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SUSTAINABILITY OF MILITARY NEUTRALITY OF THE REPUBLIC OF SERBIA IN MODERN GEOPOLITICAL CIRCUMSTANCES

Abstract

The military neutrality of the Republic of Serbia is being seriously tested amid the geopolitical changes that have occurred following Russia's special military operation in Ukraine. By addressing current global and regional developments, this research will attempt to prove the justification of such a policy and the positions expressed in the National Security Strategy. The paper primarily deals with the analysis and synthesis of current events in international relations and their impact on the position of the Republic of Serbia, through the prism of strategic orientations and military neutrality. At the same time, all relevant scientific sources and knowledge on this complex issue are studied, including a survey conducted among Serbian citizens on the sustainability of military neutrality.

Keywords: *Republic of Serbia, military neutrality, National Security Strategy, geopolitical changes, war in Ukraine.*

INTRODUCTORY CONSIDERATIONS

The strategic commitment of the Republic of Serbia in the field of security and defense policy implies that the highest legal acts define the basic interests of national security and what policy will be pursued in order to achieve them. The institutions of the security system must be ready to act at all times and to recognize any form of threat, and to try to thwart and neutralize it with their activities (Lazić, 2022: 73). For these reasons, there must be a structured way of management and subordination within the national security system. Its efficiency is conditioned by organization in achieving national security goals (Lazić, 2023: 18-21; Stajić, 2021: 55-65).

It took quite some time for all the important political and security factors to agree and decide that the highest legal act that comprehensively defines the interests of national security is precisely the National Security Strategy. It is true that the Constitution of the Republic of Serbia provided for the existence of the Defense Strategy (Ustav RS, 2006: Article 99, point 9), as the highest document in the field of defense, while there was no mention of the National Security Strategy. The doubt remains, which is present to this day, whether the framers of the Constitution intentionally or accidentally bypassed or

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overlooked that important fact, and therefore gave primacy to the Defense Strategy, and not the National Security Strategy, in that highest legal act. The dilemma was resolved on October 26, 2009, when the National Assembly of the Republic of Serbia adopted both documents. The prevailing fact is that the National Security Strategy (NSS) is "the most important strategic document that establishes the foundations of security policy in protecting the national interests of the Republic of Serbia" (Strategija nacionalne bezbednosti, 2009: Introduction, paragraph 1). Its basic starting points relate to the preservation of sovereignty and territorial integrity, economic prosperity, social stability, the development of democracy, the rule of law, respect for human rights and freedoms, European foreign policy orientations, and the improvement of cooperation with the most important international entities and countries in the immediate environment. The Defense Strategy (DS) is "the basic strategic document that directs the engagement of defense resources and the development of normative, doctrinal and organizational solutions for the defense system of the Republic of Serbia" (Strategija odbrane, 2009: Introduction, paragraph 1). The Defense Strategy is "based on the Constitution of the Republic of Serbia, the National Security Strategy, as well as the commitment of the Republic of Serbia to contribute to building and strengthening security through peace and stability" (Strategija odbrane, 2009: Introduction, paragraph 2); Strategija odbrane, 2019: paragraph 3).

The basic commitments in the field of national security are therefore defined in the national security strategies of 2009 and 2019. The 2019 document, without further explanation, states as the basic starting points "preservation of sovereignty and territorial integrity, military neutrality, care for the Serbian people outside the borders of the Republic of Serbia, European integration and effective rule of law" (Strategija nacionalne bezbednosti, 2019: point 2, paragraph 2). The sustainability of military neutrality is, precisely, the topic of this paper. It should show to what extent and whether the military neutrality proclaimed on December 26, 2007 in the Resolution of the National Assembly on the Protection of the Sovereignty, Territorial Integrity and Constitutional Order of the Republic of Serbia is sustainable at all (Rezolucija Narodne skupštine Republike Srbije o zaštiti suvereniteta, teritorijalnog integriteta i ustavnog poretka Republike Srbije, 2007). In order to provide a comprehensive and concrete answer to this question, we have comprehensively analyzed, through various examples, the concepts of military neutrality, as well as relations between states and political developments on the international stage, as well as changes that have occurred on the global level. Of course, an inevitable topic in this comprehensive research is European integration, relations with the EU, the USA, Russia and China, as well as the position of our southern province of Kosovo and Metohija. The status of the Republika Srpska in Bosnia and Herzegovina, as a dysfunctional state and the aspirations of some of the most powerful countries to once again achieve majoritarianism and disrespect for everything that was agreed upon

in Dayton in 1995, is also unavoidable.²

In order to comprehensively examine attitudes towards military neutrality in Serbia, which is still a topic of serious political and professional debate, fourth-year undergraduate students at the Faculty of Diplomacy and Security surveyed 562 people of different ages.³ In this way, we learned what the citizens of the Republic of Serbia think about this issue.⁴

