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Peacemakers, Patrons, & Politics: How International Mediation Leads to Local-Level Change in  
Protracted Conflicts

by

Christopher Marcus Jackson

Under the Direction of Jelena Subotić, PhD

A Dissertation Submitted in Partial Fulfillment of the Requirements for the Degree of

Doctor of Philosophy

in the College of Arts and Sciences

Georgia State University

2022

## ABSTRACT

The resolution of protracted (or “frozen”) conflicts in Cyprus and Kosovo has been a long-standing item on the agendas of the UN Security Council, European regional organizations, and powerful third states. This study conducts a multi-level analysis of conflict resolution in these protracted conflicts that conceptualizes actors within disputed territories not strictly as clients of powerful patron states, but as independent political actors with their own agency in conflict. While international negotiations proceed at one level, facilitated by international organizations and experienced mediators, actors ‘on the ground’ within ‘local regimes’ pursue their own interests and are often sites of conflict between hard-line ‘spoilers’ and more cooperative players who favor a settlement. In this study I conduct two in-depth case studies that trace the dynamics of local-level competition during negotiations to identify specific mechanisms that contribute to or spoil implementation of a settlement. Findings indicate that while powerful patron states (Turkey and Serbia) are willing to revise national policy towards the conflict when compensated by mediators (manipulative mediation), they face the uncertainty of local-level actors for whom a settlement is not necessarily beneficial. To reduce the uncertainty of potential ‘spoilers’ on the ground, patron states in turn manipulate local-level political competition to marginalize hardliners by altering reward structures and providing political patronage to cooperative players.

INDEX WORDS: Conflict resolution, Peacebuilding, Protracted conflict, Mediation, Kosovo, Cyprus

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Peacemakers, Patrons, & Politics: How International Mediation Leads to Local-Level Change in  
Protracted Conflicts

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December 2022

**DEDICATION**

To Lizzie, Duck, and Blue. And, the others who urged me to persevere.

## ACKNOWLEDGEMENTS

This project is a culmination of the many interests I developed both in graduate school and in my observations of the world from admittedly too brief experiences in the field in the Balkans before the pandemic. It is therefore paramount to acknowledge my wife, Lizzie, who entertained my world travel, supported me in leaving a job I was unhappy in and returning to graduate school, helped me to complete this dissertation, and traveled across the country to watch me defend it. Second, I thank the members of my committee, Professors Subotić, Manning, and Berg. In particular, the chair of the committee Jelena Subotić, who was encouraging and supportive in my pursuit of a topic that interested me even when it was not a fully formed [or intelligible] research project. Third, I thank those people who were supportive and encouraged me to continue working on this project and not give it up when things (the job market) weren't going my way. Some of them are close friends, some colleagues and role models, some are people I've never met in-person, but they all made an impression. Lastly, I thank those who provided overly-critical, harsh, or mean-spirited feedback about the project or me in general over the years. For one, they provided some indicators of how I had to change things to "convince" people like them, and two, they were excellent examples of how not to act as a professional. Thank you all.

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## LIST OF ABBREVIATIONS

<b>AKP</b>	<i>Adalet ve Kalkınma Partisi</i>	Justice and Development Party
<b>ANAP</b>	<i>Anavatan Partisi</i>	Motherland Party
<b>AP</b>	<i>Adalet Partisi</i>	Justice Party
<b>BDH</b>	<i>Bariş ve Demokrasi Hareketi</i>	Peace and Democracy Movement
<b>CHP</b>	<i>Cumhuriyet Halk Partisi</i>	Republican People's Party
<b>CTP</b>	<i>Cumhuriyetçi Türk Partisi</i>	Republican Turkish Party
<b>DP</b>	<i>Demokrat Parti</i>	Democratic Party
<b>DOS</b>	<i>Demokratska opozicija Srbije</i>	Democratic Opposition of Serbia
<b>DS</b>	<i>Demokratska stranka</i>	Democratic Party
<b>DSS</b>	<i>Demokratska stranka Srbije</i>	Democratic Party of Serbia
<b>ECJ</b>		European Court of Justice
<b>ECtHR</b>		European Court of Human Rights
<b>EOKA</b>	<i>Ethniki Organosis Kypriou Agoniston</i>	National Organisation of Cypriot Fighters
<b>EULEX</b>		European Union Rule of Law Mission in Kosovo
<b>HP</b>	<i>Halkın Partisi</i>	People's Party
<b>ICJ</b>		International Court of Justice
<b>KFOR</b>		Kosovo Force
<b>KP</b>	<i>Koalicija Povratak</i>	Return Coalition
<b>MGK</b>	<i>Milli Güvenlik Kurulu</i>	National Security Council
<b>MHP</b>	<i>Milliyetçi Hareket Partisi</i>	Nationalist Action Party
<b>MSP</b>	<i>Millî Selâmet Partisi</i>	National Salvation Party
<b>MUP</b>	<i>Ministarstvo unutrašnjih poslova</i>	Ministry of Internal Affairs
<b>ÖRP</b>	<i>Özgürlük ve Reform Partisi</i>	Freedom and Reform Party
<b>PISG</b>		Provisional Institutions of Self-Government
<b>LS</b>	<i>Lista Srpska</i>	Serb List

