi a SMK'.

⁸⁰⁰ Štefan Šutaj and Zlatica Sáposová, 'Národnostné menšiny 2007', in *Slovensko 2007: Súhrnná správa o stave spoločnosti*, ed. by Martin Bútora, Miroslav Kollár and Grigorij Mesežnikov (Bratislava: Inštitút pre verejné otázky, 2008), p. 180. The decrees of the post-war Czechoslovak president, Edvard Beneš, legitimised the removal of the Czechoslovak citizenship of German and Hungarian minorities, and the expropriation of their property after 1945. As a result, 2.5 million Sudeten Germans were expelled from Czechoslovakia. See 'The Beneš decrees: implications for EU enlargement', *Euractiv.com*, 26 June 2002, available at <<http://www.euractiv.com/en/enlargement/benes-decrees-implications-eu-enlargement/article-110130>> [accessed 21 May 2011]. For a detailed analysis of the impacts of the decrees, see, Štefan Šutaj (ed.) *Dekréty Edvarda Beneša v povojnovom období* (Prešov: Universum, 2004).

2007, to the adoption of a resolution by the Slovak Parliament confirming that Slovakia would not revoke the Beneš Decrees.⁸⁰¹ Significantly, the resolution was drafted by the Slovak National Party (SNS) and supported by 120 MPs. Against were only 20 representatives of SMK.⁸⁰² The Slovak representatives stated that ‘to open up this problem would mean to call into question the results of the Second World War’ (Čaplovič, SMER-SD) and that ‘it’s not needed to revive the past’ (Kukan, SDKÚ-DS).⁸⁰³ Furthermore, the announcement that in September 2007 the chairman of SMK wanted to put to the Slovak Parliament a compensation proposal led to further discussion. In fact, SMK stopped this initiative due to the unexpectedly increased tensions it created in Slovak-Hungarian relations.⁸⁰⁴

Attempts at passing a declaration on historical reconciliation between Slovakia and Hungary had been a topic for discussion since 1989. The notion of a reciprocal apology was brought up again by the SMK in September 2007. However, Slovak politicians’ reactions were very clear and they refused to apologise to the Hungarians.⁸⁰⁵ The Minister of Foreign Affairs, Kubiš, argued that the whole initiative of the SMK was not discussed with the Slovak side and that although the aim should be reconciliation, ‘it engenders confrontation’.⁸⁰⁶

Importantly, in September, tensions between SNS and SMK increased considerably. The Slovak Parliament’s resolution, confirming that a renouncement of the Beneš Decrees was not going to happen, received criticism from both the SMK and Hungarian politicians. Pál Csáky, the SMK leader, even sent a letter to the European

⁸⁰¹ Among other things, the resolution condemned the principle of collective guilt and any attempts questioning or leading to the revision of post-war laws. It also declared that ‘1. constitutional, legal and political decisions in the post-war arrangements were made as in other European countries due to World War II and the defeat of Nazism and were based on the principles of international law represented by the conclusions of the conference in Potsdam; 2. post-war decisions of representative bodies of the Czechoslovak Republic and the Slovak National Council are not the cause of discriminatory practice and today, on their basis, cannot be created new legal relationships; and 3. legal and property relations established by these decisions are unquestionable, untouchable and unchangeable’. See ‘Uznesenie Národnej Rady Slovenskej Republiky o nedotknuteľnosti povojnových dokumentov k usporiadaniu pomerov po II. svetovej vojne na Slovensku’, Nr. 394, 1483/2007, Národná rada Slovenskej Republiky, 20 September 2007. The Czech Republic passed a similar law already in 2002.

⁸⁰² ‘NR SR: Benešove dekréty sú nemenné’, *Pravda*, 20 September 2007.

⁸⁰³ Šutaj and Sáposová, ‘Národnostné menšiny 2007’, p. 182.

⁸⁰⁴ Šutaj and Sáposová, ‘Národnostné menšiny 2007’, p. 182.

⁸⁰⁵ Šutaj and Sáposová, ‘Národnostné menšiny 2007’, p. 183-84. See also ‘Slovensko sa Maďarom neospravedlní’, *Pravda*, 10 September 2007, available at <http://spravy.pravda.sk/slovensko-sa-madarom-neospravedlni-d69/sk_domace.asp?c=A070910_165617_sk_domace_p04> [accessed 21 May 2011].

⁸⁰⁶ ‘Kubiš: SMK vôbec nejde o zmierenie’, *Pravda*, 13 September 2007, available at <http://spravy.pravda.sk/kubis-smk-vobec-nejde-o-zmierenie-d47/sk_domace.asp?c=A070913_163856_sk_domace_p23> [accessed 21 May 2011].

Parliament about the alarming situation in Slovakia.⁸⁰⁷ For Slota, the leader of SNS, the resolution was a reaction towards tensions created by Hungarians. However, he also noted that the violence by Germans during the war was comparable to the violence committed by Hungarian fascists in southern Slovakia. In return, Csáky argued that Slota was ‘damaging the good name of the Slovak Republic in the whole democratic world’.⁸⁰⁸ Among others, Slota addressed several negative statements towards Csáky, including vulgar language. Prime Minister Fico disagreed with Slota’s comments, but claimed that he had been provoked by Csáky. Urbáni (ĽS-HZDS) from the Parliamentary Committee for European Affairs noted that the comments of both politicians ‘are not worth commenting on and do damage to Slovakia’.⁸⁰⁹ Significantly, after the SMER-SD’s suspension from the Party of European Socialists (PES) in 2006 related to forming a coalition with SNS, during 2007, SMER lobbied for their return to PES. Yet, comments by its coalition partner Slota, did not positively impact on the situation. In this respect, Hannes Swoboda from PES had noted that Slota needed to become aware that his vulgar comments were harming Slovakia.⁸¹⁰

As for the Foreign Minister Kubiš, he criticised both politicians’ behaviour. He condemned Slota’s vulgar statements addressed to Csáky, arguing that they were indecent and damaged the good name of Slovakia abroad. However, he considered Csáky’s attempts to repay victims of the Beneš Decrees as a planned provocation.⁸¹¹ ‘Unfortunately in Slovakia, either on the side of the Hungarian minority or among

⁸⁰⁷ ‘O konflikte P. Csákyho s J. Slotom vedia už aj v Európskom parlamente’, *STV 2, Správy a komentáre*, 26 September 2007. Five years after the Slovak Parliament passed the declaration and stated that the Decrees are immutable, this topic was brought up again. In September 2012, Hungarian professor of law, Imre Juhasz, presented to the European Parliament a request to repeal the Slovak Parliament’s decision about the Decrees. Hungarian EP MP, Zoltán Bagó, supported opening and investigation of the Decrees. However, the Slovak Prime Minister Fico and Minister of Foreign Affairs Lajčák considered the topic to be closed. See ‘Benešove dekréty sa opäť objavili na pôde Európskeho parlamentu’, *Pravda*, 20 September 2012 and ‘Benešove dekréty ožívajú’, *TA3, Žurnál*, 7 October 2012. For the text of the petition, see ‘Petition 0070/2012 by Imre Juhasz (Hungarian), bearing 2 signatures, on a request for the repeal of Resolution 1487/2007 of the Slovak National Council concerning the inviolability of the Beneš Decrees’, *European Parliament, Committee on Petitions*, 30 August 2012.

⁸⁰⁸ ‘O konflikte P. Csákyho s J. Slotom vedia už aj v Európskom parlamente’, *STV 2, Správy a komentáre*, 26 September 2007.

⁸⁰⁹ ‘O konflikte P. Csákyho s J. Slotom vedia už aj v Európskom parlamente’, *STV 2, Správy a komentáre*, 26 September 2007. Slota referred to Csáky as a ‘vomit’ and ‘manure’.

⁸¹⁰ ‘Fico má pre Slotove nadávky pochopenie’, *Pravda*, 28 September 2007, p. 4. Indeed, on 4 October, PES decided that SMER’s membership would not be reinstated as yet.

⁸¹¹ ‘Slota a Csáky škodia Slovensku, tvrdí Kubiš’, *Pravda*, 2 October 2007.

some Slovak political powers, we have politicians who very easily slide to a nationalistic form', added Kubiš.⁸¹²

Nevertheless, in October, during another unofficial visit to Slovakia, the Hungarian President Sólyom made some critical statements towards the financing of the Hungarian minority and resolution of the Slovak National Council on the inviolability of post Second World War legislation, the Beneš Decrees. The Slovak official representatives argued that by making these comments he exceeded the scope of a private visit.⁸¹³ Sólyom was invited by the representatives of the South Slovak town Komárno and civic association Palatinus. Apart from his meeting with the representatives of the town he met with the leaders of SMK. The Beneš Decrees remained high on the agenda and were strongly criticised by the Hungarian representatives.⁸¹⁴ Notably, for Sólyom, the unofficial meetings served to strengthen the relationship between the Hungarian President and the Hungarian community living behind the borders of Hungary.⁸¹⁵ Prime Minister Fico argued that Sólyom had abused his visit for political purposes, stating during a press conference: 'The Government of the Slovak Republic is a government of a sovereign country. And simply, we cannot allow highest representatives of other countries, particularly from Hungary, to behave in Southern Slovakia as if they would be in North Hungary'.⁸¹⁶ Kubiš argued that Sólyom was not a private person and that a 'private visit does not serve for expression of political or public opinions'.⁸¹⁷

In addition, Katalin Szili, chairman of the Hungarian Parliament, cancelled her official visit to Slovakia on account of disagreeing with the Beneš Decrees. However, on 6 October 2007, she unofficially visited Slovakia for an event to commemorate the Hungarian families displaced from Slovakia under the Beneš

⁸¹² Miroslav Čaplovič, 'Kubiš: Sólyom nie je súkromná osoba', *Pravda*, 8 October 2007, available at <http://spravy.pravda.sk/kubis-solyom-nie-je-sukromna-osoba-dtd-sk_domace.asp?c=A071007_194823_sk_domace_p23> [accessed 15 March 2011].

⁸¹³ Štefan Šutaj and Zlatica Sáposová, 'Národnostné menšiny 2007', in *Slovensko 2007: Súhrnná správa o stave spoločnosti*, ed. by Martin Bútor, Miroslav Kollár and Grigorij Mesežnikov (Bratislava: Inštitút pre verejné otázky, 2008) p. 169. See also Čaplovič, 'Kubiš: Sólyom nie je súkromná osoba', *Pravda*, 8 October 2007.

⁸¹⁴ 'Sólyom sa stretne len s SMK', *Pravda*, 1 October 2007.

⁸¹⁵ 'Sólyom očakáva od SR pozitívne gesto', *Pravda*, 2 October 2007.

⁸¹⁶ 'Fico: Maďarský prezident zneužil návštevu', *SME*, 3 October 2007.

⁸¹⁷ Čaplovič, 'Kubiš: Sólyom nie je súkromná osoba', *Pravda*, 8 October 2007.

Decrees 60 years ago.⁸¹⁸ These events only further worsened relations between both countries.

As a leaked cable revealed, the US Embassy observed with concern the latest Slovak-Hungarian developments. In this sense, the US Ambassador Vallee reported:

Csaky, who took over the leadership of the party in March, is a savvy pol. He undoubtedly knew that his sop to a shrinking electoral base – especially his comments on reparation – would set in motion a divisive debate that would resonate beyond Slovakia’s borders. Indeed, it seems clear that was his intent. Csaky’s predecessor, Bela Bugar, likely would not have pushed the issue as hard and recently softly criticized the visit of President Sólyom in the press. The Smer-led government has been embarrassed and put on the defensive by Slota’s crude rhetoric [...] and, despite its earlier attempts to remain above the fray, has joined the tit-for-tat following the Csaky-engineered visit of Hungarian President Sólyom to Slovakia.⁸¹⁹

The unofficial visits by President Sólyom and chairman Szili, together with tensions created after the Beneš Decrees debate, contributed to the deterioration of relations between Slovakia and Hungary and led to a bilateral crisis.⁸²⁰

5.2.2 The Issue of Autonomy

Soon after Kosovo’s declaration of independence, in March 2008, representatives of the Hungarian Autonomous Council of the Carpathian Basin, *Kárpát-Medencei Magyar Autonómia Tanács* (KMAT), stated that they would ask for the support of NATO and the EU in their efforts to secure Hungarian minority groups’ right to self-determination.⁸²¹ The SMK representative, Duray, participated at the Council’s meeting on 19 March 2008 in Budapest. Tökés, the Romanian MEP representing the Hungarian minority who was elected chairman of KMAT, expressed his plans to bring up this topic during the NATO summit in Bucharest and ask NATO members

⁸¹⁸ See ‘Sziliová: Neprišla som rozprávať’, *Pravda*, 6 October 2007, available at <http://spravy.pravda.sk/sziliova-neprišla-som-rozpravat-d4q/-sk_domace.asp?c=A071006_172512_sk_domace_p23> [accessed 29 May 2011].

⁸¹⁹ ‘Slovakia: PM Fico raises Slovak-Hungarian dispute to new level’, US Embassy Bratislava, reference ID 07Bratislava560, 10 October 2007, <<http://wikileaks.org/cable/2007/10/07BRATISLAVA560.html>> [accessed 26 August 2012].

⁸²⁰ The case of president Sólyom’s visits was also highlighted by one European Commission official who considered the Hungarian minority problems as a probable case for the Slovak position on Kosovo. Comments to the author, July 2010.

⁸²¹ KMAT was established in June 2004, in Oradea (Romania). Its aim is to represent and support autonomy concepts of Hungarian minorities at European forums.

to consider support for democratic autonomy efforts in accordance with Ahtisaari's plan for Kosovo within the security policy of the Alliance.⁸²²

In September, SMK was present at the Forum of Hungarian MPs of the Carpathian Basin held in Budapest. The Forum was established in 2004 but since March 2008 it has been an institutional part of the Hungarian Parliament.⁸²³ Later in October, the chairman of SMK, Pál Csáky met with the Romanian MEP representing the Hungarian minority, Tökés, to discuss questions regarding autonomy. The Slovak Minister of Foreign Affairs, Kubiš, expressed his concerns over the topics of their debates and said that they were very dangerous. He stated in a press conference that 'any steps taken on the Slovak political scene which stir passions and contribute to radicalism and extremism are unacceptable'.⁸²⁴ The Hungarian Foreign Minister, Kinga Göncz, accused the Slovak government of not fulfilling promises related to the Hungarian minority and discrimination of the ethnic Hungarian population in Southern Slovakia. She also criticised verbal attacks on Csáky related to his contacts with KMAT.⁸²⁵

On 10 October, as a reaction to Csáky's recent actions and the criticism from the Hungarian government, the Slovak Foreign Ministry circulated a document on Slovak-Hungarian relations to NATO and EU missions in Bratislava. A US dispatch revealed it stating that 'since the declaration of Kosovo's independence, there have evidently been intensified efforts by the political representatives of Hungarian minorities in states neighbouring Hungary, including Slovakia, to open the issue of the creation of ethnically autonomous areas on the territories of these countries. The attitudes of several political actors in Hungary contribute to the growth of this trend'. Furthermore, it also denounced support of the Hungarian Parliament for the Forum of Hungarian MPs in the Carpathian Basin and the forum's decision to 'establish a

⁸²² 'Maďarsko: Maďari v Karpatskej kotline chcú podporu NATO a EÚ pre autonómiu', *TASR*, 20 March 2008. As far as Tökés was concerned, the case of Kosovo was a clear precedent for territorial autonomy of the so called Székely Land in the Romanian region of Transylvania mainly inhabited by ethnic Hungarians. See Áron Buzogány, 'Rumäniens Kosovo-Komplex zwischen doppeltem Präzedenzfall und EU-Verpflichtungen: Siebenbürgen, die Republik Moldau, Transnistrien', *Südosteuropa*, 56 (2008), 441-48 (p. 442).