Neutrality in the practice of European states

In order to have a more comprehensive view of the phenomenon of neutrality, what it entails and how it affects the state and its position in international relations, we started from theoretical and practical points of view. In addition, it is important to study and compare different examples and practices, how and in what way different states implement them, and whether there are certain legal, internationally codified documents in this area that are applied.

From a conceptual perspective, the word neutrality comes from the Latin word *neuter*, which means "neither one nor the other", that is, to remain neutral and be "for neither side" in any relationship. In a practical sense, neutrality appeared at the beginning of the sixteenth century, only to be fully accepted in the nineteenth century (Jovanović, 2019: 1212). However, ever since states and their relations have existed, this concept has had its application, especially in wars. We find such examples as far back as the period of Ancient Greece and the Peloponnesian Wars, where one side offered its military neutrality (the Melians) in the conflict between Athens and Sparta (Tukidid, 1957: 316, point 95).

From the perspective of international law, the neutrality of a state first appeared in 1815, based on the decision of the Congress of Vienna. Such a status was recognized for Switzerland. It was not until the beginning of the twentieth century that an official document "relating to the legal status of neutral states in the event of a specific war conflict was created: the Hague Convention V on the Rights and Obligations of Neutral States in the Event of War on Land of 1907" (Novaković, 2019: 31). Although, from

² *The General Framework Agreement for Peace in Bosnia and Herzegovina*, better known as the *Dayton Peace Agreement*, is an international legal act that ended the three-year civil war in Bosnia and Herzegovina. Based on this agreement, Bosnia and Herzegovina consists of two entities: the Federation of Bosnia and Herzegovina and the Republika Srpska. It was reached and agreed upon at the US Wright-Peterson Air Force Base near Dayton, following a peace conference held from 1 to 21 November 1995. The participants were: Slobodan Milošević, President of the Republic of Serbia, Alija Izetbegović, Chairman of the Presidency of Bosnia and Herzegovina, Franjo Tuđman, President of Croatia, Warren Christopher, US Secretary of State, Richard Holbrooke and General Wesley Clark. It was officially signed on 14 November 1995 in Paris.

³ Fourth-year undergraduate students at the Faculty of Diplomacy and Security participated in the design of survey questions within the National Security Strategy course. The research was conducted by Elena Memiši and Dejan Gojsović.

⁴ The research results will be presented at the end of this paper.

the current point of view, this document is outdated, it represents the backbone of neutrality in war conflicts between states (Novaković, 2012: 4). The basic provisions of this document relate to the rights and obligations of neutral states. The most significant are the following: the territory of neutral powers is inviolable; the belligerents are prohibited from passing their troops or convoys, whether with ammunition or supplies, through the territory of a neutral power; the belligerents are prohibited: a) from installing a radio-telegraph station or any other device intended to serve as a means of communication with the belligerents on land or at sea in the territory of a neutral power; b) from using any device of this kind which they have established before the war in the territory of a neutral power for exclusively military purposes, and which was not open to public postal traffic; that no combat units may be established in the territory of a neutral power for the benefit of the belligerents, nor may recruiting offices be opened; a neutral power is obliged to punish acts contrary to neutrality only if they are committed in its own territory (Peta Haška konvencija, 1907).

The same Convention defined that if citizens of a neutral state voluntarily enter the service of one of the belligerents, such activity does not give rise to the responsibility of the neutral state. In addition, a neutral state was not obliged to prevent the export or transit to one or the other belligerent party of arms and ammunition, as well as anything else that would be of use to the belligerent parties.