<b>SLS</b>	<i>Samostalna liberalna stranka</i>	Independent Liberal Party
<b>SLKiM</b>	<i>Srpska lista za Kosovo i Metohiju</i>	Serbian List for Kosovo and Metohija
<b>SNS</b>	<i>Srpska napredna stranka</i>	Serbian Progressive Party
<b>SNV-KiM</b>	<i>Srpsko Narodno Vijeće Kosova i Metohije</i>	Serb National Council of Kosovo and Metohija
<b>SNV-M</b>	<i>Srpsko Narodno Vijeće Kosovske Mitrovice</i>	Serb National Council of Mitrovica
<b>SPO</b>	<i>Srpski pokret obnove</i>	Serbian Renewal Movement
<b>SPS</b>	<i>Socijalistička partija Srbije</i>	Socialist Party of Serbia
<b>SRS</b>	<i>Srpska radikalna stranka</i>	Serbian Radical Party
<b>TDP</b>	<i>Toplumcu Demokrasi Partisi</i>	Communal Democracy Party
<b>TFSC</b>	<i>Kıbrıs Türk Federe Devleti</i>	Turkish Federated State of Cyprus
<b>TKP</b>	<i>Toplumcu Kurtuluş Partisi</i>	Communal Liberation Party
<b>TMT</b>	<i>Türk Mukavemet Teşkilatı</i>	Turkish Resistance Organisation
<b>TRNC</b>	<i>Kuzey Kıbrıs Türk Cumhuriyeti</i>	Turkish Republic of Northern Cyprus
<b>UBP</b>	<i>Ulusal Birlik Partisi</i>	National Unity Party
<b>UÇK</b>	<i>Ushtria Çlirimtare e Kosovës</i>	Kosovo Liberation Army
<b>UÇPMB</b>	<i>Ushtria Çlirimtare e Preshevës, Medvegjës dhe Bujanocit</i>	Liberation Army of Preševo, Medveđa and Bujanovac
<b>UNFICYP</b>		United Nations Peacekeeping Force in Cyprus
<b>UNMIK</b>		United Nations Interim Administration Mission in Kosovo
<b>UNSR</b>		United Nations Special Representative
<b>YDP</b>	<i>Yeni Doğuş Partisi</i>	New Dawn Party
<b>ZSO</b>	<i>Zajednica srpskih opština</i>	Community of Serb Municipalities

## **1 INTRODUCTION: PROTRACTED CONFLICT & RESOLUTION**

On 24 April 2004, one week before Cyprus was to join the European Union, the Greek and Turkish Cypriot communities, living in separate partitioned zones of the island since August 1974, voted in simultaneous referendums on reunification. The Turkish Cypriots of the self-declared and internationally-unrecognized Turkish Republic of Northern Cyprus (TRNC), reversed the position long-held by their leaders and voted overwhelmingly for the reunification of Cyprus as a single state that would accede to the EU the following week. The two years leading up to this referendum on the UN Secretary General's proposal for unification, known as the Annan Plan, had been characterized by changes to geostrategic preferences within Turkey, as well as a marked rise in pro-reunification movements within the TRNC itself. The unveiling of the Annan Plan in 2002 saw the mobilization of tens of thousands of Turkish Cypriots rallying in support of reunification with the Greek Cypriot Republic of Cyprus and in opposition to their intransigent leaders. Though the Annan Plan was rejected by the Greek Cypriot side, which entered the EU without the TRNC the following week, this demonstrated a shift within the TRNC that would govern its policies and political competition in the following years. The militarized ceasefire line was reopened allowing travel from one side to the other, TRNC leaders appeared before the EU, Council of Europe, and governments of European states to improve their foreign relations, and even as the Republic of Cyprus remained governed by an opponent of reunification until 2008, the TRNC pushed for restarting negotiations.