⁸²³ 'Slovensko-maďarské vzťahy', *Euractiv.sk*, 31 January 2010, available at <http://www.euractiv.sk/rozsirovanie/zoznam_liniek/slovensko-madarske-vztahy-000240> [accessed 7 September 2012]. This effectively means that the Forum is financed from the budget of the Hungarian Parliament.

⁸²⁴ 'Politika: Ministra Kubiša znepokojil obsah rozhovorov Csákyho a Tökésa', *TASR*, 2 October 2008.

⁸²⁵ 'Die Slowakei und Ungarn auf Kollisionskurs: Minderheitenpolitik als Quelle ständiger Irritation', *Neue Zürcher Zeitung*, 5 October 2008.

lobbying office in Brussels, whose main goal is the promotion of the idea of autonomy'.⁸²⁶

Relations between Hungary and Slovakia further deteriorated after Slovak police intervened prior to a football match in the southern town of Slovakia, Dunajská Streda. According to the press, Slovak police was alerted by its Hungarian colleagues that Hungarian extremists planned to attend the match. In SMK's view the police force was not adequate and the Hungarian government requested investigation of the intervention.⁸²⁷

In response to SMK's earlier activity in the Forum of Hungarian MPs of the Carpathian Basin, on 4 November 2008, the Slovak Parliament passed a resolution expressing concern that members of the Slovak Parliament for SMK participated in the Forum. It criticised the fact that earlier in March the Hungarian Parliament passed a resolution stating that the Forum was institutionally part of the Hungarian Parliament, which created concern that the Hungarian Parliament 'interferes in the affairs of sovereign Slovak Republic'.⁸²⁸

Meanwhile, the US attentively observed development of the situation in Slovakia in relation to the Hungarian minority and it remained focused on moving Slovakia to accept Kosovo's independence. Evidence for this comes from a cable from the end of October 2008 revealing the necessity to take a number of steps in order to change the Slovak view on Kosovo. The US Ambassador Obsitnik had briefed that he planned 'to use recent key recognitions, i.e., by Montenegro, Portugal and Macedonia, to press the Slovaks toward a more flexible stance'.⁸²⁹ Furthermore, Obsitnik stated:

⁸²⁶ 'Slovak-Hungarian tensions risk damaging majority-minority relations within Slovakia', US Embassy Bratislava, reference ID 08Bratislava507, 4 November 2008, <<http://wikileaks.org/cable/2008/11/08BRATISLAVA507.html>> [accessed 19 August 2012].

⁸²⁷ 'SMK: Zásah nebol adekvátny', *SME*, 3 November 2008. Police arrested 35 persons: 15 fans of the football team Slovan Bratislava, 3 fans of DAC Dunajská Streda and 17 citizens of Hungary.

⁸²⁸ See 'Uznesenie Národnej rady Slovenskej republiky zo 4. novembra 2008 k informácii o vzťahoch a možných negatívnych dopadoch inštitucionalizácie Fóra maďarských poslancov Karpatskej kotliny pri maďarskom parlamente na politický a spoločenský vývoj strednej Európy', Nr. 1780/2008, *Národná rada Slovenskej republiky*, 4 November 2008.

⁸²⁹ 'Moving Slovakia closer to "yes" on Kosovo', US Embassy Bratislava, reference ID 08Bratislava487, 24 October 2008, <<http://wikileaks.org/cable/2008/10/08BRATISLAVA487.html>> [accessed 4 April 2012]. This cable was addressed to Stuart Jones who was Deputy Assistant Secretary with responsibility for the Balkan region in the Bureau of European and Eurasian Affairs.

I ask for Washington's support for a concerted effort to help shift Slovak official and public opinion. The two key pillars of the argument would be that Kosovo's independence is consistent with international law and that acceptance of Kosovo's independence by all EU members will help Serbia move forward and closer to the European Union. We will also seek to knock down flawed comparisons between Slovakia's ethnic Hungarians and Kosovo Albanians.⁸³⁰

In fact, Obsitnik noted that the Slovak public and elite were 'ill-informed' about the history of the conflict between Serbia and Kosovo and Kosovo's advancement towards a multi-ethnic society. With this in mind, Ambassador Obsitnik in detail described the strategy and steps that the Embassy aimed to take:

Using the resources and contacts we have, Embassy Bratislava will intensify our outreach on Kosovo, making the case that moving forward on the basis of an independent Kosovo is best not only for Kosovo, but also for Serbia. Given a lack of regular personal contact with PM Fico, I will utilize other levers of influence, e.g., close colleagues of Fico such as Culture Minister Madaric and key 'influentials,' such as former Ambassador Kacer, to convey our messages. I will also use the goodwill gained from President Gasparovic's recent visit to the U.S. to press him to take a more pragmatic stance. I hope to initiate a mini 'contact group' of diplomats in Bratislava to strategize about how to encourage constructive Slovak policy. We will press Hungarian politicians and intellectuals to repeat/amplify the message that Kosovo is not a precedent for ethnic Hungarians in Kosovo, and will host roundtables and events aimed at strengthening Slovak-Hungarian relations. In an effort to build broader and more accurate public understanding of the Balkans, particularly the Serbian-Kosovo conflict, post is considering a multi-city 'film festival,' which could foster greater objectivity and understanding of the Balkan conflicts. We would then seek to place films in schools, libraries and offer them to Slovak TV stations.⁸³¹

⁸³⁰ 'Moving Slovakia closer to "yes" on Kosovo', US Embassy Bratislava, reference ID 08Bratislava487, 24 October 2008.

⁸³¹ 'Moving Slovakia closer to "yes" on Kosovo', US Embassy Bratislava, reference ID 08Bratislava487, 24 October 2008. Obsitnik also suggested sending respected US government officials (as Stuart Jones) and lawyers to Slovakia to discuss the Balkan policy and legality of Kosovo respectively. Likewise, he recommended for the US to sponsor an exchange program for Slovaks to travel to Kosovo and Kosovo Albanians to Slovakia. In addition, he proposed frequent briefing about positive developments in Kosovo. In regards to the cooperation with the EU on the recognition of Kosovo, Obsitnik noted, 'I believe that more consultation with the EU and activism by Brussels could help move the ball forward. Perhaps Washington and key European capitals, e.g., Paris and Berlin, could craft a more closely-coordinated effort aimed at securing recognition by all EU members by a date certain, e.g., the anniversary of Kosovo's independence. I know such results would be very tough to achieve, but I often have the sense that the Slovaks are hearing about Kosovo from this Embassy, but not very much from their EU colleagues either here or in Brussels. Based on my discussions with a wide range of Slovaks during the past 10 months, I believe that it is essential that we intensify our efforts precisely now, because of positive developments in Kosovo and Serbia and because this is the period in which we, the U.S. and the EU have maximum leverage on Serbian and Kosovar Albanian leaders. Delays or setbacks in progress in either Belgrade or Pristina will only harden Slovak attitudes'.

In June 2009, the Slovak Parliament passed amendments to the Act on the State Language of the Slovak Republic. The law stated that Slovak must be used in all official contacts but minorities had the right to use their native language in those municipalities where the minority forms at least 20 percent of the population. Furthermore, the act introduced fines for natural and legal persons offending the law after a written notice.⁸³² The law was strongly criticised by the representatives of the Hungarian minority party, Hungary and some representatives of the EU. Michael Gahler, the Vice-Chair of the European Parliament's foreign affairs committee, argued that the law did not conform to EU standards.⁸³³ The Organisation for Economic Co-operation and Development (OECD) stated that the new law respected the rights of minorities, but expressed concerns over its enforcement.⁸³⁴

In August 2009, the autonomy issue was again raised in Slovakia. The vice-chairman of SMK, Duray, stated several times that the Hungarian minority in Slovakia fulfils all conditions for rights of personal autonomy to be fully afforded. However, he noted that he saw some fear in his party colleagues over agreeing a concrete proposal on autonomy as each of their proposals was met with great resistance.⁸³⁵ In Duray's own words, 'without taking into consideration political will in Slovakia, personal or so-called cultural autonomy is possible. I can hardly imagine a territorial autonomy, because the territory where Hungarians live is not very suitable for it. Personal autonomy does not require a change of the territorial system'. Duray further argued that parallel bodies could be established in municipalities and higher territorial units, as this does not require changes. 'But even for this, there is no political willingness. There is constantly this justification that autonomy [in Slovakia] is the last step before independence', he explained.⁸³⁶

⁸³² See 'Zákon z 30. júna 2009, ktorým sa mení a dopĺňa zákon Národnej rady Slovenskej republiky č. 270/1995 Z. z. o štátnom jazyku Slovenskej republiky v znení neskorších predpisov a o zmene a doplnení niektorých zákonov', Zbierka zákonov č. 318/2009, part 113, pp. 2362-67, available at <<http://www.zbierka.sk/z/predpisy/default.aspx?PredpisID=209137&FileName=zz2009-00318-0209137&Rocnik=2009>> [accessed 18 June 2011].

⁸³³ 'German MEP slams Slovak language law', *Euractiv.com*, 10 July 2009, available at <<http://www.euractiv.com/en/culture/german-mep-slams-slovak-language-law/article-183982>> [accessed on 20 June 2011].

⁸³⁴ 'Protests over Slovak language law', *BBC News*, 2 September 2009, available at <<http://news.bbc.co.uk/1/hi/8232878.stm>> [accessed 22 June 2011].

⁸³⁵ 'Duray: Autonómia je cieľ, Veľké Maďarsko iba sen', *Aktualne.sk*, 5 August 2009.

⁸³⁶ Miklós Duray, comments to the author, 1 April 2011. Duray further added that at that moment, none of the political parties was inclined to do so and Most-Híd, in his perspective, was not succeeding in retaining the Hungarian voters.

In the same month, another unofficial visit by president Sólyom received the attention of the media. However, this time, he was denied entry into Slovakia. Sólyom was coming to unveil a statue of St. Stephen, the founder and first king of the Hungarian state, in Komárno where he was supposed to hold a public speech.⁸³⁷ His visit was perceived as a provocation due to the fact that the day of his visit, 21 August, was an anniversary of the invasion of Czechoslovakia by most of the Warsaw Pact countries in 1968, including Hungarian troops. Furthermore, Slovak officials stated that the Hungarian President breached diplomatic standards and practice; for instance he planned to have a public speech during his private visit and did not intend to meet any Slovak officials.⁸³⁸ This incident further increased the tensions between Slovakia and Hungary. The Hungarian side saw this issue from a different perspective and Hungarian officials strongly condemned it, commenting that they would take this incident to the EU level. Slovakia's new Minister of Foreign Affairs, Miroslav Lajčák, argued that the Hungarian President ignored the rules for organising visits by state leaders. He further noted: 'We are patiently trying to explain to our Hungarian friends that rather than sending letters (of protest) all over the planet, it would be better to sit down with us and discuss these issues'.⁸³⁹ Indeed, Hungary took Slovakia to the Court of Justice of the European Union. However, on 16 October 2012, the Court decided that 'Slovakia did not breach EU law by refusing entry into its territory to the President of Hungary'. Slovakia had the right to block the Hungarian President's entry and the Court dismissed Hungary's complaint entirely.⁸⁴⁰

⁸³⁷ As Jan Puhl put it, 'Stephen I (969-1038) is seen as not only the founder of the Hungarian empire but also the conqueror of Great Moravia, the entity nationally conscious Slovaks consider the medieval precursor to modern-day Slovakia.' See Jan Puhl, 'Slowakei: Unerschütterliche Treue', *Der Spiegel*, 38 (2009), p. 85.

⁸³⁸ Michaela Terenzani-Stanková, 'Hungarian president denied entry to Slovakia', *The Slovak Spectator*, 31 August 2009 <http://spectator.sme.sk/articles/view/36337/2/hungarian_president_denied_entry_to_slovakia.html> [accessed 12 November 2010]. See also 'Maďarsko: O nevpustení Sólyoma sa dozvie Európa', *Aktualne.sk*, 22 August 2009, <<http://aktualne.centrum.sk/zahranicie/europa/clanek.phtml?id=1189015>> [accessed 15 May 2011].

⁸³⁹ Mohit Joshi, 'Slovak foreign minister says Hungary ignored "rules" on visit', *TopNews.in*, 27 August 2009, available at <<http://www.topnews.in/slovak-foreign-minister-says-hungary-ignored-rules-visit-2207236>> [accessed 21 May 2011].

⁸⁴⁰ Furthermore, the Court noted that 'the fact that an EU citizen performs the duties of Head of State is such as to justify a limitation, based on international law, on the exercise of the right of movement conferred on that person by EU law. The Court finds that EU law did not oblige Slovakia to guarantee access to its territory to the President of Hungary'. See 'Judgment in Case C-364/10: Hungary v Slovakia', *Court of Justice of the European Union*, Press and Information, Press release No 131/12, Luxembourg, 16 October 2012. See also Ľuboš Kostelanský, 'Vyhrali sme vážny spor nad Maďarskom', *Hospodárske Noviny*, 17 October 2012, p. 5; Dag Daniš, 'Maďari a Ficova čiara', *Hospodárske Noviny*, 17 October 2012, p. 9.

SMK's broad view on autonomy was presented in their programme for the 2010 elections. It stated that 'in order to increase the chances of minority communities in Slovakia it is important to extend the self-governance in the areas of culture, education and regional self-governance.'⁸⁴¹ If a drive towards autonomy was behind this, it was not stated directly by the then Vice-Chairman, Jozef Berényi, who simply said: 'We want to analyse all possibilities'.⁸⁴² Nor did SMK representatives explain what they understood by cultural and school autonomy, though Miklós Duray did say 'it is premature to talk about it at length'. In the past, there were several disputes between Duray and the former chairman of SMK, Béla Bugár, who distanced himself from Duray's words.⁸⁴³ The chairman of SDKÚ, Mikuláš Dzurinda, commented on tendencies towards autonomy: 'Everybody who dreams about territorial autonomy in Slovakia will once awake from a dream that is stupid and ridiculous'.⁸⁴⁴ The term 'autonomy' was avoided by SMK but other synonyms, such as self-governance, were often used. From these developments one cannot deny that a split existed within the SMK. There was also a division between supporters of the new chairman, Csáky, and the former, Bugár. However, it also started to become clear that the preferences of SMK were decreasing in number.

As for Slovakia, the subject of autonomy for a region populated by the ethnic Hungarian minority was a constantly contested issue engendering tensions in the relationship. The subject was nevertheless raised again, this time by a representative of Hungary from FIDESZ, Viktor Orbán. During his visit to the congress of SMK in October 2009 he openly discussed autonomy and among other things noted that 'every national community has the right to autonomy'. His statements were, repeatedly and as usual, criticised by Ján Slota, chairman of the Slovak National Party (SNS).⁸⁴⁵

⁸⁴¹ 'Slovo autonómia počut' z SMK čoraz zreteľnejšie', *Pravda*, 20 October 2009, available at <http://spravy.pravda.sk/slovo-autonomia-pocut-z-smk-coraz-zretelejniejsie-f55-/sk_domace.asp?c=A09101_9_184_249_sk_domace_p29> [accessed 21 May 2011].

⁸⁴² 'Slovo autonómia počut' z SMK čoraz zreteľnejšie', *Pravda*, 20 October 2009.

⁸⁴³ 'Slovo autonómia počut' z SMK čoraz zreteľnejšie', *Pravda*, 20 October 2009.

⁸⁴⁴ 'Slovo autonómia počut' z SMK čoraz zreteľnejšie', *Pravda*, 20 October 2009.