In addition to the above, the Thirteenth Hague Convention on the Rights and Duties of Neutral States in Naval War, adopted on October 18, 1907 in The Hague, defined the relationship of neutral powers at sea. Based on this document, the belligerent parties were obliged to respect the sovereign rights of neutral states and to refrain, on land and on water, from acts that would, for the state that would tolerate them, constitute a violation of its neutrality. All hostile acts, including stoppages and searches, carried out by warships of belligerents in the territorial sea of a neutral state constituted a violation of neutrality and were expressly prohibited. Also, a belligerent could not establish a maritime spoils court on neutral land or on board a ship in neutral waters (Trinaesta Haška konvencija, 1907). Smilja Avramov and Milenko Kreća are of the opinion that "neutrality gives rise to reciprocal rights and obligations, both of the state in conflict, and of third parties and states that have declared neutrality" (Avramov & Kreća, 2003: 718). The concept of neutrality can basically be reduced to the state remaining impartial and outside of armed conflicts, that is, not participating in the hostilities of other states that are at war (Stojanović, Šaranović, 2022. 14).

Apart from Switzerland, whose military neutrality dates back to the sixteenth century, and which it officially acquired at the Congress of Vienna in 1815 and has retained until the present time, the following states were considered military neutral in

the second half of the twentieth century, and after World War II: Austria⁵, Ireland⁶, Finland⁷, Sweden⁸ and Malta⁹. When we talk about military neutrality, "it can be the result of an independent and sovereign decision of a certain state, as is the case with Switzerland, Sweden or Ireland, and it can also be strongly suggested, that is, imposed from the outside, as in the case of Finland and Austria" (Jovanović, 2019: 1223).

Austria has established its neutrality in the Constitution, as a permanent commitment, but, like Ireland, has joined the economic sanctions against Russia due to the special military operation in Ukraine. Finland and Sweden, during 2023, or early 2024, became full members of the NATO alliance.

NATO expansion and the Ukrainian Crisis

International relations, after the end of World War II, were for many years characterized by a "balance of power" and bipolarity in the field of security (Simić, 2002: 17; Stajić & Lazić, 2015: 31-32; Proroković, 2023: 47). This meant that the world divided into blocs between the world's largest powers, that is, between the ideological rivals of the East (communism) and the West (capitalism), was, at least to some extent, balanced. With the fall of the Berlin Wall, the collapse of the Soviet Union and the Warsaw Pact, the wars in the former SFRY and the formation of new states, a unipolar world order was established with one most powerful superpower (the USA) and the NATO alliance (Stajić & Lazić, 2015: 32). It has welcomed 16 more countries under its umbrella, including 7 March 2024 and the accession of Sweden.¹⁰

⁵ The 1955 State Treaty, which is still in force, excludes the possibility of Austria's military intervention in the conflicts of other countries, the stationing of foreign troops on its territory, and joining any military alliance.

⁶ Ireland declared its neutrality in 1938. It has maintained this status throughout and after World War II, and continues to this day. As a member of the EU since 1973, it has remained militarily neutral in relation to the war in Ukraine.

⁷ It concluded a friendship treaty with the Soviet Union in 1948, when its neutrality began. With the collapse of the USSR, the treaty was annulled. Finland became a member of the EU in 1995, and from 2023, upon joining NATO, it will cease to be a militarily neutral state.

⁸ It is one of the few countries that has been militarily neutral for almost two centuries. It has called its own policy "non-aligned in peacetime, neutral in wartime". By joining NATO in March 2024, it will end its neutrality.

⁹ Malta declared military neutrality in 1980, which was guaranteed in an agreement with Italy in 1983.

¹⁰ After the collapse of the USSR and the Warsaw Pact, the NATO Pact accepted all the countries that belonged to that alliance into its membership, including the three Baltic states from the former USSR (Estonia, Latvia and Lithuania). The accelerated process of joining under the NATO umbrella has included four new states that emerged from the collapse of the SFRY, except for Bosnia and Herzegovina and Serbia. Incidentally, the Muslim-Croat Federation as an entity of Bosnia and Herzegovina insists on joining NATO, while the Serbian member in the collective Presidency of Bosnia and Herzegovina is explicitly against it. In addition to the 32 members, 21 more countries cooperate with NATO within the Partnership for Peace program, including the Republic of Serbia.

Although, at the very beginning, after the disappearance of the Soviet Union, the highest officials of that military-political structure said that it would not expand and accept new members, the promise was not kept. During that period, NATO admitted: Poland, Estonia, Latvia, Lithuania, the Czech Republic, Slovakia, Hungary, Bulgaria, Romania, Slovenia, Albania, Croatia, Montenegro, North Macedonia, and recently Finland and Sweden, which until recently were considered neutral states.