Nine years later in Kosovo, in November 2013, the ethnic-Serb community within Kosovo ended its long-standing policy of boycotting Kosovo's institutions and participated en masse in elections for the first time since Kosovo's de facto separation from Serbia in June 1999. Only months before this election, Kosovo Serb leaders in the Serb-dominated municipalities north of the Ibar/Ibër River had unilaterally declared their autonomy and rejected the authority of



Kosovo's institutions in Prishtina.<sup>1</sup> As in the case of Cyprus, this precipitous change within the Kosovo Serb community towards cooperation followed changes to Serbia's own foreign policy preferences, as well as the rise of a more moderate Kosovo Serb political force mobilized at the municipal-level after 2009. Since the 2013 and 2017 elections in Kosovo, the Belgrade-backed *Lista Srpska* party has come to dominate Kosovo Serb politics both at the central and local levels in Kosovo. And while it has intermittently boycotted participation in protest of the Kosovo Government's policies, it has not returned to a blanket policy of boycott as a rejection of Kosovo's sovereignty.

Taken individually, or as snapshots of specific events, these may appear to be seemingly unremarkable episodes of political change - Turkish Cypriots rallying in support of a new policy position and Kosovo Serbs electing a new clientelistic political party. Situated within the larger contexts of both cases and identity conflicts in general, however, these changes are perhaps a bit more remarkable. For one, these anecdotes illustrate precipitous changes to deeply ingrained or protracted societal conflicts that are both simple in the sides' intractability and complex in the relationships between actors, states, and organizations that simultaneously make them inter-communal, trans-national, and international conflicts. There is no shortage of scholarly or journalistic analogies in these cases to Gordian Knots - knots in which the harder one pulls in attempting to untie it, the tighter it becomes. Accordingly in likening these conflicts to the Gordian Knot, the implication is that the harder one works to resolve it, the more complex it becomes (e.g., Franks & Richmond 2008; Heraclides 2011). The purpose of this study is to identify what occurs in such cases between internationally-led peacemaking and local-level changes such as those observed in Cyprus in 2004 and Kosovo in 2013. In this regard, this is not

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<sup>1</sup> Throughout this manuscript I use dual spellings of place names where appropriate.

a frequentist study seeking to identify average trends, which would of course demonstrate that these are the most difficult conflicts to resolve, but rather to identify the specific mechanisms that precede outcomes. That is, how was the “knot” loosened in these cases?

### **1.1 Protracted Conflict**

The first obstacle to studying the resolution of conflicts such as Cyprus and Kosovo is in identifying what types of conflicts they are. They simultaneously exhibit conditions of intra-state ethnic conflicts that vary in terms of violent outbursts, trans-national conflicts with ethnic groups propped up by proximate ethnic kin-states, inter-state rivalries, and larger international geopolitical conflicts. Drawing from the work of Edward Azar and others (1978), such conflicts are *protracted* in that hostile interactions extend over long periods of time with sporadic outbreaks of violence that fluctuate in intensity, and involve the whole of society in defining the scopes of national identity and social solidarity, with stakes that are high or even perceived as existential for the sides. Perhaps most relevant to the difficulty in resolving protracted conflicts are the irreconcilability of sides’ preferences, derived from long-standing historical beliefs and perceptions within groups that make concessions a threat to most basic values (Colaresi & Thompson 2002). This irreconcilability may be as basic as one group’s preference to exist, at least in a certain form, and another group’s preference to erase them, either through physical elimination or the destruction of cultural symbols or language that denotes their identity.<sup>2</sup> In such

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<sup>2</sup> Consider, for example, the Turkish-Kurdish conflict in which the primary factor driving conflict initiation was the assimilation of Kurds as Turks rather than a separate national identity. Or, for example, the tactics of Serbian forces in Kosovo, which not only included physical violence to drive out ethnic-Albanians, but the destruction of cultural sites and symbols, such as the demolition of the League of Prizren house and planting of a garden over it, to erase its existence under Serbian dominion.

conflicts, the objective of establishing political control over an area or a group goes hand-in-hand with systematic human rights violations (Chinkin & Kaldor 2017).