⁸⁴⁵ 'Orbán zožal za autonómiu potlesk. Je to nebezpečné, varuje Slota', *Pravda*, 17 October 2009, available at <http://spravy.pravda.sk/orban-zozal-za-autonomiu-potlesk-je-to-nebezpecne-varuje-slotapvq/sk_domace.asp?c=A091017_184332_sk_domace_p29> [accessed 21 May 2011].

5.2.3 2010 and Beyond: Elections in Hungary and Slovakia

In 2010 interactions between Slovakia and Hungary intensified. After two terms of left-wing leadership in Hungary, in April, the right-wing party FIDESZ was elected to the Hungarian government. The following month, the newly elected Hungarian Prime Minister Viktor Orbán and his party, FIDESZ, initiated amendments to the Hungarian citizenship law, allowing the 2.5 million ethnic Hungarians living abroad to apply for citizenship.⁸⁴⁶ The law came into effect in January 2011.

The amended Hungarian citizenship law includes the term which has been previously a source of criticism from Slovak representatives, namely the ‘united Hungarian nation’. This term is contentious due to its different meanings. The Hungarian philosopher János Kis explained in great detail that the ‘united Hungarian nation’ can refer not only to a cultural and linguistic community but also to a political entity. Kis noted that when referring to a cultural community, one refers to the totality of those who regard Hungarian language, culture and history as their own and who in this respect define themselves and one another as Hungarians.⁸⁴⁷ In this formulation, the broad aim is to maintain the cultural nation, or in other words, ‘to slow down outwards assimilation and to strengthen loyalty of individual Hungarians to the entire Hungarian population whose ethnic homeland is the territory of the historic Hungarian state’.⁸⁴⁸ However, if one understands under the ‘united Hungarian nation’ a political entity, its interpretation and implications differ considerably. Under this condition, Kis states, ‘the task of the law is to be understood as set by the political separation of the various geographic parts of the Hungarian nation. And the fact of political separation does not set this task indirectly, via the disadvantaged position of the minority parts of the Hungarian nation, but directly, as a consequence of the inseparability of the nation and its

⁸⁴⁶ Miklós Duray argued that FIDESZ initiated the amendments this early because of Jobbik. He explained that ‘Jobbik got into the parliament and FIDESZ needed to hurry up to initiate the dual citizenship law, so that they won’t be overtaken by Jobbik’. Miklós Duray, comments to the author, 1 April 2011. Similarly, a Senior diplomat stated, ‘FIDESZ’s nationalist agenda [...] is boosted not by its coalition partners but by a party outside the government. Jobbik is a threat to FIDESZ and FIDESZ’s responses are to become nationalist like Jobbik’. Senior European diplomat, comments to the author, April 2011. Jobbik (Movement for a better Hungary) is a radical nationalist party, currently the third largest in Hungary with representatives also in the European Parliament.

⁸⁴⁷ János Kis, ‘The Status Law: Hungary at the Crossroads’, in *The Hungarian Status Law: Nation Building and/or Minority Protection*, ed. by Zoltán Kántor and others (Hokkaido University: Slavic Research Center, 2004), pp. 152-76 (p. 161).

⁸⁴⁸ Kis, ‘The Status Law’, p. 162.

state'.⁸⁴⁹ In this sense, Kis understands the task as being the unification of a political nation.⁸⁵⁰ The main issue that arises here is that a legal tie between Hungary and people living in and having citizenship of a neighbouring country has an effect on that country's sovereign authority, in this case Slovakia's. In this situation, no legal link can be established without the agreement of that particular state.⁸⁵¹ Here it must be noted that the term 'united Hungarian nation' is also included in another Hungarian document, the amended Hungarian constitution passed in 2011, which will be discussed later in this chapter.

Importantly, the Hungarian side did not discuss amendments to the Hungarian citizenship law with its neighbours, and Slovakia's ruling coalition led by Prime Minister Fico considered it to be a threat. What followed was a retaliatory measure: Slovakia amended its own citizenship law, so that it contained the following new provision: if Slovak citizens opt for dual nationality, in most cases, except if they would acquire it through marriage or birth, they would lose their citizenship.⁸⁵² These amendments to Slovak citizenship law were passed just shortly before the latest Slovak elections in 2010, by the then coalition led by Fico. As the *Economist* put it, 'Relations used to be icy [before the change of the Hungarian citizenship law]. Now they smell sulphurous'.⁸⁵³

⁸⁴⁹ Kis, 'The Status Law', p. 162.

⁸⁵⁰ Kis, 'The Status Law', p. 162.

⁸⁵¹ Kis, 'The Status Law', p. 164. Significantly, the term 'united Hungarian nation' was an issue already in 2001 as it was included also in the earlier mentioned Act on Hungarians Living in Neighbouring Countries. This term was back then not only an issue for Slovakia but also for Romania. When the Romanian Prime Minister demanded of Viktor Orbán to remove it from this Act, Orbán argued that it is based on a cultural concept of 'nation' and it does not involve a political bond with the kin-country. See 'Bukarestben egyelőre nem kommentálják Orbán Viktor válaszelevelét', *Magyar Hírlap*, 30 November 2001, as cited in Kiss, 'The Status Law', p. 163. However, when Orbán presented the Act to the domestic public he used a completely different rhetoric: 'We have been waiting for eighty years for a bond, in a legal sense as well, to be formed between the parts of the Hungarian nation torn from each other, so that links may emerge that go beyond the existing spiritual ties'. Kossuth Rádió, *Reggeli Krónika*, 9 January 2002, as cited in Kiss, 'The Status Law', p. 163.

⁸⁵² See 'Zákon z 26. mája 2010, ktorým sa mení a doplná zákon Národnej rady Slovenskej republiky č. 40/1993 Z. z. o štátnom občianstve Slovenskej republiky v znení neskorších predpisov', *Zbierka zákonov č. 250/2010*, part 100, p. 2078, available at <<http://www.zbierka.sk/Default.aspx?sid=15&PredpisID=209720&FileName=zz2010-00250-0209720&Rocnik=2010&AspxAutoDetectCookieSupport=1>> [accessed 10 June 2011]. See also 'Slovaks retaliate over Hungarian citizenship law', *BBC News Europe*, 26 May 2010; 'Slovak cabinet approves legislation in response to Hungary's Citizenship Act', *The Slovak Spectator*, 26 May 2010, available at <http://spectator.sme.sk/articles/view/39016/10/slovak_cabinet_approves_legislation_in_response_to_hungarys_citizenship_act.html> [accessed 12 June 2011].

⁸⁵³ 'Pandora's passport', *The Economist*, 3 June 2010, available at <<http://www.economist.com/node/16283329>> [accessed 6 November 2010].

Despite SMER-SD's victory in the 2010 elections, Fico was not able to build a coalition.⁸⁵⁴ Instead, SDKÚ-DS became the leading party of the new government. Iveta Radičová took the office of the Slovak Prime Minister while Dzurinda became Minister of Foreign Affairs.⁸⁵⁵ More importantly, SMK did not pass the five percent threshold necessary for getting into Parliament. Instead, the newly established ethnic Hungarian party, Most-Híd, became part of the government.⁸⁵⁶ As a result, it was expected that tensions in Slovak-Hungarian relations would subside. However, interaction between Slovakia and Hungary impacted on the evolution of the situation.

The new government, with Prime Minister Radičová, stated its aim to cancel the latest Slovak citizenship law as it did not agree with Fico's amendments. However, Radičová also noted that based on the bilateral treaty between Slovakia and Hungary (passed in 1995), Hungary should have discussed changes in their citizenship law in a joint committee. Radičová argued that 'unfortunately, that did not happen and therefore the [Hungarian] law is not acceptable for us'.⁸⁵⁷ On 15 February 2011, the Slovak side put forward a proposal on an agreement with Hungary in regard to the questions that arose through the Hungarian citizenship law and presented it to the Hungarian side via the earlier mentioned joint committee. In May 2011, the Hungarian Minister of Foreign Affairs, János Mártonyi, refused it, with the statement: 'We don't consider the proposal as a good starting point for

⁸⁵⁴ SMER-SD won the elections with 34.79 percent, however, excepting SNS there was no other party interested to build a coalition with SMER-SD. SNS just made it to the parliament with 5.07 percent of votes. LS-HZDS and the ethnic Hungarian party, SMK, failed to get into the parliament as they did not pass the 5 percent threshold and got 4.32 percent and 4.33 percent respectively. Despite the differences in their political ideologies, the government was formed by SDKÚ-DS (15.42 percent), Freedom and Solidarity (SaS) (12.14 percent), KDH (8.52 percent) and Most-Híd (8.12 percent). See Statistical Office of the Slovak republic, 'Elections to the Slovak Parliament in the year 2010', Number of valid votes for political parties in SR available at <http://app.statistics.sk/nrsr_2010/graf/graf1sr.jsp?lang=en> [accessed 15 March 2011]. For an analysis of the election results see also Tim Haughton, Tereza Novotná and Kevin Deegan-Krause, 'The 2010 Czech and Slovak Parliamentary Elections: Red Cards to the 'Winners'', *West European Politics*, 34 (2011), 394-402.

⁸⁵⁵ In the after-Mečiar period, Dzurinda was the first politician and chairman of a political party who became Minister of Foreign Affairs. The former ministers – Eduard Kukan, Ján Kubiš and Miroslav Lajčák – were all career diplomats. See Igor Stupňan, 'Analýza: Z ohniveho premiéra zakriknutý minister zahraničia', *Pravda*, 12 June 2011.

⁸⁵⁶ Due to early parliamentary elections, this government lasted only for two years – until March 2012. The term most/híd means 'bridge' in Slovakian and Hungarian, respectively. In addition, the party has in its subtitle 'party of cooperation'. This indicates its aim to connect the Slovak majority and the ethnic Hungarians. With the formation of the moderate Most-Híd, the ethnic identity of SMK strengthened. After the elections it was clear that the ethnic Hungarians in Slovakia opted for Most-Híd rather than SMK. For a detailed analysis and a comparison of both ethnic Hungarian parties, see Oľga Gyarfášová, 'The 2010 Slovak Parliamentary Elections: National Agenda on Retreat?', *Central European Political Studies Review*, 8 (2011), 65-84.

⁸⁵⁷ 'Slovakia-Hungary row over citizenship law', *EuroActive.com*, 27 January 2011, available at <<http://www.euractiv.com/en/central-europe/slovakia-hungary-row-citizenship-law-news-501640>> [accessed 23 May 2011].

negotiations’.⁸⁵⁸ In November 2011, at a meeting of the Joint Slovak-Hungarian Commission on Minority Issues, Milan Ježovica, the State Secretary, called the Hungarian side to accelerate the timing of negotiations on an agreement related to the citizenship question.⁸⁵⁹ Despite the efforts and wishes of Radičová’s cabinet to make some changes to the law, discussions were postponed due to differing opinions in the coalition.⁸⁶⁰

One of the first Slovaks to apply for Hungarian citizenship under the new law was the chairman of SMK, Jozef Berényi. He counted on the fact that the Slovak citizenship law would be amended, thus allowing him to keep Slovak citizenship too. However, when it became clear that no change was forthcoming he stated that he would not comment or publish any further statements on the progression of his application for Hungarian citizenship.⁸⁶¹ Berényi’s step was significant as it was supposed to serve as an example to be followed by other ethnic Hungarians in Slovakia.⁸⁶²

After the change of the Slovak government, in 2010, it was expected that the tensions in Slovak-Hungarian relations would calm down. However, some argued that in fact the situation would not ease. Ján Čarnogurský claimed that the ‘goal and dream’ of Hungarian foreign policy was autonomy for the Hungarian minority in

⁸⁵⁸ ‘Maďarsko odmieta slovenské riešenie dvojakeho občianstva’, *Aktualne.sk*, 12 May 2011, available at <http://aktualne.centrum.sk/domov/politika/clanek.phtml?id=1232976&tro5312_0_1> [accessed 28 May 2011]. See also Daniela Jancová, ‘Martonyi odpoved nepriniesol’, *Pravda*, 13 May 2011, p. 4.

⁸⁵⁹ ‘Spoločné zasadnutie Zmiešanej slovensko-maďarskej komisie v Budapešti’, *Ministry of Foreign Affairs of the Slovak Republic*, 11 November 2011.

⁸⁶⁰ In fact, as of May 2013, no changes were made to the law. It is worth noting that in March 2012, after early parliamentary elections, Fico returned to the government as Prime Minister.

⁸⁶¹ Duray expected that Berényi would withdraw his application for Hungarian citizenship and commented that it is not only about the citizenship; there is also a law about political parties that does not allow a non-Slovak citizen to be a member of a political party. Miklós Duray, comments to the author, 1 April 2011. In other words, if Berényi would get Hungarian citizenship he would automatically lose Slovak citizenship, and as a result he could no longer be the Chairman of SMK.

⁸⁶² In light of this, Prime Minister Fico stated in June 2012 that he did not have any information about Berényi having Hungarian citizenship. ‘3 Otázky pre: predsedu vlády Roberta Fica’, *Slovenské národné noviny*, 25 June 2012. Notably, most recently, the European Court of Human Rights dealt with a complaint of two applicants – belonging to the Hungarian minority in Slovakia – who acquired Hungarian citizenship in 2011 and as a result of the current Slovak domestic law lost their Slovak citizenship. However, the Court unanimously rejected their complaint stating that the applicants ‘decided to acquire Hungarian citizenship while being aware of the consequences which such a decision would entail under Slovak law. Thus they were not denied Slovak citizenship arbitrarily in view of the applicable legal provisions’. See ‘Decision: Applications nos. 14927/12 and 30415/12 Itván FEHÉR against Slovakia and Erzsébet DOLNÍK against Slovakia’, *European Court of Human Rights (Third Section)*, 21 May 2013, available at <<http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-121167>> [accessed 8 June 2013]. See also, ‘Statement of the Slovak Foreign and European Affairs Ministry of the European Court of Human Rights regarding state citizenship of the Slovak Republic’, *Ministry of Foreign and European Affairs of the Slovak Republic*, 6 June 2013.

Slovakia, and that since Orbán's government had been in power, the goal of territorial autonomy had been repeated at every conference on the Hungarian minority living abroad. He argued that Slovakia was probably perceived as the 'weakest neighbour' and based on this it was expected that autonomy could be achieved in Slovakia first. 'Hungarians still consider the Trianon agreement as unfair'.⁸⁶³ Čarnogurský further claimed that 15 years ago, one Hungarian politician told him that after the fall of communism Hungarians hoped to achieve territorial autonomy for the Hungarian minority in the neighbouring countries. 'However, so far they have not succeeded'.⁸⁶⁴

When discussing autonomy it is important to note that on 1 March 2011, the Hungarian Delegation to the European People's Party invited the Hungarian Council for Autonomy from the Carpathian Basin to a meeting at the European Parliament in Brussels. Representatives of Hungarian minorities were invited to discuss minority issues; the chairman of SMK, Jozef Berényi, who had observer status, was present, as was Pál Csáky.⁸⁶⁵ Interestingly, no attention was given to this event in the Slovak media. However, the importance of this meeting is expressed in the concluding statement of the Hungarian Autonomous Council of the Carpathian Basin:

On 1 March 2011 in Brussels the Hungarian Autonomous Council of the Carpathian Basin, embracing the organisations of the Hungarian national communities outside of Hungary, arrived at the following conclusions and decisions: In unanimity they stated that territorial, personal and special legal status autonomy is the only guarantee for their further existence and development. To this end they will use all legal means to meet these right expectations and demands of the Hungarian

⁸⁶³ Vanda Vavrová, 'Čarnogurský: Ani nová slovenská vláda nezmení cieľ maďarskej zahraničnej politiky', *Pravda*, 28 September 2010, p. 3. Ján Čarnogurský was Slovak Prime Minister (1991-1992) and Minister of Justice (1998-2002).