It did not stop there. The Ukrainian crisis, which began with a colored revolution and a violent change of power in that country, supported by secret forces from outside, was a serious announcement that the NATO alliance and the USA had resolutely set out to conquer new space, approaching Russia at a critical distance. It is obvious that the Minsk agreements¹¹ were just a "bluff" to buy the other side time to better prepare for what came later, which was war.

It is worth noting that certain processes that took place before that seriously hinted that in the coming period, within the framework of the "bifurcation in the redistribution of new power" among the most powerful powers of the world, some kind of agreement on spheres and zones of influence would have to be reached. The changes taking place on the global level tell us that a number of economically strong states do not recognize and do not want the universal power of one alliance or one state, as the largest superpower. They insist on multipolarity in international relations and strive to create such an order, in which there would be several powerful centers in different parts of the world.

The war in Ukraine and the special military operation, as defined by the highest Russian officials, caused tectonic changes on the geopolitical plane and in international relations. The collective West got involved in this conflict, supporting Ukraine with weapons and financial resources. Various types of sanctions were imposed on Russia.¹²

Security challenges and military neutrality of Serbia

In scientific, expert and political circles, there have been discussions for a long time about whether the Republic of Serbia should be and whether and for how long it will be able to remain militarily neutral, given international relations and political developments in the world. Recently, due to the worsening political and security situation resulting from the "special military operation of Russia in Ukraine", the question has been raised more and more often as to the extent to which, or whether, the military neutrality proclaimed at the end of December 2007 by the Resolution of the National Assembly on the Protection of the Sovereignty, Territorial Integrity and Constitutional

¹¹ *The Minsk Protocol* is a document signed on 5 September 2014, which agreed to a ceasefire in the Donetsk and Luhansk regions of Ukraine. Despite the protocol, hostilities have continued. An updated version of the document, known as the Minsk 2 Agreement, was signed on 12 February 2015.

¹² On January 23, 2024, the European Union introduced the thirteenth package of sanctions against Russia.

Order of the Republic of Serbia is sustainable. Point 6 of the aforementioned Resolution states: "Due to the overall role of the NATO Pact, from the illegal bombing of Serbia in 1999 without a decision of the Security Council, to Annex 11 of the rejected Ahtisaari Plan, which stipulates that NATO is the 'final authority' in 'independent Kosovo', the National Assembly of the Republic of Serbia hereby decides to declare military neutrality in relation to existing military alliances, pending the possible calling of a referendum, at which a final decision on this issue would be made."

The Republic of Serbia, faced with new security challenges, risks and threats to national security, and in order to preserve the highest vital values, adopted the aforementioned Resolution on Military Neutrality. The reason for its adoption is quite clear, when, against its will, decisions were being prepared on the self-proclaiming and recognition of the independence of our southern province (Kosovo and Metohija) by the most powerful Western states. In such circumstances, there were neither the conditions nor the time to conduct a debate or referendum on the issue.

Although the National Assembly of the Republic of Serbia voted for military neutrality by the will of the majority of MPs, there was no clear consensus in the broader social sense regarding its acceptance. The Government of Prime Minister Mirko Cvetković¹³ did not address the issue seriously either, which is why the National Security Strategy from October 2009 does not mention the military neutrality of our country, nor the Atlantic, but only the European integration.

The aforementioned changes have led to the Republic of Serbia, as a sovereign state, having the need to remain militarily neutral. At the same time, it "achieves cooperation through a partnership with NATO, through membership in the Partnership for Peace Program, develops military cooperation with the Russian Federation, and in the military structure of the former Soviet states, the Collective Security Treaty Organization (CSTO), it has observer status" (Krga, 2017: 56). In this sense, it emphasizes that it will conduct a balanced foreign policy, cooperating with everyone, relying on four pillars (EU, Russia, China, USA), taking into account its priorities and national security interests. Serbia's foreign policy priorities in relation to European integration have remained the same – full membership in the EU. Such a commitment in no way threatens its military neutrality.

Quite understandably, the question arises whether EU membership is achievable or just a fiction, because most member states have recognized the independence of our southern autonomous province. One of the key conditions for Serbia's entry into the EU is the normalization of relations with Priština, i.e., recognition of independence. In addition, Serbia is also obliged to harmonize its foreign policy with EU policy by the end of the opening of the chapters (now the clusters). In the current circumstances, this would mean the introduction of sanctions against Russia, which is unacceptable for our

¹³ The deputies of the National Assembly of the Republic of Serbia, at a session held on 7 July 2008, voted in a new Government, with Prime Minister Mirko Cvetković. It functioned for a full four-year mandate.

country. Therefore, Serbia's European prospects, in the current circumstances, and this is clear to everyone, are completely uncertain.