In relating protracted conflicts to other forms of intra-state conflict, they do not necessarily exhibit the same conditions of onset, patterns of violence, and duration as noted in widely-read “brush-clearing” studies of intrastate conflict (e.g., Collier & Hoeffler 2004; Collier et al. 2004; Blattman & Miguel 2010). Protracted conflicts have a self-replicating aspect, by which seemingly minor or insignificant events can precipitate the onset of violence, while the cessation of inter-group fighting does not necessarily equate to peace (Colaresi & Thompson 2002). In this sense emotions, and in particular fear and hatred, underpin protracted conflicts fueled by dominant myths and narratives of past victimhood or beliefs about future repression, replicated and manipulated by entrenched group-level elites. For Example, initiation of conflict in Cyprus was underpinned by Turkish Cypriots’ fear that if they lost they would be erased from the island, as their ethnic kin had been from Crete when it was annexed by Greece after the First Balkan War. It was in this social and emotional context that a Turk being harassed by an ethnic-Greek policeman precipitated the longest-standing conflict on the UN’s agenda. This, of course, is not to give credence to primordialist theories of ethnic conflict and their roots in “ancient hatred” or “civilizational incompatibility” (e.g., Huntington 1993; Kaplan 1993; Van Evera 2001). Rather as less superficial studies have argued (Halperin 2008; Petersen 2011), individual members of identity groups within protracted conflicts experience these emotions on a more regular basis, often egged on by elites and elite-level discourse, which precipitate certain action tendencies, such as “fight or flight,” and beliefs that the other can not be reasoned or compromised with.

Resolving such conflicts, or untying these Gordian Knots, is constrained by not only the rationalist concerns of violent civil conflict, but the emotional and psychological constraints attached to prevalent memories or social meanings within identity groups (Kroneberg & Wimmer 2012). In contrast with expectations about the duration of intra-state conflicts (Collier et al. 2004), there is no distinguishable endpoint to protracted conflicts whose persistence is indeterminate. It follows that scholars of protracted conflicts have theorized that they are not resolvable through precipitous actions and that external intervention in peacemaking can have the effect of making conflict worse (Azar et al. 1978; Aggestam 2006).

## **1.2 Purpose and Argument**

In this study I approach the issue of protracted conflicts from the position that ascribing their persistence to simple “unresolvability” is insufficient. From a normative standpoint these conflicts were abhorrent in nature, in that one side seeks to strip another of its right to exist in a given form, and continue to inflict heavy material and social costs on the societies experiencing them, even if they do not escalate again into physical violence. From an empirical standpoint, though, a nuanced reading of these cases, and protracted conflicts more broadly, finds that they are not static cases over time, but are rather dynamic processes with changing preferences towards resolution and cooperation, affected in part by elites’ preferences, resource availability, and external influences (Crocker et al. 2004). What, then, occurs at more in-depth levels to produce these changes?

Table 1.1. Terminology

<b>Concept</b>	<b>Definition</b>	<b>Example:</b>
<b><i>Local Regime</i></b>	Complex of actors, institutions, resources, and strategies that determine the conduct of subnational politics including linkages to higher tiers of authority <sup>3</sup>	Municipal governments; ethnic enclaves in Cyprus or Kosovo
<b><i>Parent State</i></b>	The state which a separatist group or self-declared political entity is legally a part	TRNC is legally a part of Cyprus; Kosovo Serb community legally a part of the territory of Kosovo <sup>4</sup>
<b><i>Patron State</i></b>	External state which provides separatist or rebel groups, or self-declared entities with resources and access to survive outside of state institutions	Turkey as the patron state to the TRNC; Serbia as the patron state to Kosovo Serbs

To this end, I refrain from macro-level or large-n cross case analysis, to focus the analytical attention of the study on the identification of mechanisms. This requires an in-depth understanding of the various relationships and conditions of these conflicts identified above, including local intra-state level competition, inter-state conflict and rivalry, and internationally-led interventions whether to escalate or resolve conflict. Importantly, this further requires an in-depth understanding of the strategic and social contexts in which changes occur in order to pinpoint specific pathways of change (see Falletti & Lynch 2009). With this in mind, the argument that I develop in this study proceeds in three stages.

In the first stage, given the existence of a protracted conflict, an international mediator engages with the sides in a conflict with the goal of resolving the conflict, or at least, in-keeping with the tenets of liberal peacebuilding, inducing mutual participation in shared institutions. International organizations and mediators, though, face the problem of with whom to engage. In

<sup>3</sup> Definition derived from Gel'man & Ryzhenkov's (2011) study of post-Soviet subnational politics.

<sup>4</sup> Kosovo's status as independent is not legally recognized by the UN, however its territorial integrity is legally defined under UN Security Council Resolution 1244.

the intra-state setting, engagement with a self-declared political entity or separatist group can undermine resolution by conveying some form of “legal personality” to enforce an agreement (see Fortin 2017; Caspersen 2018), thereby strengthening separatist claims or undermining the position of the de jure state government. Alternatively, international organizations can engage with such groups’ “patron states” or legally recognized external states upon which they rely to survive (as opposed the “parent states” of which an unrecognized state or entity is legally a part).