⁸⁶⁴ 'Čarnogurský: Musíme si obhájiť štátnosť proti maďarskej ofenzíve', *SME*, 27 September 2010, available at <<http://www.sme.sk/c/5565968/carnogursky-musime-si-obhajit-statnost-proti-madarskej-ofenzive.html>> [accessed 23 May 2011].

⁸⁶⁵ Months later, on 3 June 2011, SMK was eventually approved as a full member of KMAT. Significant was the following note: 'Taking into account that the Hungarian Coalition Party has announced its intention to join, and agreed to act consistently for the autonomy of the Hungarian community, the Szekler National Council decides to approve that the Hungarian Coalition Party be a full member of the Hungarian Autonomy Council in the Carpathian Basin'. See 'Decision regarding the inclusion of the Hungarian Coalition Party in the Hungarian Autonomy Council in the Carpathian Basin', *Szekler National Council*, 3 June 2011, available at <http://www.sznt.ro/en/index.php?option=com_content&view=article&id=219%3Aresolutions-adopted-on-the-3rd-of-june-2011&catid=11%3Ahatározatok&Itemid=15&lang=en> [accessed 7 September 2012]. This note had wider ramifications clearly identifying SMK's aim to achieve autonomy for the Hungarian community.

communities. Such a solution is indispensable from the perspective of the stability of Europe.⁸⁶⁶

Referral to ‘the stability of Europe’ represented a potentially significant statement as it indicated the possibility of conflicts and tensions if the demanded autonomies were not fulfilled. After the meeting, the chairman of this Council, a Romanian MEP representing the Hungarian minority, László Tökés, said that the Council wanted Hungary to adopt a protective role for Hungarian minorities living in areas that were ceded to neighbouring countries under peace treaties concluding the two World Wars. Furthermore, he added that Hungarian communities wanted officials of their countries to start negotiations over the autonomy issue and that they asked the European Union to support their endeavours.⁸⁶⁷ In the resolution, the Council commented on Kosovo and the Ahtisaari plan. It stated, among other things, that after the period of state collapses in the 1990s and conflicts in the Balkans:

New states emerged: Croatia, Bosnia and Herzegovina, Macedonia, Montenegro. The last example is the settling of the status of Kosovo, when the Wilsonian principle of self-determination clashed with the principle of territorial integrity, another international fundamental law. Concerning this, we again draw attention to the provisions referring to minorities of the Ahtisaari-plan supported by the majority of EU member states, which sees normalization of the relation between minority and majority possible only through the guarantee of collective rights of national communities and through the three-level autonomy of the Serb community of Kosovo. [...] It is our conviction that the self-determination of peoples is as much a fundamental principle of world order as the respect of territorial integrity of states. [...] The autonomy of national communities – and this is illustrated by a series of positive European examples – is the interest of majority nations as well, since a prosperous region serves the interest of an entire country, as well as that of Europe.⁸⁶⁸

In 2011 the Slovak-Hungarian relationship remained tense. Another heated debate was initiated in April when the Hungarian Parliament passed the new Hungarian constitution considered by Slovak officials as controversial.⁸⁶⁹ On 25 May, the

⁸⁶⁶ ‘Hungarian communities call for autonomy in Brussels’, *Hungarian Autonomy Council*, Press release, 2 March 2011, available at <http://www.tokeslaszlo.eu/article/KMAT_brussels> [accessed 25 May 2011].

⁸⁶⁷ ‘Hungarian communities call for autonomy in Brussels’, *Hungarian Autonomy Council*, Press release, 2 March 2011, available at <http://www.tokeslaszlo.eu/article/KMAT_brussels> [accessed 25 May 2011].

⁸⁶⁸ ‘Resolution on European stability and on traditional national communities’, Press release, 3 March 2011, <http://www.tokeslaszlo.eu/article/kmat_brussels_resolution2> [accessed 25 May 2011].

⁸⁶⁹ ‘Maďarský parlament prijal návrh novej ústavy’, *SME*, 18 April 2011, available at <<http://www.sme.sk/c/5857162/madarsky-parlament-prijal-navrh-novej-ustavy.html>> [accessed 10 May 2011].

Slovak Minister of Foreign Affairs, Dzurinda, delivered a speech in the Parliament on Slovak-Hungarian relations in which he discussed the most disputed parts of the Hungarian constitution included in Article 23, Section D. According to the document, Hungarian citizens living abroad, without permanent residence in Hungary, could vote. This article also includes formulations about collective rights and Hungary taking responsibility for Hungarians living abroad. Again, it mentions the united Hungarian nation and supports the establishment of autonomies abroad on an ethnic principle. Dzurinda refused any extra-territorial impact of this constitution on Slovak territory and stressed that the rights of Slovak citizens were based on individual rights as stated in the Slovak constitution and other international documents, such as the Lisbon Treaty. He also referred to a problematic triangle that caused tensions: the dual citizenship law passed by Hungary, the new Hungarian constitution, and the reform of the Hungarian electoral law.⁸⁷⁰ On 27 May, the Slovak Parliament passed a declaration refusing the possibility of any extra-territorial impacts of the Hungarian constitution in Slovakia.⁸⁷¹

The latest amendments to the Act on the State Language of the Slovak Republic were passed in May 2011. Slovak President Ivan Gašparovič returned the law to the Parliament, arguing that amendments in the use of minority languages should have been implemented through a new law and not via amendments. However, on 28 June 2011, the Parliament overruled the President's veto and thus the Act became effective from July 2011. Alongside other clauses, the law states that if an ethnic minority forms over 15 percent of the population of a municipality in two consecutive censuses, it can use its mother tongue in official contact and the municipality receives a bilingual status. However, this will only be applicable in ten years' time.⁸⁷² Hungary criticised the amendments by stating that it determines

⁸⁷⁰ 'Prejav ministra zahraničných vecí SR Mikuláša Dzurindu v NR SR na tému slovensko - maďarské vzťahy', 18th session, National Council of the Slovak Republic, 25 May 2011, available at <<http://www.nrsr.sk/Default.aspx?sid=schodze%2frozprava>> [accessed 28 May 2011]. In December 2011, the Hungarian Parliament adopted the new controversial electoral law.

⁸⁷¹ 'Vyhlásenie Národnej rady Slovenskej republiky k prijatiu Základného zákona Maďarska', Nr. 467, *Národná rada Slovenskej republiky*, 27 May 2011.

⁸⁷² See 'Zákon z 28. júna 2011, ktorým sa mení a dopĺňa zákon č. 184/1999 Z. z. o používaní jazykov národnostných menšín v znení zákona č. 318/2009 Z. z. a ktorým sa menia a dopĺňajú niektoré zákony', Zbierka zákonov č. 204/2011, part 65, pp. 1550-56, available at <<http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=210277&FileName=zz2011-00204-0210277&Rocnik=2011>> [accessed 10 September 2011]. See also 'NRSR: Poslanci prelomili veto a opätovne schválili zákon o menšinových jazykoch', *TASR*, 28 June 2011; 'Zákon o jazykoch menšín prešiel v oklieštenej podobe', *Pravda*, 25 May 2011.

opportunities rather than obligations for Slovakia for the use of the ethnic minorities' mother tongue.⁸⁷³

In June 2011, the Venice Commission issued an analysis of the new Hungarian constitution in which it supported the Slovak claim that protection of ethnic minority rights is a responsibility of the state where they live.⁸⁷⁴ However, Budapest did not take the non-binding comments of the Commission into account.⁸⁷⁵ Indeed, the new Hungarian constitution came into force on 1 January 2012.⁸⁷⁶

5.3 Implications of the Minority Issue for Slovak Foreign Policy towards Kosovo's Statehood

The aim of this section is to create a link between the role of the Hungarian minority and the debates on Kosovo's independence in Slovakia. The dynamic interaction between all three actors is a crucial aspect to consider: the nature and policies of the Slovak and Hungarian governments influenced the evolution of the relationship, as did the actions of the Hungarian minority representatives. Each actor has constantly monitored activities of the other two and acted accordingly. This evolution was particularly important in the context of the debate on Kosovo in the period of 2007-2011, as it had a significant impact on the Slovak standpoint on Kosovo.

In early 2007, days before the Slovak Parliament discussed Kosovo's future status, Miklós Duray, an SMK representative and long term supporter of autonomy for ethnic Hungarians, expressed his views on the status of the Hungarian minority in Slovakia. He considered the Hungarian communities living outside Hungary, from the perspective of the set theory, as intersections. He argued that this would give an opportunity for establishing new alliances with neighbouring nations.⁸⁷⁷ On the

⁸⁷³ 'Hungary said disappointed at Slovak language law amendment', *Politics.hu*, 1 June 2011, available at <<http://www.politics.hu/20110601/hungary-said-disappointed-at-slovak-language-act-amendment/>> [accessed 30 June 2011].

⁸⁷⁴ The Venice Commission, also known as the European Commission for Democracy by Law, is the Council of Europe's advisory body on constitutional matters. For more details on the Commission, see Council of Europe's website <http://www.venice.coe.int/site/main/Presentation_E.asp> [accessed 22 June 2011].

⁸⁷⁵ 'Benátska komisia kritizuje maďarskú ústavu', *Pravda*, 21 June 2011, pp. 2-3. See also 'Komisia dala Slovákom za pravdu pre maďarskú ústavu', *Aktualne.sk*, 20 June 2011, available at <<http://aktualne.centrum.sk/domov/politika/clanek.phtml?id=1235821>> [accessed 22 June 2011].

⁸⁷⁶ For a full text in English, see the official website of the Hungarian government, 'The Fundamental Law of Hungary', 25 April 2011, available at <http://www.kormany.hu/download/2/ab/30000/Alap_angol.pdf> [accessed 3 January 2012].

⁸⁷⁷ Dag Daniš, 'Duray: Potrebujeme program autonómie', *Pravda*, 22 March 2007, p. 6.

question of whether he would request territorial autonomy for these minorities, he commented: ‘We don’t necessarily need to talk about autonomy in the sense of some special territory with special status. It could be territorial self-governance in a symmetrical sense’.⁸⁷⁸ He further claimed that he did not avoid the term autonomy as he considered self-governance and autonomy synonymous. However, in his view, Slovaks perceive autonomy as always leading to independence. Duray further explained that there are two types of self-determination for nations – ‘international and internal. Internal self-determination, I accept. To claim more would be suicide’.⁸⁷⁹ Slovak officials reacted sensitively to any similar autonomy demands.

As Kosovo’s status process and its progression towards independence started to get more attention at the parliamentary level and in the Slovak media over the course of 2007, the question was: how would Slovakia respond to the Ahtisaari proposal? Soon after Ahtisaari presented his plan to the UN Security Council, in March 2007, the Slovak Parliament started to discuss Kosovo’s status and the position Slovakia should take. As the previous chapter argued, the Slovak position on Kosovo became part of domestic politics and was used by political parties as a tactical tool. The debate on Kosovo was initiated by the leader of the opposition, Mikuláš Dzurinda, with an aim to challenge the government on its Kosovo stand. The prime factors impacting on the Slovak position towards Kosovo’s independence were the intra-party rivalry and political opportunism from Dzurinda. In the end, these factors led to the Slovak Parliament’s resolution on Kosovo.

However, there was an issue arising from the Ahtisaari plan – the collective minority rights. It needs to be specifically highlighted as this aspect of the plan played an important role, even though it has not received much attention. Ahtisaari’s proposal for Kosovo’s status settlement in Annex II, Article 3, Rights of Communities and

⁸⁷⁸ Duray illustrated this statement with an example. He said, ‘For instance the Komárno region [which is located in South Slovakia] would have inside Slovak Republic the same status as let’s say the Žilina region. SMK should elaborate this type of regional self-governance and promote it as its political program’. See Daniš, ‘Duray: Potrebujeme program autonómie’, *Pravda*, 22 March 2007. Currently, Slovakia is divided into 8 regions (region = *kraj*) – Banskobystrický, Bratislavský, Košický, Nitriansky, Prešovský, Trenčiansky, Trnavský and Žilinský kraj. Within this administrative division, Komárno is not considered to be a separate region. In other words, Duray suggested changes to the administrative division of Slovakia. Granting Komárno the status of a region would increase its territorial self-governance.

⁸⁷⁹ Daniš, ‘Duray’, p. 6.

Their Members, provides members of communities with individual as well as collective rights.⁸⁸⁰ Under point 3.1 it states that:

Members of communities shall have the right, individually or in Community, to:

- a. Express, maintain and develop their culture and preserve the essential elements of their identity, namely their religion, language, traditions and culture;
- b. Receive public education in one of the official languages of Kosovo of their choice at all levels;
- c. Receive pre-school, primary and secondary public education in their own language to the extent prescribed by law, with the thresholds for establishing specific classes or schools for this purpose being lower than normally stipulated for educational institutions;
- d. Establish and manage their own private educational and training establishments for which public financial assistance may be granted, in accordance with the law and international standards;
- e. Use their language and alphabet freely in private and in public;
- f. Use of their language and alphabet in their relations with the municipal authorities or local offices of central authorities in areas where they represent a sufficient share of the population in accordance with the law. The costs incurred by the use of an interpreter or a translator shall be borne by the competent authorities;
- g. Use and display Community symbols, in accordance with the law and international standards;
- h. Have personal names registered in their original form and in the script of their language as well as revert to original names that have been changed by force;
- i. Have local names, street names and other topographical indications which reflect and are sensitive to the multi-ethnic and multi-linguistic character of the area at issue;
- j. A guaranteed access to, and special representation in, broadcast media as well as programming in their language, in accordance with the law and international standards;
- k. To create and use their own media, including to provide information in their language through, inter alia, daily newspapers and wire services and the use of a reserved number of frequencies for electronic media in accordance with the law and international standards. Kosovo shall take all measures necessary to secure an international frequency plan to allow the Kosovo Serb Community access to a licensed Kosovo-wide independent Serbian language television channel;
- l. Enjoy unhindered contacts among themselves within Kosovo and establish and maintain free and peaceful contacts with persons in any States, in particular those with whom they share an ethnic, cultural,

⁸⁸⁰ 'Letter dated 26 March 2007 from the Security-General addressed to the President of the Security Council. Adendum: Comprehensive Proposal for the Kosovo Status Settlement', *UN SC Document, S/2007/168/Add.1*, 26 March 2007.

linguistic or religious identity, or a common cultural heritage, in accordance with the law and international standards;

m. Enjoy unhindered contacts with, and participate without discrimination in the activities of local, regional and international non-governmental organizations;

n. Establish associations for culture, art, science and education as well as scholarly and other associations for the expression, fostering and development of their identity.⁸⁸¹

The collective rights as such were not at the core of the discussions on Kosovo in the Slovak Parliament. It was only MP Zala (SMER-SD) who referred to them during his parliamentary speech. Therefore, in the crucial time of March 2007, they were not of prime focus. However, once relations with Hungary deteriorated and several issues arose with the representatives of the Hungarian minority in Slovakia, collective rights were again on the table. A senior correspondent in Brussels commented on the reasons for the Slovak non-recognition: ‘Slovakia has a problem with the collective rights that are included in the Ahtisaari plan. Slovakia recognises the right of minorities but not collective rights’.⁸⁸²

As set by the Slovak Constitution, the rights of Slovak citizens, including national minorities, are based on individual rights. Notably, also the Treaty on European Union, as amended by the Lisbon Treaty, states in Article 2 that ‘the Union is founded on the [...] respect for human rights, including the rights of persons belonging to minorities’.⁸⁸³ Significantly, as Toggenburg explains:

By focusing on ‘persons belonging to’ minorities (including persons belonging to national minorities) rather than on ‘minorities’ themselves, the Treaty of Lisbon and the Charter of Fundamental Rights both help preventing a misunderstanding, namely that the existence of minorities would automatically go hand in hand with a necessity to accept and introduce group rights. The wording of the Lisbon Treaty makes clear what the EU is concerned about, namely the individual right to equality of all persons that might due to their individual situation (age, disability) or their membership in an ethnic,

⁸⁸¹ ‘Letter dated 26 March 2007 from the Security-General addressed to the President of the Security Council. Adendum: Comprehensive Proposal for the Kosovo Status Settlement’, *UN SC Document, S/2007/168/Add.1*, 26 March 2007.