At the same time, talks on the normalization of relations between Belgrade and Priština under the patronage of the EU have been at a standstill for a long time. The implementation of the agreements signed back in 2013 and the formation of the Community of Serbian Municipalities are being persistently avoided. The interim authorities in Priština are taking unilateral steps that are not in line with the agreements reached. The mediators in the negotiations and the international community are silent or giving lukewarm statements encouraging Priština to continue in this direction. Such steps were taken by voting for the admission of the so-called state of Kosovo to the Council of Europe. Ignoring the opposition of Serbia and some other countries, this decision received an overwhelming majority in the Parliamentary Assembly of the Council of Europe. However, it did not receive the "green light" from the Council of Ministers, which makes the final decision.

In addition, the adopted Resolution on the Srebrenica genocide, submitted to the UN General Assembly by Germany and Rwanda,¹⁴ further complicated Serbia's international position. The Resolution represents a flagrant example of the violation of all international legal norms and the undermining of the Dayton Agreement, which brought the peoples of Bosnia and Herzegovina a more or less guaranteed peace, but a dysfunctional state with two entities and three peoples who must agree on the most important matters by consensus. By putting the genocidal stamp on one people, the achieved peace is violated and new divisions and frictions are encouraged in Bosnia and Herzegovina.

On the global level, in the changed political and security circumstances, consistent implementation of the policy of military neutrality allows Serbia to reduce the pressure of Western countries to recognize Kosovo's independence, while simultaneously developing economic cooperation, both with them and with other significant actors such as Russia and China. Serbia's European integration perspective with the conflict in Ukraine becomes "extremely out of place, and the strategy of neutral, balancing maneuvering, although difficult and resembling 'walking a tightrope' is growing into a vital imperative for Serbia. Regardless of the fact that it means facing a whole range of combined provocations and pressures, the compliance with which inevitably leads to a losing 'comprehensive arrangement' under the guise of compromise, giving in means surrendering and drowning in a camp that is weakening in global relations and, at the same time, constantly defending its positions in the Balkans, feeding itself to the detriment of Serbian interests" (Gajić, 2023: 69-70).

¹⁴ *United Nations General Assembly Resolution 78/282* was adopted on 23 May 2024 at the 78th session of the United Nations General Assembly. The resolution was proposed by Germany and Rwanda, with the support of about thirty other states. Of the total number of United Nations member states (193), 84 voted in favor of the proposed text of the Resolution, while 19 states voted against, 68 abstained, and the remaining 22 states did not participate in the vote.

In an unfavorable strategic environment, military neutrality, as a foreign policy orientation, influences the creation of a positive image of Serbia as a reliable partner of the great powers (Forca, 2022: 182). This contributes not only to the strengthening and protection of its security, but also to a more favorable economic environment. On the other hand, military neutrality was created and has remained as such to this day, and it is assumed that it will remain so in the coming period, as a clear response to non-military threats to which it is permanently exposed by Western countries. In the coming period, they will be directed at achieving the interests of those countries. The goal is to weaken Serbia's position and to force it to do what those countries expect of it. Only through well-thought-out political action and principled positions can we demonstrate to both sides that the Republic of Serbia, with its principled position on military neutrality, does not endanger anyone. There are divided opinions about the feasibility of Serbia's military neutrality in the current geopolitical circumstances, and we must decide which side we will take. Some believe that it means nothing if it is not internationally recognized by the most powerful states, while others believe that it is a political decision of the state that declared it. For example, Aleksandar Gajić is of the opinion that "the only real and meaningful alternative (in the current circumstances) is to continue to persist in the current position, because only in this way can we exist in the long term, even at the cost of Serbia being a "lonely island" for a while until the international situation changes permanently to its multipolar dimensions" (Gajić, 2023: 70). On the other hand, Ljubiša Despotović and Vanja Glišin advocate "a clearer, more predictable and comprehensive definition of the priorities of national goals and national interests" (Despotović & Glišin, 2021: 29) and propose the adoption of a new national security strategy. They believe that this could "determine vital national interests as well as the next steps in foreign policy that will effectively and for a longer period protect the state of Serbia and the Serbian people as a whole" (Despotović & Glišin, 2021: 33).