The second stage of the argument is then that the mediator must induce cooperation from the patron state. Mediators have at their disposal various types of strategies for engagement that can generally be dichotomized into facilitative strategies that bring parties together to communicate and manipulative strategies which provide benefits or side-payments to compensate for concessions (Beardsley et al. 2006). Patron states, though, benefit in some way from their support for a side in a protracted conflict, whether it is in attaining realist security concerns in a neighboring state (Anderson 2019) or appeasing nationalist or hawkish constituencies at home, especially when they share an ethnic identity (Zellman 2019). While the influence of external patron states on conflict initiation and duration has been explored extensively (Gleditsch 2007; Cederman et al. 2009; Anderson 2019), it has been paid far less attention in the studies of peacemaking and conflict management.

In order to receive the benefits of mediation, particularly manipulative mediation, the patron state must then ensure that its client group, involved in conflict, accepts a settlement. The third stage of the argument is then that the patron state must alter its client “local regime” in order for a settlement to be accepted and/or implemented. While existing outside of recognized [parent] state institutions, these groups, often determined by shared ethnic identity, develop their

own parallel institutions of governance and protection, determined by the ability of local-level elites to provide for their groups. This is, of course, influenced by the resources and support transferred from patron states to local regime elites. However, where a settlement would see local elites' positions of power curbed, they have incentives not to cooperate, even if their external patrons prefer it (King 2001; Zurcher et al. 2013). Accordingly, in order to attain the international benefits of mediation, patron states must manipulate local-level political competition within their client local regimes to facilitate cooperation within mutually acceptable institutions, thereby accepting the institutional and organization reality of the post-conflict state. The argument can be summarized as: *to induce change in protracted conflicts, external mediators must provide conditional rewards to patron states, who in order to receive benefits must manipulate local-level competition within client local regimes to favor cooperative outcomes.*

### **1.3 Methodology: In Search of Mechanisms**

To reiterate the purpose of this study, it is in linking international peacemaking in protracted conflicts with political change at the local level, specifically with regard to cooperation in mutually acceptable institutions of the parent state. In research design terms, the causal or independent variable would be “mediation” and the outcome or dependent variable would be “participation in institutions.” A cursory analysis would simply expect to find that changes in types of peacemaking or mediation proposals would produce change within local regimes' politics, either to accept the post-conflict organization of the state or reject it in favor of the status quo (Call 2008; Ishiyama & Widmeier 2013). The aim of this analysis though is the identification of specific mechanisms through which mediation translates to local level change: what happens between A and B to make B change the way that it does (Mahoney 2015; Beach

2016, 2021)? If the process can be described as  $A \rightarrow M \rightarrow B$ , where  $M$  constitutes the mechanism or sequence of operational links that interact with in-case context, then the objective is to identify what constitutes  $M$ . And a complementary, but necessary, component of this is to identify the “in-case context” which these mechanisms affect.

In mapping the argument outlined above into this type of research design, it takes the form of  $A \rightarrow M_1 \rightarrow X \rightarrow M_2 \rightarrow B$ , where  $X$  is the change in policy by the patron state. There are then two specific mechanisms which require identification. First is  $M_1$  which constitutes the mechanism that links mediation to a change of patron state policy towards a protracted conflict. Second is  $M_2$  which constitutes the mechanism linking that change of policy by the patron state to the local regime’s participation in the parent state’s institutions. The first step in this analysis is then to explore potential theoretical mechanisms for  $M_1$  and  $M_2$ , drawing from previously developed scholarship of peacemaking, ethnic conflict, and conflict resolution. These theoretically-driven mechanisms then inform the type of “mechanist evidence” sought in specific cases (Beach 2021). In-case evidence is then drawn from four sources: (1) secondary literature on the cases, (2) official reports from international organizations, (3) local and international media operating within the case locations during the periods of analysis, and (4) primary interviews with political actors within the subject local regimes.

To pinpoint specific pathways or changes, this requires quite in-depth analysis that reflexively analyzes actors, preferences, and activities, considering context-specific evidence (Falleti & Lynch 2009; Beach 2021). For example, a more superficial process tracing analysis of this question in these cases, might find that the causal mechanism linking  $A \rightarrow B$  or  $X \rightarrow B$  is a change of local-level preferences. The objective of this more in-depth analysis is to identify what caused preferences to change. To accurately identify in-depth changes, this further requires a



sound knowledge of the context in which changes occur and the broader context in which they are situated (Adcock 2015). Accordingly, each case study includes in-depth context that situates mechanistic evidence in the broader conflict resolution context and its changes over time, and in the pathology of the “local regime” existing outside of the recognized parent state. In keeping with best practices for process-tracing this requires evaluation of all possible explanations and conditions within the cases, including the context in which different political actors make decisions. In total, the two cases studies combined are developed using more than 200 primary documents, 50 primary interviews, and 11,000 local and international news articles.