⁸⁸² Augustin Palokaj, comments to the author, 16 July 2010. Other interviewees who have asked to remain anonymous have also mentioned this reason.

⁸⁸³ ‘Consolidated Version of The Treaty on European Union’, *Official Journal of the European Union*, C 83/13, 30 March 2010.

national, linguistic or religious minority face special threats or have special needs.⁸⁸⁴

Slovak governing parties, together with the opposition, strongly opposed the introduction of collective rights for minorities. Morvay had already argued in 2003 that the nature of the problem with collective rights in Slovakia lies in the fact that clearly a collective right is a right for self-governance (members of a minority could apply for this only as members of a collective). Eventually, this could then lead to autonomy.⁸⁸⁵ Moreover, generally, there are other forms of self-governance that could be demanded. In addition to the territorial self-governance within a state, requests could be made for non-territorial self-governance (cultural autonomy), independence or unification with a different country.⁸⁸⁶

The Slovak Minister of Foreign Affairs, Kubiš, repeatedly opposed any idea of collective rights.⁸⁸⁷ However, a US dispatch from September 2006, reporting on Kubiš's August visit to Kosovo, stated that although Slovakia was not supportive of the collective rights for minorities in general, it would support the collective rights of Serbs in Kosovo.⁸⁸⁸ This was an important note, inasmuch as it shows that in 2006, the MFA supported Ahtisaari's mission and it appeared that despite the collective rights Slovakia would not have a problem with Kosovo's statehood. As the previous

⁸⁸⁴ Gabriel N. Toggenburg, 'The Treaty of Lisbon: any news for the protection of minorities?' *55th Federal Union of European Nationalities Congress*, Ljubljana, 13 May 2010, p. 3. As Toggenburg further noted, since the Framework Convention on the Protection of National Minorities and the Law of the European Union 'applies an individual rights approach, it remains at the discretion of the states whether they introduce group rights for certain minorities and use the means of "constitutional engineering", such as establishing autonomies in regions inhabited by minority populations for example. The Union does neither prescribe nor prevent Member State positions and policies in this regard'. See Toggenburg, 'The Treaty of Lisbon: any news for the protection of minorities?', p. 5.

⁸⁸⁵ Peter Morvay, 'Kolektívne práva a autonómia', *SME*, 8 October 2003, <<http://www.sme.sk/c/1124041/kolektivne-prava-a-autonomia.html>> [accessed 27 May 2011]. As Dzurinda noted, 'I don't have a phobia from Hungary, I even had a Hungarian party in my government but one can understand it. Collective rights were a problem, a group of two-three hundred thousand [people] cannot say that I want my own state'. Mikuláš Dzurinda, comments to the author, 3 July 2012.

⁸⁸⁶ Stefan Wolff, 'Conflict Management in Divided Societies: The Many Uses of Territorial Self-governance', *International Journal on Minority and Group Rights*, 20 (2013), 27-50 (p. 3). On this note, it was particularly the cultural autonomy that Miklós Duray, the SMK representative, considered most realistic for ethnic Hungarians in Slovakia.

⁸⁸⁷ 'Kubiš pre srbský Dnevnik: Kolektívne práva menšín sú pre Slovensko neprijateľné', *SME*, 23 November 2008, <<http://www.sme.sk/c/4189190/kubis-pre-srbsky-dnevnik-kolektivne-prava-mensin-su-pre-slovensko-neprijatelne.html>> [accessed 27 May 2011]. For instance, Romania also expressed its opposition towards granting collective rights to ethno-cultural communities. See 'A challenge for the future: Kosovo, an issue still waiting for the solution', *Radio Romania International*, 20 April 2007.

⁸⁸⁸ 'Slovak FM delivers blunt messages to Serbs and Kosovars', US Embassy Bratislava, reference ID 06Bratislava746, 8 September 2006. The US cable also reported that during his visit to Kosovo, 'Kubis emphasized that "European standards" for minorities in Kosovo simply were not good enough. The Serbs are a "special" minority in Kosovo. The Kosovars should show that they have an "extra-quality ticket" for the Serbs, which no one will question. Just as the Montenegrins accepted the 55 percent referendum threshold as going beyond European standards, Kubis submitted to the Kosovars, so must the Kosovars go beyond simple tough negotiating positions'.

chapter demonstrated, early in 2007, in private discussions with US Embassy officials, Slovak MFA representatives expressed support for the Ahtisaari plan and Kosovo's independence. However, this momentum – the willingness for accepting collective rights for the Serbian minority – was lost once Kosovo became a domestic political issue in Slovakia and it was debated in the Slovak Parliament. The significance of the Ahtisaari plan – specifically the relevant elements on collective rights – for internal Slovak affairs was neglected in the literature and was not the subject of a broader discussion.

The ethnic Hungarian minority party SMK's position on the Ahtisaari plan was overall supportive. In fact, it was the only political party in Slovakia in favour of it. In February 2007, approval of the Ahtisaari plan was officially declared by one of SMK's representatives, Gyula Bárdos, during his visit with the Slovak President, Ivan Gašparovič.⁸⁸⁹

The representatives of SMK have often stated that the Hungarian minority in Slovakia bears no similarity to the situation in Kosovo. All concerns that Kosovo's independence could trigger more radical demands by the Hungarian minority in Slovakia were considered absurd. For instance, Duray argued that 'the circumstances for this are not there in the Slovakian case'.⁸⁹⁰ Csáky claimed that Kosovo was looked at through the Slovak prism. 'This is a false view, it's incomparable. Nobody showed there to be any connection, in terms of idea, with the Hungarian minority. All countries that did not recognise Kosovo look at it through their own filter and they see precedent in it, Slovakia included'. He further added, 'I am not excluding the idea that political borders of some countries could change, but everything should be solved only peacefully'.⁸⁹¹ Despite the refusal of any connection between Kosovo and Slovakia these kinds of statements did not send a convincing message.

As the previous chapter explained, in March 2007 the Slovak Parliament debated a number of draft proposals for the parliamentary declaration. During the session, Berényi presented SMK's proposal and in it, he stated, among other things, that seeking a concrete solution for Kosovo should rest on three principles: international

⁸⁸⁹ 'SMK podporuje plán Ahtisaariho ohľadne budúceho štatútu Kosova', *TASR*, 13 February 2007.

⁸⁹⁰ Miklós Duray, comments to the author, 1 April 2011.

⁸⁹¹ Pál Csáky, comments to the author, 28 April 2010.

regional stability, support of international institutions and solidarity with, and support of, minority groups.⁸⁹² He explained SMK's position as:

We do not consider Kosovo's solution [independence] to be a precedent. However, we perceive the conflict as a relevant lesson for everyone, irrespective of whether s/he is Slovak, English, Hungarian or Serbian. The minority policy needs to be treated with caution and feeling and not on the basis of everyday political interests. [...] With regard to southern Slovakia, we are very pleased that the issue of Kosovo is still less connected, at least outwardly and openly, with the Slovak Hungarians. This connection is for me so absurd that I will mention only this much: Serbia, unlike the Slovak Republic, is not part of the European Union and NATO and at the same time, shortly and succinctly, the Slovaks are not Serbs and the Slovak Hungarians are not Kosovo Albanians. Therefore, to refer to southern Slovakia, when rejecting the Ahtisaari plan, is misleading and dangerous in terms of building this country. [...] And at the very end, let me note that up until now, at some points slightly hectic domestic debate on Kosovo was not beneficial for the Slovak Republic. Not only did it cause unnecessary questions about our Euro-Atlantic partners, but in a quiet and hidden way, it extended from the highest state posts, the feeling of distrust of Slovak Hungarians.⁸⁹³

Furthermore, SMK approved the collective rights as presented in the Ahtisaari plan. As Berényi put it, 'SMK has never had territorial autonomy in the programme, however, not excluding the Kosovo problem, we still think that collective rights in the area of education and culture are legitimate requirements of SMK, but for us Kosovo's independence is not a precedent'.⁸⁹⁴ On this note, the Vice-Chairman of the party, Csáky, underlined the need to focus on the protection of the rights of the Serbian minority in Kosovo on the basis of collective rights. He further commented that for SMK, Kosovo was a precedent in the sense that it is necessary to guarantee, seriously and on a higher level, minority rights. He added that Slovakia too needed to adopt a minority law.⁸⁹⁵ This was a clear indication as to why SMK was in favour

⁸⁹² Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] p. 94.

⁸⁹³ Národná rada Slovenskej republiky, 5th day of proceedings, 8th session, 27 March 2007, *Spoločná Česko-Slovenská digitálna parlamentná knižnica*, <<http://www.nrsr.sk/dl/>> [accessed 20 July 2012] pp. 98-100. It is worth noting that a similar argument was used by the ethnic Hungarian party in Romania, the Democratic Alliance of Hungarians in Romania (*Uniunea Democrată Maghiară din România*, UDMR). Its leaders argued that Kosovo should not be looked at as a precedent for secession but rather as an example for guaranteeing minority rights; nevertheless, parallels were still drawn with autonomous tendencies of regions in Transylvania where a large ethnic Hungarian minority lives. See Buzogány, 'Rumäniens Kosovo-Komplex zwischen doppeltem Präzedenzfall und EU-Verpflichtungen: Siebenbürgen, die Republik Moldau, Transnistrien', pp. 441-42.

⁸⁹⁴ 'SMK predloží vlastnú rezolúciu o Kosove, ak sa bude NR SR touto otázkou zaoberať', *TASR*, 14 February 2007.

⁸⁹⁵ 'KDH ani SMK nenavrhnú odvolanie Kubiša', *Košický korzár*, 12 February 2007, p. 5.

of the Ahtisaari plan and of the fact that the ethnic Hungarian party would like to have similar rights adopted in Slovakia.

Despite repeated assurances from the ethnic Hungarian party SMK that there was no connection between Kosovo and the Hungarian minority in Slovakia, it was this element that started to receive the most press attention. In fact, many people remained unconvinced. Kramplová, the former Slovak MP for ĽS-HZDS, perceived respect for international law to be the most decisive factor in the Slovak decision. The second reason she identified, however, was ‘continuous pressure from the Hungarian side with regard to autonomy’.⁸⁹⁶ In Kramplová’s own words, ‘the Hungarian question played a role although they [SMK] deny it’.⁸⁹⁷ A somewhat different perspective was given by a senior Slovak diplomat who commented, ‘there’s no threat that the South [of Slovakia] would secede. It is a false and exaggerated argument’.⁸⁹⁸ However, this source went on to admit that SMK made mistakes in their political rhetoric, illustrating his point with reference to the comment made by SMK’s representative, Berényi, who, according to the diplomat, stated, ‘we [SMK] will wait to see what Kosovars achieve and we will try to enforce it in Slovakia’. This senior Slovak diplomat described this statement as ‘very stupid’.⁸⁹⁹

Even though Kosovo was presented as a *sui generis* case, some official representatives from Hungary saw a link between Kosovo and other affairs. For instance, the Slovak President, Ivan Gašparovič, strongly opposed statements by Zsolt Németh, Chairman of the Foreign committee of the Hungarian Parliament, that Hungarians should use the example of Kosovo as a means to legitimise their calls for autonomy rights. Németh (from FIDESZ) stated on 15 February 2008 in the Hungarian daily *Magyar Nemzet* that there is an important link to the solution of the Kosovo question, namely that not only will a new state be established but also a new type of territorial autonomy be created.⁹⁰⁰ Németh further added that he

⁸⁹⁶ Zdenka Kramplová, comments to the author, 3 May 2010.

⁸⁹⁷ Zdenka Kramplová, comments to the author, 3 May 2010. She also noted that there are no tensions among people in southern Slovakia but that ‘these are things which the political parties have on their agenda [...]’.

⁸⁹⁸ Senior Slovak diplomat, comments to the author, July 2010.

⁸⁹⁹ Senior Slovak diplomat, comments to the author, July 2010.

⁹⁰⁰ ‘Prezident: K výrokom Németha o Kosove nemôžeme byť podľa Gašparoviča ľahostajní’, *TASR*, 20 February 2008.

considered common and territorial autonomy to be a good solution for inter-ethnic problems in Central and Eastern Europe. He perceived the support on the part of the international community for Kosovo's solution as good news for minorities in the region.⁹⁰¹ The differing views on Kosovo's status started to become more noticeable and created further tensions. Indeed, they had an influence on the evolution of the Slovak position.

As a senior European diplomat stated, initially, it appeared that at the root of the Slovak view was a 'pan-Slavic sentiment' but, he continued, 'I quickly reached the view that more important were the strained relations with Hungary and the actions of Hungarian politicians combined with the strong nationalist instincts of the Fico government itself'. As this observer noted, 'It was not just a nationalist policy on the part of Slovakia towards Hungary that had caused this stand-off, but that Hungary was making it impossible for Slovakia to row back from its position and so return to the European mainstream'.⁹⁰² He further explained that the actions on the part of Hungary described earlier, such as, as he stated, 'president Sólyom's rather messy attempt to visit Slovakia, [...] and FIDESZ's campaigning, in which the word autonomy was heard quite a lot', clearly made it politically difficult for Slovakia to reconsider its position on Kosovo. In his view, Fico, influenced by his nationalist sentiments – and perhaps even more by his coalition partners' – 'simply couldn't make his government revert back to the decision they had taken in March 2007'.⁹⁰³ As Demeš stated, 'had there not been the internal Hungarian minority question we [Slovakia] would have recognised Kosovo. At the root of our policy lie Slovak-Hungarian relations, which are yet to be solved, even though both countries are in NATO. All other explanations, such as international law, are only cover-up arguments. People see political complications. At the moment, relations with

⁹⁰¹ 'Prezident: K výrokom Németha o Kosove nemôžeme byť podľa Gašparoviča ľahostajní', *TASR*, 20 February 2008.

⁹⁰² Senior European diplomat, comments to the author, April 2011. As this diplomat noted there were some messages coming from Slovakia stating that Slovakia will not be the last EU member state to hold out against an independent Kosovo. He added: 'For a while it looked kind of promising, because it suggested that Slovak instinct being that EU mainstream is still strong and that there was Slovak fear of being on its own, isolated on its own [...] suggested that [...] the Slovaks are looking for a way out'.

⁹⁰³ Senior European Diplomat, April 2011. This diplomat further noted that Slovaks argued: 'We can't do anything while Hungarians are doing this'.

Hungary are the worst they have been since 1993, and Kosovo suffers from this in regard to its non-recognition'.⁹⁰⁴

At the EU level, Ulrike Lunacek, the Austrian MEP and EU Parliament Rapporteur for Kosovo, stated that 'unfortunately, like the other four non-recognizers, with Slovakia the reasoning lies also in domestic policy (the Hungarian minority) and not in our common European interests in Kosovo (i.e. to have a common EU position in order to be more credible and make material and political efforts more effective). Unfortunately it also seems that the new government, even after the ICJ opinion of July 22 [2010], isn't willing to recognize [it]'.⁹⁰⁵

As one Slovak diplomatic representative concluded on the question of whether the Kosovo issue had an impact on Slovak foreign policy, 'definitely, historians will judge whether [it was] for better or worse. In the meantime one thing happened: the deterioration of Slovak-Hungarian relations'.⁹⁰⁶

Conclusion

As this chapter has shown, the Slovak standpoint on Kosovo needs to be understood in the particular political context of the interplay between Slovakia, the Hungarian minority in Slovakia, and Hungary. This interplay offers a way of understanding the tensions between these two countries based on the ethnic question. The issue of the Hungarian minority, discussed in this chapter, was a significant element. It can be argued that it did impact on the Slovak position; however, there are some additional aspects that are important to recognise.