CONCLUSION

Based on the above, as well as the research conducted, the conclusion is that the Republic of Serbia remains consistent with the policy of military neutrality. It should persist in this until the processes initiated on the global level are completed. They will be completed when the most powerful actors reach an agreement on the most important international issues in shaping the new world order. Undoubtedly, European integration remains a vague prospect for Serbia, but, nevertheless, at least declaratively, we should strive towards them. Within the framework of foreign policy tasks, there remains the raising of bilateral relations with the USA to a higher level; strengthening partnership ties with China; continuing good relations with Russia, without introducing sanctions; respecting the territorial sovereignty and integrity of Ukraine; continuing negotiations

with Priština, while insisting on the implementation of the agreement reached on the formation of the Community of Serbian Municipalities; strengthening the security and defense capacities of our country and deterring any type of aggression.

It should continue to balance in the coming period with wise and, above all, co-existing political decisions. It is estimated that in the near future there will be inevitable changes in relations between the great powers. This also implies new divisions of spheres of interest on the global level, after the conflict in Ukraine has stopped. It is expected that all this could contribute to a greater degree of understanding for our political position and the problems we are solving.

The reactions of Western countries, including EU members, after the end of the war in Ukraine, will continue to be aimed at completely neutralizing the influence of Russia and China in the European space, and especially in the Western Balkans, where their main focus is the Republic of Serbia. In such circumstances, Serbia should more clearly define its position of military neutrality and have it, in some way, recognized and confirmed by at least a certain number of countries. In addition, in the newly emerging geopolitical circumstances, there is a need to amend strategic and doctrinal documents, which would more precisely define Serbia's position and new realities in protecting national security interests. These documents would strengthen the position of the Republic of Serbia in protecting national and vital values, including military neutrality as a strategic commitment.

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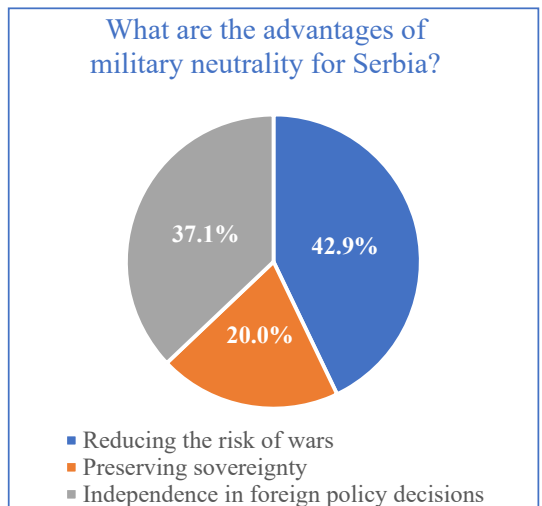
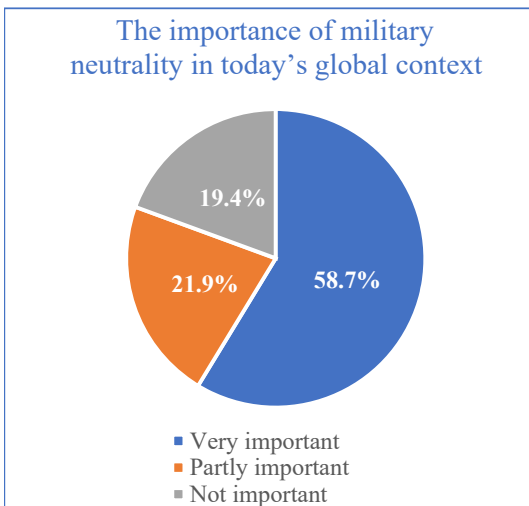
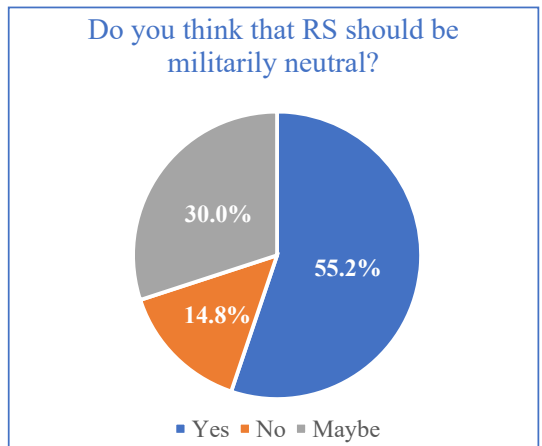
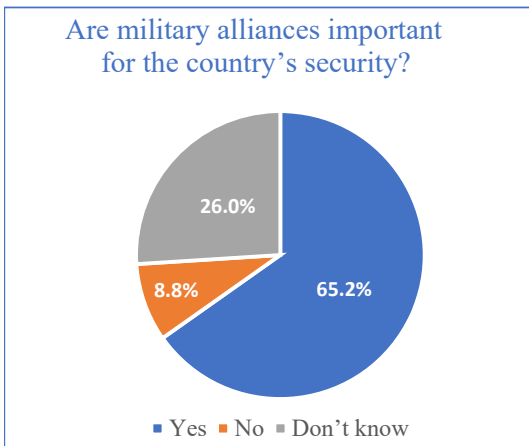
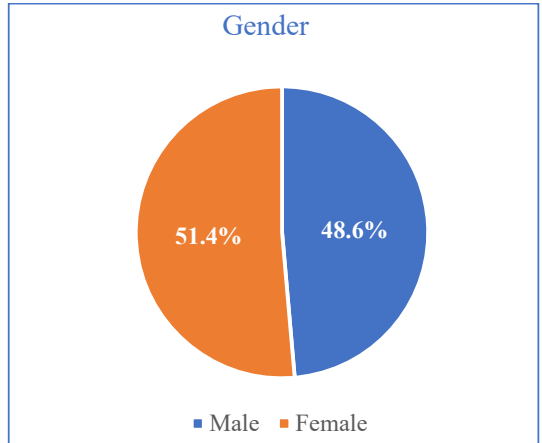
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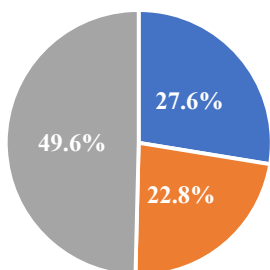
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Appendix: Results of citizens' survey on military neutrality - N=566