Finally, the cases themselves were selected for two useful aspects: in-case variation and cross-comparison. The importance of the cases of Cyprus and Kosovo themselves is that they have occupied considerable resources, energy, and attention of international organizations and third-party states. Resolution of the conflict in Cyprus has been the longest standing item on the UN Security Council’s agenda, and Kosovo has been the site of perhaps the most comprehensive internationally led statebuilding project in history, ongoing since 1999. Having persisted for so long, there is considerable in-case variation within Cyprus and Kosovo, in terms of who the mediators are and what are their strategies, as well as in terms of how local regimes develop over time. Comparison between cases is then useful for two reasons. One, on a general level, is that they have spanned different amounts of time, which should dispel arguments that resolution was simply due to time since violence. For example, institutional change was observed in Kosovo 14 years after the Kosovo War ended, but no such change was observed in Cyprus for 40 years after fighting. The other is at the more nuanced, in-depth level, at which Cyprus and Kosovo display notable variation between the development of local regimes. The Turkish Cypriot local regime was highly institutionally developed and involved directly in the peacemaking process. The

Kosovo Serb local regime was never consolidated and was consistently contested within the group, with minimal access and input to the peacemaking or mediation process - something that was at least in part by design.

#### **1.4 Overview of Manuscript**

The remainder of this study proceeds in seven more chapters.

The following chapter, Chapter 2, situates this study within the larger theoretical context of “conflict management” - the ostensibly holistic study of ending violent conflict, including peacekeeping, peacebuilding, and peacemaking. While these have been generally well-developed research programs, protracted conflict and its implications for social cohesion and identity have often been neglected or mentioned only in passing as “the most difficult” cases to resolve or as aspects of other types of conflict (Colaresi & Thompson 2002). Accordingly, by situating protracted conflicts within the larger study of conflict management, potential explanations and obstacles to resolution can begin to be identified. Furthermore, through reviewing core concepts of mediation as a form diplomatic *peacemaking*, potential mechanisms for inducing changes to patron states’ policies ( $M_1$ ) can be identified.

Chapter 3 then theorized potential mechanisms linking changes in patron state policies to changes in cooperation at the local regime level ( $M_2$ ). This chapter provides an in-depth overview of local regimes and their origins in conflict processes, drawing largely from studies of ethnic group politics, decentralization, and rebel governance. At their core, local regimes develop as institutions of exchange, characterized by reciprocal relations between elites who provide key services and group members who provide political support in return. Relations to external patron states is an important source of political legitimacy as well as the resources needed to acquire and maintain leadership positions within local regimes. Ultimately this gives patron states an

ability to affect local regime politics both by conditioning support on certain demands and also on the ability of leaders to maintain their status within groups.

Chapter 4 and Chapter 5 analyze the case of Cyprus. Chapter 4 provides a contextual overview of the origins of the Cyprus conflict and a diplomatic history of international actors' efforts to resolve it beginning in 1955. This chapter focuses specifically on how preferences towards the Cyprus conflict within Turkey were affected over time by both changes to international mediation and, perhaps more importantly, domestic politics within Turkey. Chapter 5 then traces the development of the local regime within the Turkish Cypriot community and its links to the Turkish government in Ankara. While Ankara was crucial to the development and survival of the Turkish Cypriot local regime outside of the recognized Republic of Cyprus' institutions, the local regime possessed a notable degree of autonomous agency, due in large part to the Turkish Cypriot leaders' relations with the Turkish military and nationalist parties in Turkey. The findings of this case study indicate that Turkey's preferences regarding Cyprus changed when it was (1) appended to Turkey's accession to the EU, and (2) when a reformist party came to power that weakened the hold on government of the military and rightist/nationalist parties. To induce cooperation within the Turkish Cypriot local regime, Turkey engineered a series of cooperative coalitions that marginalized traditionally intransigent powerholders and weakened the nationalists' position in opposing cooperation. Simultaneously Ankara lent support to the pro-settlement political parties that gained traction and support of unions in the 1990s. However, as Turkey's preferences changed, and EU accession became less likely and less appealing, it reversed this strategy and supported anti-reunification factions while marginalizing Turkish Cypriot pro-settlement and pro-EU forces.