Comments from SMK figures and Hungarian official representatives, claims for autonomy and similar demands have been increasing in regularity since 2007. For all these reasons, it is clear that all these issues had an impact on Slovakia's decision not

⁹⁰⁴ Pavol Demeš, comments to the author, 4 May 2010. Demeš is Senior Non-Resident Fellow at the German Marshall Fund of the United States's (GMF) Bratislava office. He was Foreign policy advisor to the President of Slovak Republic (1993-1997) and Minister of International Relations of Czechoslovakia (1991-1992).

⁹⁰⁵ Ulrike Lunacek, correspondence to the author, 27 July 2010. Earlier in 2009, the European Parliament also unsuccessfully encouraged 'those EU member states which have not already done so to recognise the independence of Kosovo'. See 'European Parliament resolution of 5 February 2009 on Kosovo and the role of the EU', B6-0063/2009, *The European Parliament*, Strasbourg, 5 February 2009

⁹⁰⁶ Slovak diplomatic representative, comments to the author, October 2009.

to recognise Kosovo. Any changes in its position became impossible due to the evolution of relations with Hungary and the ethnic Hungarians in Slovakia.

Perhaps the argument that Kosovo's secession could be an example to follow for the Hungarian minority was overemphasised. Nevertheless, demands for autonomy began to be increasingly articulated, and it did not help that some Hungarian politicians made the connection between the two issues or that SMK representatives supported Kosovo Albanians in their efforts. This served to exacerbate the situation. Under these circumstances, it was hard to imagine that Slovakia would reconsider its position on Kosovo.

The role of collective rights was very significant. Representatives of all Slovak political parties (except the Hungarian minority party) strictly refused to grant them. As regards the Ahtisaari plan and the statements on collective rights, it would have been very difficult – although not impossible – to accept the document once Kosovo became such a hot topic in Parliament. How would Slovakia explain that it supported collective rights in Kosovo but did not want to grant them on its own territory?

As 2010 arrived, some thought it might be the year Slovakia would alter its position, in view of the fact that there was a change of Slovak government and the ICJ delivered its advisory opinion. However, the following points need to be factored into the debate: in Hungary, the right-wing FIDESZ won the April elections and was able to form a government on its own and in Slovakia, after the June elections, Dzurinda became the new Minister of Foreign Affairs. These changes indicated the direction of the foreign political decisions on both sides. Dzurinda's position, as an initiator of the Declaration on Kosovo's status passed by the Slovak Parliament in March 2007, was more than clear. Orbán's national policy with reference to the situation of Hungarians living abroad was known from his years in previous governments; since April 2007, he has only reinforced this stance. Soon after being elected, FIDESZ initiated a number of controversial amendments to the dual citizenship law, the Hungarian constitution and the electoral reform legislature. All these changes have had a direct impact on ethnic Hungarians living in Slovakia and negatively impacted on the bilateral Slovak-Hungarian relations. It has become clear that any change in the Slovak position on Kosovo in the near future is very unlikely.

As one commentator concluded, ‘the sad thing for the observer is that between 2006-2010 you had a nationalist government in Bratislava, where Fico made some rash moves in its relations with Hungary, and that was against the background of a relatively benign Hungarian government. And now you have the opposite, you have a much more accommodating flexible government in Bratislava but a harsher government in Budapest [...]’.⁹⁰⁷

The above comment demonstrates the relevance and role of Slovak-Hungarian relations in the context of the policy adopted towards Kosovo. As this chapter has shown, an internal affair related to ethnic Hungarians living in Slovakia and the tensions between Slovakia and Hungary contributed to the Slovak non-recognition policy adopted towards Kosovo; in fact, they prevented it from reconsidering its position later on.

⁹⁰⁷ Senior European diplomat, comments to the author, April 2011. It is important to note that the government in Bratislava that this diplomat referred to (led by Prime Minister Iveta Radičová) lost a vote of confidence during the poll on the European Financial Stability Facility reform in October 2011 and as a result its term was shorter (2010-2012). For more information, see Jakub Groszkowski, ‘Slovakia: Early elections as a price for the ratification of the EFSF’, Centre for Eastern Studies, *OSW Commentary*, 12 October 2011; by the same author ‘Slovakia: the Eurogroup’s enfant terrible’, Centre for Eastern Studies, *OSW Commentary*, 63, 14 October 2011, 1-8; ‘Slovak rivals reach deal to back EU bailout fund’, *BBC News*, 12 October 2011; and ‘Slovak parliament ratifies EFSF expansion’, *Reuters*, 13 October 2011. As a result, in March 2012, early parliamentary elections took place in Slovakia. The results were significant. Importantly, Fico’s SMER-SD won the elections (with 44.41 percent) and for the first time in Slovak history, he built a one-party government having a controlling majority in the Slovak Parliament. Importantly, the two controversial parties – the ethnic Hungarian party SMK and the Slovak National Party (SNS) – failed to pass the 5 percent electoral threshold. In contrast, the ethnic Hungarian party *Most-Híd* received 6.89 percent. In an attempt to improve its image after the last two unsuccessful elections, in September 2012, SMK changed its name from Party of the Hungarian Coalition (*Strana Maďarskej Koalície/Magyar Koalíció Pártja* (SMK)) to Party of the Hungarian Community (*Strana Maďarskej Komunity/Magyar Közösség Pártja* (SMK)). See ‘SMK si schválila nový názov – Strana maďarskej komunity’, *Pravda*, 22 September 2012. According to Valášek, ‘people familiar with the prime minister-designate’s thinking say that he wants the respect and recognition of his EU peers, and fears that his past record and Orbán’s presence across the border will taint him.’ See Tomáš Valášek, ‘Oh no, Orbán clone? The EU ponders Slovak elections’, *Centre for European Reform*, 23 March 2012, available at <<http://centreforeuropeanreform.blogspot.co.uk/2012/03/oh-no-orban-clone-eu-ponders-slovak.html>> [accessed 15 April 2012]. So far, the indication that after March 2012, Fico would opt for a non-controversial type of politics with Hungary has been fulfilled.

CONCLUSION

'Felix qui potuit rerum cognoscere causas'.⁹⁰⁸

The aim of this thesis was to examine the position of Slovakia as one of five EU member states that has not joined the majority in recognising Kosovo's statehood and analyse what has determined its foreign policy. In doing so, the overall objective was to offer an insight into the national foreign policy decision-making process of an EU member state.

It can be argued that, after its independence, Slovakia had to take three important foreign policy decisions: in 1999 towards the NATO intervention in FRY, in 2003 towards the US-led invasion of Iraq and in 2008 towards Kosovo's independence. In the first two cases, Slovak NATO aspirations, both under Prime Minister Dzurinda's governments, clearly shaped the Slovak position and the support for military actions in both decisions. Particularly during the 2003 invasion of Iraq, the Slovak government openly emphasised its transatlantic link and support of US policy. However, in 2008, when Kosovo unilaterally declared independence, the context was different. Slovakia was already an established member of the EU and NATO and could therefore pursue a more independent policy.

When, at the end of 2005, Slovakia was elected a non-permanent member of the UNSC nobody expected that the issue of Kosovo would erupt as a topic which would strike chords on the Slovak domestic political scene. The 2002-2006 government led by Mikuláš Dzurinda did not pay great attention to the solution of Kosovo's status and this topic was not widely debated. Significantly, at the end of 2006, even Eduard Kukan (SDKÚ-DS), the Slovak Minister of Foreign Affairs until June of that year, stated, 'I think that the issue of Kosovo's future status will contain

⁹⁰⁸ 'Happy is he who has been able to discover the causes of things'. Virgil (70-19 BC), *Georgics*, Book 2, Verse 490.

some kind of independence'.⁹⁰⁹ The then Political Director at the MFA, Miroslav Lajčák, conveyed the same message. As far as the Slovak Ministry of Foreign Affairs was concerned, throughout 2006 it was supportive of the Ahtisaari mission, and after the parliamentary elections that June it continued in the same line, even though, it must be noted, many Slovak officials were rather unsatisfied with the way in which Ahtisaari had clearly predetermined the outcome of the process. Nevertheless, as US cables revealed, the MFA was until February 2007 more than willing to support the position of Washington and key EU members, such as France and Britain, on independence. Notably, a leaked US dispatch from early 2007 seemed to suggest that even the Slovak National Party (SNS), although not particularly supportive of the idea, was prepared to accept Kosovo's statehood.⁹¹⁰

While the MFA's main priority was to ensure that it would retain a good relationship with its international partners, and Kubiš, being more of a diplomat than a politician, was worried about steps that could discredit Slovakia before its key partners, elsewhere within the Slovak polity there were rather different views on Kosovo. Despite Kubiš's claims that the Slovak stand was clear, there was in fact no unity in the Slovak Government on the issue. The Prime Minister, President and members of the Government at various points made it clear that their views on Kosovo's independence were rather different from that of the MFA.

For Dzurinda, who was now the opposition leader, this created ideal conditions for attacking the government over its policy on Kosovo. In February 2007, Dzurinda took the lead on Kosovo and, in the name of his party SDKÚ-DS, presented the Slovak Parliament with the draft text of a declaration arguing that Kosovo should not be granted independence without Belgrade's consent.⁹¹¹ To this effect, for Dzurinda, it was a question of making political capital out of the situation rather than a matter of solidarity with Serbia. Therefore, a foreign political issue was used for domestic

⁹⁰⁹ Najšlová, 'Eduard Kukan: Ak chceme mať rešpekt, musíme byť zodpovední', p. 13.

⁹¹⁰ See 'Slovak MFA supports EU position on Kosovo', US Embassy Bratislava, reference ID 07Bratislava16, 10 January 2007.

⁹¹¹ The case of Dzurinda's activities highlights the role of individuals in politics and the role of leadership in particular. In light of this, it was a 'one man' initiative eventually receiving support from other parties and particularly strongly appealing also to the coalition party SNS. SDKÚ, as an elite-created party, was fundamentally based on the personality of its leader, Dzurinda. See Darina Malová and Tim Haughton, 'The Causes and Consequences of Slovakia's stance on further European Integration', *European Research Working Paper Series Nr. 3*, European Research Institute, University of Birmingham, November 2004, p. 12.

political gains. In the end, his initiative would come to dominate the Slovak domestic political scene.

For the Slovak Foreign Minister, Ján Kubiš, staying with the EU on Kosovo and Slovakia's cooperation with its EU and NATO partners remained the main issue at stake in the Kosovo question. As he saw it, Slovakia, as a small state, could not afford to stand alone and compromise its reputation as a reliable partner. After Slovakia's accession to the EU and NATO it aimed to take the middle ground on foreign political matters and to re-affirm its commitment to its European and American partners. Thus, Kubiš's main aim was to achieve a coordinated European position on Kosovo. Therefore, when he addressed the Slovak Parliament during the March 2007 debate on what position Slovakia should take, his main point was that Slovakia should behave as a responsible member of the EU, NATO and UNSC. Despite Kubiš's frequent references to the fact that Slovakia could not afford to stand outside the EU on Kosovo, and that it was not in its interest to be in the minority, his attempts to influence MPs were unsuccessful. Certainly, as this thesis demonstrated, the question of Kosovo's independence was no simple matter for Slovak diplomacy.

In contrast to the case of Turkey's accession negotiations, when the Slovak Parliament eventually accepted the view of the executive (MFA) – resulting in Slovakia's support of the start of EU negotiations with Ankara at the EU summit in December 2004 – in the case of Kosovo, the Parliament did not adopt the MFA's view. In the end, and despite considerable disagreements over Kosovo, all opposition and coalition MPs were united on the question of Kosovo's status (with the exception of the ethnic Hungarian SMK and one MP from KDH) and agreed on a declaration text proposed by the coalition (SMER-SD, ĽS-HZDS and SNS), with amendments suggested by one opposition MP. The declaration did not support Kosovo's independence without Belgrade's agreement; however, it expected the government's co-operation with other EU states in order to find a joint solution for a future settlement in the Western Balkans. Largely, this wider support for Kosovo's declaration among the MPs was a result of political calculations. Prior to the passing of the declaration, it became clear that Dzurinda tried to win SNS to his side by emphasising Slovak national interests and in effect, to split the coalition members.

Therefore, Fico was keen to put together a coalition draft text on the issue showing unity with his partners. This, however, had an impact on the language of the declaration, resulting in Kubiš's political isolation on Kosovo. Nonetheless, privately, Kubiš still had Fico's support in having a free hand if it would come to a vote in the UNSC.

Competencies of the Slovak Parliament were overlooked in the European Defence and Security Assembly report, looking into the role of parliaments in the recognition of Kosovo, which was prepared in December 2008. It stated that, on the basis of the Slovak constitution, the Slovak Parliament has no power to recognise or refuse recognition of new states as this is a matter for the Slovak government to deal with as the key decision-maker on domestic and foreign policy.⁹¹² While it is true that the Parliament cannot recognize states, its competencies on EU-related matters do give it instruments to influence and control Slovakian standpoints on EU associated affairs, and Kosovo was clearly one of them. As a senior correspondent in Brussels commented, Slovakia underestimated the role of the Parliamentary Foreign Affairs Committee.⁹¹³

The importance of the Slovak Parliament's declaration – and the debate around it – lies in the fact that for the first time, a parliamentary declaration had such a profound impact on a Slovak foreign policy issue. By expressing the view that Kosovo's status solution should take into account Serbia's legitimate needs, the Parliament considerably limited Kubiš's manoeuvring space in the EU and the UN Security Council, where Slovakia was a non-permanent member. Given these developments, the MFA faced the biggest challenge – it could not give in to external lobbying, particularly by US representatives. Despite the willingness on the side of the MFA, and even Prime Minister Fico, to co-operate, the situation created after the passing of the parliamentary declaration did not allow for any changes. Parliament gave Kubiš a very clear mandate that went against Kosovo's independence without Belgrade's support.

⁹¹² See 'The role of parliaments in the recognition of Kosovo', Report submitted on behalf of the Parliamentary and Public Relations Committee by Marco Zacchera, Vice-Chairman and Rapporteur (Italy, Federated Group), Western European Union Assembly Document, A/2023, 3 December 2008.

⁹¹³ Augustin Palokaj, comments to the author, 16 July 2010.

Nevertheless, and despite the fact that he would not personally comment on the matter, evidence presented in this thesis shows that Kubiš, during private debates with the US Ambassador in Bratislava and meetings with SC partners, was keen to ensure that Slovakia would take the side of the rest of the EU in the Security Council (at that point France, Britain and Belgium). Crucially, it never came to the vote on a new SC resolution because Russia objected to the Ahtisaari plan for independence and indicated that it would veto a resolution supporting it. Obviously, considering the Parliament was strictly against granting independence to Kosovo without Belgrade's support, Slovak support for any such resolution would have had severe consequences for Kubiš's ministerial position. Indeed, he expected to face a vote of no confidence in the Parliament had this happened.

On the one hand, Kubiš was bound by the parliamentary declaration, which set limits for the Slovak position; however, on the other, bearing in mind the importance of Slovak membership in the UNSC, he was ready to vote for a resolution if it would have come to it. This was significant, inasmuch as it shows that he tried to balance between the domestic political situation and the expectations coming from the international environment. Nevertheless, this balancing act was becoming increasingly difficult.

At the same time, Kubiš tried to be cooperative in other ways, most notably on the creation of EULEX, the EU's rule of law mission in Kosovo. The fact that EULEX was based on Resolution 1244 allowed Slovakia to participate in the mission and, significantly, preserve the EU unity on Kosovo's stabilisation, even if there was not unity on the question of recognition.