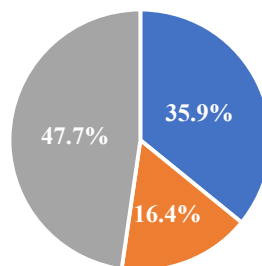


What are the disadvantages of military neutrality?



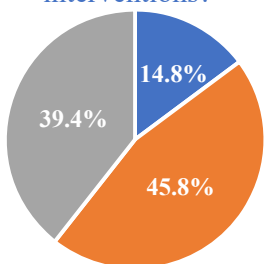
- Lack of military protection
- Limited access to military alliances and resources
- Lack of security in case of aggression

How does military neutrality affect international relations?



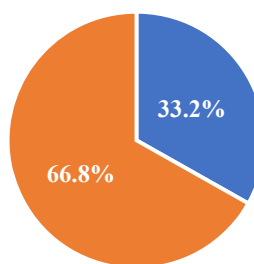
- Promotes peace and stability
- Can lead to isolation
- Facilitates diplomatic relations with all countries

Do you think that military neutrality prevents Serbia from participating in humanitarian interventions?



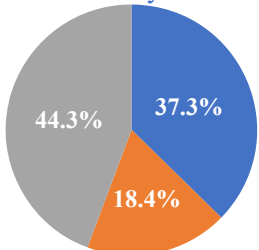
- Yes
- No
- Maybe

Would you support a change in Serbia's policy towards military neutrality?



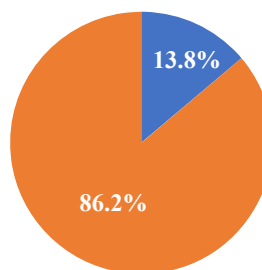
- Yes
- No

How important is it for you that Serbia remains a militarily neutral country?



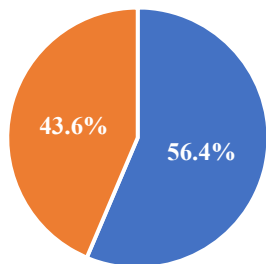
- Very important
- Not very important
- I have no opinion on that

Would you support bringing Serbia closer to military alliances such as NATO?



- Yes
- No

Do you think that military neutrality in Serbia should be the subject of citizens' referendum declaration ?



■ Yes ■ No