Chapter 6 and Chapter 7 then turn to the case of Kosovo. Chapter 6 provides the contextual overview of the origins of Kosovo War and subsequent efforts to find a diplomatic resolution to the issue of Kosovo, focusing particularly on engagement with the Serbian government in Belgrade. In contrast to Cyprus, this process and the Serbian perspective have been less of a focus of prior scholarship, which has in general focused more on the conflict international mediators or agreement implementation. This overview, however, is key to analyzing subnational change within Kosovo and demonstrates that Serbia's consistently intransigent position on Kosovo since 1998, often presented as a zero-sum position, meant that until 2011 it had unfavorable proposals or solutions foisted upon it, which ultimately limited its influence in the resolution process.

Chapter 7 then traces the changes to the Kosovo Serb local regime in relation to mediation and the changing preferences within the Serbian government. Similar to the Cyprus case, Serbia's preferences at the state-level were consistently opposed to cooperation or concessions on Kosovo until the issue became explicitly tied to its EU accession perspective. Unlike in Cyprus, Serbia's intervention in the Kosovo Serb local regime meant creating a new political entity, a dominant party in the *Lista Srpska*, that coopted existing institutions of exchange and successful local leaders to establish a hegemonic position in the Serb community by controlling access to patronage derived both from Belgrade and Prishtina. Unlike prior political leaders, though, the *Lista Srpska* participated in Kosovo's centralized institutions, rather than claiming to be an autonomous entity.

Lastly, Chapter 8 concludes the analysis by comparing the findings of both cases in more generalizable terms, considering other applications of the findings, and considering the ethics of the findings in relation to liberal peacebuilding. In conclusion, I situate the findings of this study

in two larger areas of study. One is the classical liberal tradition of international negotiations (Putnam 1988), which argues that domestic conditions within states affect their behavior in international negotiations. However, this study adds a “third level” to Putnam’s (1988) “two-level game” at which states must create subnational conditions within local regimes for agreements to be implemented, and for them to receive benefits of mediation. The other area is the more specific field of “stabilitocracy-building” (Bieber 2018, 2020), by which international actors, and the EU in particular, have aimed to reduce instability in troubled or post-conflict states, not by building liberal democracies, but by supporting leaders and parties who provide stability. The findings of this study, again, add another level to this concept. Such leaders’ positions as providers of stability mediated their ability to engineer cooperative subnational local regimes in-line with their preferences.

## 2 CONFLICT MANAGEMENT & PEACEMAKING

In his early treatises on European integration and the European Coal and Steel Community, Jean Monnet wrote that “in order to solve intractable problems, it is sometimes necessary to change the context.”<sup>5</sup> The context which Monnet and the other architects of the modern European Union sought to change was the rivalry between France and Germany which had erupted into three conflicts that devastated Europe in the preceding 75 years. The solution they envisioned was the creation of mutual interdependence between France and Germany for the materials necessary to make war - coal and steel. As scholars of the EU’s nascent conflict management strategies, developed during and after the Yugoslav Wars, have argued, this model of peace-through-interdependence has been exported to troubled areas on Europe’s periphery (Visoka & Doyle 2016). This has been a cornerstone of EU policy not only in conflict-affected areas such as the Western Balkans, but also proactively to prevent possible violent conflicts in other settings. For example, the EU quickly integrated post-communist and post-Soviet states in Eastern Europe under the threat of hardline revisionism (Cameron 2007).<sup>6</sup> This strategy was more than simple diplomatic engagement by a powerful regional organization to prevent violent disputes. Rather, it altered the national context in which conflicts and rivalries developed, making it economically and socially costly for revisionist leaders to foment conflict.

Drawing from this concept of “altering context” in which conflicts occur, this chapter situates this study in the broader context of liberal peace and diplomatic conflict resolution. Outlined by UN Secretary General Boutros Boutros-Ghali following the Cold War’s end as seeking to foster sustainable peace through development in conflict-prone settings, “liberal

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<sup>5</sup> Published in the *Proceedings of the Centenary Symposium organized by the Commission of the European Communities, in honor of Jean Monnet* (10 November 1988).