Despite the parliamentary resolution, at the end of 2007, it did not seem that all was lost. At least from Kubiš's perspective, there was still potential for re-considering the Slovak view. However, this did not happen even though Slovak officials, diplomats and Prime Minister Fico had hoped to change the view of parliamentarians. In part, this was driven by the obvious fact that there was no agreement over recognition amongst the other EU member states. In particular, Greece, Cyprus, Romania and Spain were known to have strong reservations. However, more importantly, the crucial 'right moment' to recognise Kosovo was prevented by the emergence of

another important domestic political issue: the question of Hungarian minority rights in Slovakia.

Without a doubt, the topic of autonomy, the sensitive issue of collective rights and demands for increased self-governance for the region populated by ethnic Hungarians, considerably increased internal tensions between Slovakia and ethnic Hungarian MPs. However, even more so, it led to intensified external disagreements between Slovakia and Hungary at a time when Kosovo's statehood became a hot political topic. Matters were not made any simpler by comments made in the media by representatives of Hungary – particularly under the FIDESZ leadership – creating links between Hungarian minorities living abroad and Kosovo. This considerably complicated the situation and posed a significant challenge for Slovak officials. Indeed, it caused great irritation in Slovakia and was officially condemned by Kubiš, as well as by other Slovak government representatives. These remarks reinforced the view that recognition of Kosovo – in light of the domestic political situation – would be counter-productive. This feeling was further strengthened after Hungary introduced the earlier debated dual citizenship law allowing ethnic Hungarians living abroad to apply for Hungarian citizenship. For all these reasons, for Slovak diplomacy the Kosovo issue became a far more problematic question to respond to than it would have been otherwise. Indeed, the political context in which Slovakia took the decision over Kosovo's statehood forms part of the explanation why considerable importance was given to the ethnic minority issue in Slovakia when dealing with the Kosovo question. In this sense, the interaction that occurred between Slovakia, Hungary and the ethnic Hungarian minority living in Slovakia demonstrates the impact of ethnic politics on this foreign political decision.

On the whole, Slovakia's position towards Kosovo's independence raised significant wide-ranging questions about the impact of EU membership on one of its relatively new member states and on the common foreign policy of the EU. Bearing in mind that Slovakia entered the EU in May 2004, less than three years after its membership, it was advocating a position against the majority of its member states.⁹¹⁴

⁹¹⁴ Another more recent example of Slovak non-unity with its EU partners occurred in October 2011, when the Slovak Parliament refused a bailout fund for Greece resulting in the collapse of the Slovak government. Notably, Slovakia was the only country of the 17 Euro zone states to do so. As an analyst observed, 'it seems somewhat unfathomable that a country that has not been a member of EMU [European Monetary Union] for even three

Considering that a Europeanised foreign policy is characterised by adopting joint EU positions – perceiving them as a significant indicator – and in general, does not divert from the EU’s common views ‘even when they cause difficulties for the state concerned, whether in its bilateral relations or its domestic politics’,⁹¹⁵ Slovak foreign policy on Kosovo was not Europeanised. Thus, emphasis needs to be put on Wong and Hill’s point that the EU’s influence on countries is stronger in respect to structures and procedures. Yet, in regards to policies, EU unity is by far not a guarantee, particularly due to the complexity of phenomena having an impact on the policy-making process. As this thesis showed, the impact of EU actors and attempts to influence Slovak policy did not materialise. In light of this, it can be concluded that even a traditionally EU-oriented country will break ranks with collective EU action if the domestic situation does not allow for it. Significantly, evidence in this thesis confirms Bickerton’s earlier mentioned view that ‘EU foreign policy is regularly trumped by the primacy of national politics; not, it should be noted, of national interest, but of the unpredictable conflicts that break out locally’.⁹¹⁶ On the Slovak domestic political scene, rivalries between political parties over political power – or more precisely between their leaders – outplayed EU aims to stand united over Kosovo.

After the EU accession, there are limitations as to how the EU can influence the member states’ policies, particularly because there is no explicit way to induce member states’ compliance with a particular policy. Once a country becomes a full-fledged member, the less leverage the EU has on its foreign policy. In any case, upon EU entry, previously uncommon defections from unity manifest themselves more clearly. Most notably, this thesis demonstrated the limits of Europeanisation in a case where strong opposition to a particular course of action came as a result of a domestic political situation. Ultimately, as Kissinger succinctly stated, ‘the acid test of a policy (...) is its ability to obtain domestic support’.⁹¹⁷ Because of this lack of

years could be the one leading to its unravelling’. See Helen Pidd, ‘Slovakia rejects multibillion euro bailout fund to deal with debt crisis’, *The Guardian*, 12 October 2011.

⁹¹⁵ Hill and Wong, ‘Many actors, one path? The meaning of Europeanization in the context of foreign policy’, p. 211.

⁹¹⁶ Bickerton, ‘Explaining Europe’s role in world affairs: governance, sovereignty and the paradox of ‘fragile institutionalism’, p. 19.

⁹¹⁷ Henry A. Kissinger, *A World Restored: Metternich, Castlereagh, and the Problems of Peace 1812-1822* (Boston: Houghton Miffling, 1957), p. 326.

domestic support, EU pressure had relatively little impact on foreign policy-making in Slovakia.

Determinants of Slovak non-recognition

Looking back at the evolution of the Slovak position on Kosovo one thing is clear. The non-recognition was a result of an interaction between several factors but it was, in essence, an internal affair to Slovakia. In the first instance, domestic party politics was – despite perceptions to the contrary – more important than the Hungarian minority issue. There has been little understanding of what really lay behind the Slovak policy on Kosovo; a lack of recognition of the complexities of the domestic political situation led to the prevailing view that the ethnic Hungarian minority shaped the Slovak stance. While the Hungarian minority issue played a considerable role in the debate, it was only to the extent that it cemented the Slovak position and ultimately prevented any re-consideration of its view.

Therefore, as this thesis demonstrated, the ethnic minority issue was in fact a secondary factor impacting on Slovak policy; rather, a more profound aspect lies underneath the issue. In fact it was party politics – an underestimated element in the study of Europeanisation – that was crucial in determining the Slovak position on Kosovo. While Dzurinda's aim was to regain political influence, Fico's was to retain it. As an anonymous source noted, Fico's party, SMER-SD, did not have any foreign-political orientation and Dzurinda considered it an ideal situation for an attack on the Prime Minister. While domestic politics was not the only factor at play, it was the primary one; the literature has not taken it into account, as most of the scholarship focused mainly on the role of the Hungarian minority. In reality, it was the aim of retaining and regaining domestic political power that affected the policy direction and the way Slovak foreign policy representatives handled the situation after the parliamentary declaration on Kosovo. In short, this analysis showed that what was widely expected to be the reason for the Slovak position turned out to be of secondary importance.

Yet, the prospect of not being in the mainstream on Kosovo was not something Slovak officials, particularly diplomats, were satisfied with. As one anonymous observer noted, 'Neither did I like the way how independent Kosovo was established

and how states recognised it; nor do I like the group of countries [the five EU non-recognisers] that Slovakia is part of'. Indeed, one could argue that Slovak diplomacy was looking for a way out of this situation; however, developments related to the ethnic Hungarian minority in Slovakia prevented any review of its position. In fact, the moment when the Slovak MFA was prepared 'to go with the flow' and even accept collective rights as included in the Ahtisaari plan was lost once the collective rights themselves – being for years a contentious topic in Slovak politics – were raised again on the domestic political scene.

By excluding the context in which Slovakia took its decision we would be left with little understanding of the processes that influenced its position and without any insight into the agents that shaped Slovak foreign policy. In analysing the foreign policy-making process, this thesis showed that Slovakia conducted its policy over Kosovo in view of its domestic political situation. Given the two factors highlighted above, the role of political context played a crucial role in this matter. Furthermore, as a number of anonymous observers stated, rather than being against the actual independence of Kosovo, Slovakia was opposing the way in which Kosovo's statehood was declared. In short, the important question was not whether Kosovo declared independence but rather how and in what circumstances. Either way, understanding this aspect of the issue – and seriously taking it into consideration – could have considerably contributed to a collective action on the side of the EU, creating more favourable conditions for the Slovak recognition of Kosovo.

Of course, it is also essential to consider the importance of coalition-building on Kosovo. If one of the five EU member states had changed its position it could have been largely expected that Slovakia would have re-considered its view. Crucially, as it was widely understood among the Slovak diplomatic elite, a scenario in which Slovakia and Cyprus were the last two EU members against Kosovo's statehood was specifically to be avoided. For Slovakia this would have meant drawing parallels with the Southern part of the country where a large Hungarian minority lives. This would have been a completely different issue altogether and a situation that was absolutely unacceptable for the Slovak government.

In his research study, Denca argued that behind the Slovak position on Kosovo was national interest and identity.⁹¹⁸ Contrary to this view, this thesis claims that the decisive factor for the Slovak stance was domestic party politics and a tactical step by Dzurinda, the leader of opposition, to challenge the government. However, this political opportunism was interpreted as a discussion about Slovak national interests and one could only have expected that the nationalist Slovak National Party – then in the coalition – would positively respond to it. Therefore, it was the role of agency that set the scene for what followed. Despite the fact that the MFA undoubtedly plays a crucial role in Slovak foreign policy-making, in the Kosovo case it did not have the freedom it would have wished for. Certainly, had Slovakia's position on Kosovo's statehood been entirely up to the MFA, Slovakia would have recognised Kosovo as it was among its priorities to act as a responsible member of the EU, NATO and UNSC. In other words, the MFA considered it to be in the Slovak interest to support Kosovo's independence and as a result, the EU unity on this issue. Moreover, and crucially, such a stance would have shown that, in actual fact, Slovakia was not concerned about its issues with the ethnic Hungarian minority and, as a result, it did not fear any implications of Kosovo's independence on its own territory.

Given the factors highlighted above, this thesis also argues against Denca's point that the situation created around Kosovo – and the expectation that it would unilaterally declare independence – forced Slovak officials to agree on a joint position towards Kosovo.⁹¹⁹ Indeed, this thesis challenges this view and claims that in order to understand this case, it is necessary to look for deeper meanings than those on the surface. The factors that influence countries' decisions domestically are often hidden to the external observer. By looking at individual actors involved in this issue and breaking down the phases that have shaped the Slovak position on Kosovo, it was possible to analyse the foreign policy-making process and the steps that Slovakia took before and after Kosovo unilaterally declared independence. This thesis's aim was to deliver insights into the significance of domestic factors on foreign policy formation in one of the EU member states. Although it is an

⁹¹⁸ Sorin Ștefan Denca, 'European Integration and Foreign Policy in Central and Eastern Europe: the Cases of Hungary, Slovakia and Romania' (unpublished PhD thesis, University of Birmingham, 2010).

⁹¹⁹ Denca, 'European Integration and Foreign Policy in Central and Eastern Europe', p. 218.

individual country study, it nevertheless aims to show aspects of foreign policy-making that might be found in other member states.

A significant point to address is that the Slovak view was not based on a predetermined position strategically prepared over a longer period of time; rather, a result of ‘coincidence’⁹²⁰ and an inter-play of domestic political factors, put Slovakia among the five EU non-recognisers. In other words, what seemed to have been pre-arranged was in fact just a result of an accidentally created situation that required the MFA to take into account the unexpected parliamentary declaration on Kosovo and adjust its policy accordingly. Slovakia would have followed the majority of the EU member states in support of Kosovo’s independence and contributed to unity, however, domestic political rivalries and steps taken by Dzurinda prevented Slovak diplomacy to do so. In fact, Slovakia haphazardly found itself in a situation that most Slovak diplomats and MFA representatives were not comfortable with, as they wanted to see Slovakia in the mainstream. As one observer noted in regards to the Slovak position on Kosovo, ‘the role of coincidence in history is interesting – in politics it may sometimes look as a totally sophisticated conspiracy but it’s only a coincidence’. In other words, the Slovak position was a response to domestic circumstances rather than part of a detailed thought through design of opposition towards Kosovo’s independence. However, there was a lesson learnt – Slovakia was able to withstand pressure by the US and EU while still remaining constructive on the ground in Kosovo (i.e. participation in the EULEX mission, acceptance of Kosovo’s WB membership and support for Kosovo’s EBRD membership).⁹²¹ Furthermore, in November 2008 Slovakia also recognised Kosovo passports for ‘humanitarian reasons’. This was viewed as an important shift in attitude considering that, when in September 2008 Kosovo representatives asked Slovakia to recognise

⁹²⁰ As two anonymous sources put it.

⁹²¹ In 2009, Slovakia did not support Kosovo’s bid for the IMF (International Monetary Fund). Nevertheless, as a European Commission official put it, ‘Slovakia voted against Kosovo’s membership in the IMF but worse would be not voting at all because you don’t reach the quota’. European Commission official, comments to the author, July 2010. The US in particular was very interested in Kosovo’s IMF and WB membership. This was clearly communicated in a leaked cable to a large number of embassies. In respect to its WB membership, it was specifically highlighted that ‘Kosovo’s success is a high priority for the United States and the US Administration’. See ‘Kudos and action request: voting for Kosovo’s World Bank membership’, Secretary of State (United States), reference ID 09STATE47360, 8 May 2009, <<http://wikileaks.org/cable/2009/05/09STATE47360.html>> [accessed 14 December 2012].

these passports, this request was refused.⁹²² Initially, the visas were issued on a separate form and not directly into the passport. But since July 2012, Slovakia has officially recognised Kosovo passports – excluding diplomatic and service passports – meaning that visas are issued directly into the passport. However, these steps do not indicate a change of policy; rather they show adoption of a constructive and cooperative approach to the issue.⁹²³

In addition, as an anonymous observer put it, the Kosovo issue was a useful exercise for Slovak foreign policy. Due to factors from the domestic environment, the US aim to move Slovakia to a ‘yes’ on Kosovo’s independence was not achieved. In this sense, it was able to resist the external pressure and insist on its position despite the fact that initially Slovak diplomats were not supportive of the Slovak position. In effect, this meant that a small state was able to formulate its own policy and defend it against its EU and US partners despite the unease that it created. Indeed, evidence for this case study confirms Ker-Lindsay’s view that the ability of the US and other UNSC permanent members to influence views of states over recognition issues ‘is not as great as one might imagine’.⁹²⁴ Similarly, although the Quint (US, UK, Germany, France and Italy) traditionally has considerable influence on foreign policy issues, its attempts to influence Slovak officials to change the Slovak policy on Kosovo did not materialise.

Further research areas

This thesis contributed to an understanding of why a change occurred in Slovak foreign policy; however, with respect to the other four EU members’ opposition

⁹²² ‘Slovensko uznáva kosovské pasy, aj keď to úradníci popierali’, *SME*, 27 November 2008, available at <<http://www.sme.sk/c/4196841/slovensko-uznava-kosovske-pasy-aj-ked-to-uradnici-popierali.html>> [accessed 21 May 2011].

⁹²³ ‘According to international law, the recognition of travel documents does not mean recognition of the entity which issued them. In this particular case, the recognition of passports issued by Kosovo authorities does not mean that Slovakia would recognise Kosovo’s independence’, explained Boris Gandel, spokesman of the Slovak Ministry of Foreign Affairs. See ‘Slovensko uznáva len kosovské pasy, štát naďalej nie’, *SME*, 21 July 2012. As Palokaj noted, before the 2010 elections, despite not changing its position towards Kosovo’s independence, Slovakia started to change its behaviour with the aim ‘to find the best way to disagree’. Augustín Palokaj, comments to the author, 16 July 2010. During an October 2009 meeting with the US Assistant Secretary of Defence for International Security Affairs Vershbow, the Slovak Minister of Foreign Affairs Lajčák was reported to note that due to political situation in Slovakia Kosovo’s recognition at that time was not possible, however, Slovakia would remain ‘pragmatic and practical’. See ‘ASD Vershbow’s meeting with Slovak foreign minister Lajčák: good news on Afghanistan, concerns about Bosnia’, US Embassy Bratislava, reference ID 09Bratislava455, 29 October 2009, <<http://wikileaks.org/cable/2009/10/09BRATISLAVA455.html>> [accessed 10 January 2013].

⁹²⁴ Ker-Lindsay, *The Foreign Policy of Counter Secession*, p. 177.

towards Kosovo's statehood, questions worth further examination remain. It would be of considerable interest to follow up this research and examine why it came to a change of policy, particularly in Romania and Spain. Notably, these countries were initially not entirely opposing Kosovo's independence. In fact, they were, albeit privately, expressing support for the US line on Kosovo. This was specifically evident in the case of Romania; vital information for this argument was recorded in a number of leaked US wires. Reporting on meetings with Romanian and Spanish officials in 2006, US cables show that essentially, both countries were not strictly opposing Kosovo's independence. In contrast, a secret US cable reported that during a May 2006 meeting with Nicholas Taubman, the US Ambassador to Romania, and Frank Wisner, the Secretary's Special Representative to the Kosovo Status talks, the Romanian President Traian Băsescu confirmed – despite expressing concerns over Kosovo's implications on regional stability – that Romania would stand behind the US efforts to resolve Kosovo's status and ultimately, support independence. This was also reiterated during meetings with other Romanian representatives.⁹²⁵ Months later, in November 2006, Taubman confirmed Romanian 'readiness to work hand-in-glove with us [the US] in the Western Balkans including on Kosovo and Serbia'.⁹²⁶

As for Spain, a wire from August 2006 reported that the Spanish MFA Sub-Director General for Central Europe and the Balkans, Raul Fuentes Milani, mostly supported the US line on Kosovo. However, he emphasised that more time should be devoted to the status talks in order to reach an agreement between both parties.⁹²⁷ Yet, soon

⁹²⁵ See 'Romania pledges support on Kosovo independence during Wisner visit', US Embassy Bucharest, reference ID 06Bucharest881, 30 May 2006, <<http://wikileaks.org/cable/2006/05/06BUCHAREST881.html>> [accessed 19 March 2013]. Significantly, this cable reports Băsescu commenting that earlier on he had had a different view on Kosovo but after meeting with the US Assistant Secretary Fried and Vice President Cheney, he re-considered his position and was even quoted to note that 'Kosovo status is not our baby, but is an American baby'.

⁹²⁶ 'Scenesetter for FBI Director Mueller's visit to Bucharest', US Embassy Bucharest, reference ID 06Bucharest1693, 7 November 2006, <<http://wikileaks.org/cable/2006/11/06BUCHAREST1693.html>> [accessed 19 March 2013]. Romania would be a particularly interesting case to look at as there are certain indications that it could be the first country – of the five EU non-recognisers – that would reconsider its view towards Kosovo. Notably, in early June 2013, the Romanian Prime Minister Victor Ponta signalled a potential change of policy towards Kosovo's statehood when he stated that he is leaning closer to the idea that Romania should coordinate its view on Kosovo with its EU and NATO partners 'and thus acknowledging a fact'. See 'PM Ponta: Personally, I believe Romania should embrace same stance on Kosovo as EU partners', AGERPRES, *Bsanna News*, 4 June 2013. See also 'Romania's Tough Line on Kosovo Starts to Crumble', *BalkanInsight*, 12 June 2013.

⁹²⁷ 'Spain generally supports U.S. position on Kosovo', US Embassy Madrid, reference IDMadrid2139, 28 August 2006, <<http://wikileaks.org/cable/2006/08/06MADRID2139.html>> [accessed 19 March 2013]. Additionally, as stated in the cable, Spain was very keen to be engaged in any sort of international advisory board on Kosovo.

after, Spain was already clear that it would disagree with the US and most of the EU states on the question of Kosovo's status.⁹²⁸

Although for Cyprus the Kosovo precedent created a worry, according to a cable, Euripides Evriviades, the Cypriot MFA Political Director and former Ambassador to the US, significantly stated that it was prepared to follow any consensus the EU reached during the Gymnich meeting in Bremen in March 2007.⁹²⁹ This leads to examining whether the meeting in Bremen could have been a crucial moment for reaching an agreement among the EU members. As far as Greece was concerned, in 2005 it was not ruling out Kosovo's independence and two years later, Dora Bakoyannis, the Greek Minister of Foreign Affairs, expressed 'keen' interest to discuss Kosovo during the NATO Ministerial in January 2007.⁹³⁰ In light of this, a comparative study of all five EU members which have not recognised Kosovo would allow isolating the factors specific to Slovakia and those that are a shared concern among the non-recognising EU states.

Another significant aspect worth further analysis is the dynamics created by minority politics in Slovakia. In this respect, there is potential to access the issue of the Hungarian minority in more depth on the basis of the model of *Triadic nexus* introduced by sociologist Rogers Brubaker. This model includes three different types of nationalisms: those of the newly nationalising states where the minorities in question live, the external national 'homelands' and the national minorities.⁹³¹ Based on this description a triadic relationship could be observed between Slovakia as the newly nationalising state, Hungary as the external national homeland, and the Hungarian minority in Slovakia. Furthermore, considering that the ethnic Hungarian

⁹²⁸ See 'Spain: In advance of Oct. 16 GAERC', US Embassy Madrid, reference ID 06Madrid2624, 17 October 2006, <<http://wikileaks.org/cable/2006/10/06MADRID2624.html>> [accessed 19 March 2013]; 'Spanish views in advance of November GAERC', US Embassy Madrid, reference ID 06Madrid2871, 13 November 2006, <<http://wikileaks.org/cable/2006/11/06MADRID2871.html>> [accessed 19 March 2013].

⁹²⁹ 'ROC to follow EU consensus on Kosovo independence', US Embassy Nicosia, reference ID 07Nicosia263, 27 March 2007, <<http://wikileaks.org/cable/2007/03/07NICOSIA263.html>> [accessed 21 March 2013].

⁹³⁰ See 'Your visit to Greece', US Embassy Athens, reference ID 05Athens830, 24 March 2005, <<http://wikileaks.org/cable/2005/03/05ATHENS830.html>> [accessed 20 March 2013]; 'Greeks preview Afghanistan contributions', US Embassy Athens, reference ID 07Athens148, 23 January 2007, <<http://wikileaks.org/cable/2007/01/07ATHENS148.html>> [accessed 20 March 2013]. In this respect, in 2009, Bakoyannis was reported to state that Greece 'will not be the first, but neither will it be the last' country recognising Kosovo. See 'Your visit to Athens', US Embassy Athens, reference ID 09Athens1497, 23 September 2009, <<http://wikileaks.org/cable/2009/09/09ATHENS1497.html>> [accessed 20 March 2013].

⁹³¹ Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge: Cambridge University Press, 1996), p. 4.

minority issue – similarly to the Slovak case – has resonated among the Romanian political elite, it would be particularly interesting to analyse whether links could be drawn with the findings of this study and to what extent the minority issue played a prime role in Romanian policy. Essentially, recent developments, particularly since the appointment of the latest Slovak government in 2012, show that tensions between Slovakia and Hungary in respect to the ethnic minority have decreased considerably. In contrast, disagreements between Hungary and Romania intensified.⁹³² On this note, an important characteristic of Brubaker's model is so-called 'reciprocal interfield monitoring': in other words, all actors monitor the actions of the others and act accordingly.⁹³³ Therefore, it would be of further interest to compare developments in both Slovakia and Romania on the basis of the *Triadic Nexus* model.

Current Slovakia-Kosovo relations

In early December 2012, Enver Hoxhaj, the Kosovo Minister of Foreign Affairs, visited Slovakia. Notably, it was the first visit by a member of the Kosovo government since it declared independence in February 2008. Due to the Slovak non-recognition of Kosovo, it was an informal visit during which Hoxhaj met for a private talk with the Slovak Minister of Foreign Affairs, Miroslav Lajčák and some Slovak MPs.⁹³⁴ During a briefing with journalists, Hoxhaj expressly thanked Slovak

⁹³² Recent diplomatic disputes between Hungary and Romania were caused by flying an ethnic Hungarian minority flag in Transylvania, raising the autonomy question and even debating a change of the Romanian constitution. See 'Hungary and Romania face off over an ethnic dispute', *Euroactiv.com*, 21 February 2013; Marian Chiriac, 'Romania and Hungary row over minority flag', *BalkanInsight*, 8 February 2013; Corina Chirileasa, 'Unofficial flag issue heats up Romania-Hungary relations, change of constitution demands on the table again', *Romania-insider.com*, 7 February 2013.

⁹³³ Brubaker, *Nationalism Reframed*, p. 68. As Brubaker notes, in some cases this triangular relationship can lead to conflicts, particularly when the dominant elites in the new nationalising states promote the culture, language and political hegemony of the state-bearing nation, the representatives of the national minorities demand cultural/political autonomy as a reciprocal activity toward the nationalising state's policies, and the elites in the external national homelands monitor the developments and protest against any violations of rights of the minorities. Brubaker, *Nationalism Reframed*, p. 57.

⁹³⁴ Tomáš Vasilko, 'Kosovský minister zahraničia príde prvýkrát na Slovensko', *SME*, 26 November 2012; Andrej Matišák, 'Kosovský minister navštívi Slovensko', *Pravda*, 27 November 2012. The visit was organised by the Slovak Atlantic Commission and its think-tank, the Central European Policy Institute. Interestingly, Rastislav Káčer, President of the Slovak Atlantic Commission and former Slovak Ambassador to the US, argued that in Slovakia, the debate around Kosovo's independence was 'always on the surface and without arguments of the Kosovo part' and that 'it's time for dialogue, for a better and higher quality discussion'. See Andrej Matišák, 'Sadikiho prípad môže ovplyvniť pohľad na Kosovo', *Pravda*, 5 December 2012. Furthermore, Káčer explained motivations for the visit: 'Our aim is to initiate a competent Slovak discussion about Kosovo because until now, we debated more or less on the basis of emotions. We want to raise a debate about what Kosovo is, what its motivations are and where it is positioned in the Western Balkans'. 'Minister zahraničných vecí Kosova navštívi Bratislavu', *Slovenská Atlantická Komisia*, 27 November 2012, available at <<http://www.ata-sac.org/article-88-885-MINISTER-ZAHRANICNYCH-VECI-KOSOVA-NAVSTIVI-BRATISLAVU/>> [accessed 3 December 2012].

citizens, soldiers and think-tank representatives active in Kosovo. ‘I came as a friend and as a European’, he added.⁹³⁵ Nevertheless, touching on the question of recognition, he remarked that ‘time will come when Slovakia will recognise Kosovo’s independence’.⁹³⁶

To this extent, Slovakia has, to some degree, entered into relations with Kosovo. In this respect, and despite the absence of recognition, one could observe Bratislava’s increased engagement with Pristina. In any case, considering the recent developments, there is a sense that Bratislava is attempting to be more constructive on Kosovo.⁹³⁷ One could argue that if domestic conditions in Slovakia were taken into consideration by its EU and US partners, more time was allowed for finding a solution between Belgrade and Pristina during the Ahtisaari led status talks and importantly, the focus was on ‘how’ Kosovo declares independence; by now agreement over its status could have been reached among EU members, Slovakia included. Nevertheless, whether these latest political steps towards improving the political relationship with Kosovo could be perceived as a significant move towards an eventual Slovak recognition any time soon has yet to be seen.

In the meantime, over five years since Kosovo unilaterally declared independence, its status still continues to be an unresolved issue for the EU.⁹³⁸ In this sense, perhaps

⁹³⁵ ‘Press conference of the Minister of Foreign Affairs of Kosovo E. Hoxhaj’, *TA3*, 4 December 2012. Notably, a few months after, on 8 March 2013, Hoxhaj visited also Greece – another of the five EU non-recognisers of Kosovo’s statehood – where he met with the Greek Minister of Foreign Affairs Avramopoulos. A statement from their meeting shows that it was a constructive discussion aimed at expanding Greek-Kosovo relations, including the establishment of the Kosovo Commercial Affairs Office in Greece in order to improve economy and trade between both countries. Significantly, Avramopoulos remarked: ‘I believe that we are turning a new page in our cooperation today’. See ‘Statements of Foreign Minister Avramopoulos and E. Hoxhaj, the Foreign Minister of Kosovo, following their meeting’, Ministry of Foreign Affairs, Hellenic Republic, 8 March 2013, available at <<http://www.mfa.gr/en/current-affairs/top-story/statements-of-foreign-minister-avramopoulos-and-hoxhaj-the-foreign-minister-of-kosovo-following-their-meeting.html>> [accessed 12 March 2013].

⁹³⁶ Andrej Matišák, ‘Sadikiho prípad môže ovplyvniť pohľad na Kosovo’, *Pravda*, 5 December 2012.

⁹³⁷ In March 2013, the Deputy Prime Minister and Minister of Foreign and European Affairs of the Slovak Republic, Miroslav Lajčák, informally met with MPs from the Kosovo Parliament. The topics of discussion included Kosovo’s European perspective, the dialogue between Belgrade and Pristina and also ‘the opportunities for cooperation given the Slovak standpoint on Kosovo’s independence’. Emphasising Slovakia’s support for the Balkan region’s European perspective, Lajčák also noted that ‘there is no real alternative to dialogue between Belgrade and Pristina in resolving open issues and stabilising the situation in the region’. See ‘Minister Lajčák meets with Kosovo MPs’, *Slovak Ministry of Foreign and European Affairs*, Press release, 6 March 2013, available at <<http://www.mzv.sk/pristina>> [accessed 13 May 2013]. Soon after, in June 2013, Lajčák met in Zagreb with Enver Hoxhaj and among other topics discussed the dialogue between Pristina and Belgrade and adoption of an agreement between the parties in April 2013. See ‘Minister Lajčák met with the representative of Pristina Enver Hoxhaj in Zagreb’, *Ministry of Foreign and European Affairs of the Slovak Republic*, 3 June 2013.

⁹³⁸ In this respect, considerable progress was made on 19 April 2013 when after two years of the EU-mediated dialogue between Kosovo and Serbia, led by Catherine Ashton, an agreement was reached between Belgrade and Pristina. The 15-point draft would grant a level of autonomy to about 40,000 ethnic Serbs living in the north of Kosovo. In areas where the ethnic Serbs build a majority of the mainly ethnic Albanian Kosovo population, they

as a European Commission official predicted, it will be no less than five years and no more than ten until the question of Kosovo's status is resolved.⁹³⁹ As for Slovakia, despite all external efforts, it remains an internal affair.

will be able to choose their police and justice officials, under the authority of Pristina. See Bojana Barlovac, 'Kosovo and Serbia Reach Historic Deal in Brussels', *BalkanInsight*, 19 April 2013; 'Serbia approves Kosovo deal: government', *AFP*, 22 April 2013. However, despite being approved by both governments, its implementation in the northern region of Kosovo remains questionable as ethnic Serbs living in that area do not support it. As Luz Balaj, a Kosovo lawyer, stated, 'The Serb citizens are aware that within this agreement there are elements of the recognition of Kosovo, because it is a bilateral agreement and [it] would oblige the citizens to stay loyal to the constitution'. See Linda Karadaku and Bojana Milovanovic, 'Pristina-Belgrade agreement implementation in limbo, analysts say', *SETimes.com*, 3 May 2013. For an examination of the draft agreement, see Marko Prelec, 'The Kosovo-Serbia Agreement: Why Less is More', available at <<http://www.crisisgroupblogs.org/balkanregatta/2013/05/07/the-kosovo-serbia-agreement-why-less-is-more/>> [accessed 9 May 2013].

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