<sup>6</sup> The EU notably used its own political models of movement and minority rights to prevent nationalist conflicts with ethnic Hungarians in Slovakia and Romania, and ethnic Russians in the Baltic states. See also: Vachudova (2005).

peace” converged with Monnet’s concept of changing contexts in which conflicts occur (Boutros-Ghali 1992; Walter 2015). Diplomatic engagement alongside intervention and statebuilding in conflict settings was viewed as an important component with third party mediators attempting to change conflict environments by altering beliefs, perceptions, costs, and rewards. The consensual nature of diplomatic engagement, and the requisite implementation of necessary domestic policy to preclude violence conflict, meant that ultimately power remained in the hands of states. On the one hand, states and their governments could be incentivized to change policies. On the other hand, they faced domestic constraints especially on salient national issues or issues that were costly to leaders’ positions (Schimmelfennig & Sedelmeier 2004; Levitsky & Way 2006).

The purpose of this chapter is then to specify potential mechanisms by which the context of protracted conflicts can be changed, specifically through engagement with patron states. The mechanism that this chapter develops, after providing an overview of liberal peace concepts, is that a state, and more specifically a patron state which supports a “client” group in conflict, can be induced to change policies towards a protracted conflict with tangible incentives to revise its status quo policies. Given the social importance of these conflicts, even in patron states, to national identity, the rewards for a new policy in-line with a mediator’s preferences must be sufficient to offset the political costs that leaders will incur domestically. One specific mechanism through which this may be realized is by linking conflict resolution to EU accession processes, which does not simply provide one-off side payments in exchange for concessions, but rather provides long-term reward structures with intermediate benefits that alter domestic political competition.

## 2.1 Liberal Peace

The theoretical starting point of this study is in the liberal peacebuilding paradigm in which international organizations and third states aim to sustainably rebuild conflict-ridden states as singular organizations. This is not to say that the objective is a centralized state, as decentralization or federalism are often a part of liberal peacebuilding (Hartzell & Hoddie 2003), but rather that local authority is derived from state institutions rather than separatist or rebel claims to challenge the central government (Call 2008). At its core, liberal peacebuilding sought to advance beyond traditional approaches of peacekeeping to foster sustainable peace through economic and political development and inclusion, affording aggrieved groups access to the state and containing disputes within robust institutions (Barnett 2006; Walter 2015). This includes various forms of power-sharing between groups in the key fields of state power, such as administration, security, economics, and territory (Hartzell & Hoodie 2003).

Power-sharing within a single institutional framework necessitates extending state authority to peripheral areas and establishing a hierarchical linkage between groups and the central state. Local political competition can be a means of accessing resources from the state and securing representation, while also encouraging coalition-building beyond regional factions (Brancati 2006; Gel'man & Ryzhenkov 2011; Jackson 2021a). As Roger Petersen (2011) concisely summarizes it, liberal peacebuilding became akin to a series of rationalist cooperation games, such as the iterated prisoners' dilemma (Figure 2.1). Foreign peace interveners' aim was to create an equilibrium of mutual participation by providing incentives to participate and credible coercive enforcement if one side broke the "rules of the game." If the prisoners' dilemma is only played once, the dominant strategy is to "exit." However, if punishment for a side that "cheats" is credible from foreign actors, then sides may be induced to play repeatedly



and gain benefits from long-term participation that outweigh the costs they would incur for exiting.<sup>7</sup>

		Local Regime	
		<i>Participate</i>	<i>Exit</i>
Government	<i>Participate</i>	X	Z
	<i>Exit</i>	Y	T

Figure 2.1. Prisoners' Dilemma.

Commitment to institutions, though, is especially difficult for the numerically inferior side, or the less powerful side not in control of government, as it fears domination by the other group if it lays down its arms and makes itself vulnerable (Fearon 1994a, 2004). Trust in the other side is particularly low after conflict and sides have poor information about others' future intentions from which to make choices (Posen 1993; Wolff 2011), often meaning that the weaker side does not believe rules will be enforced if the stronger side "exits." The role of foreign peace actors is then to reduce uncertainty about the other sides' intentions and increase trust in institutions, particularly trust that rules will be enforced and punishments credibly meted out. In this respect, foreign military and police missions act in an interim coercive capacity, and new

<sup>7</sup> If the payoffs are ordered as  $Y > X > T > Z$  then in a single shot game with incomplete information, "exit" is the dominant strategy. However in an iterated playing of the game, if enforcement of rules is credible, then a side will participate in, for example, three cycles of the game if  $3X \geq Y + 2T$ .

building rule of law institutions - police and judiciary - is a primary early objective for peacebuilders (Rubin 2008; Lake 2010; Jackson 2021b).

The intended outcome of liberal peacebuilding, even in the presence of robust foreign interventions capable of providing coercive enforcement and with notable resources to develop institutions such as Bosnia & Herzegovina, Kosovo, or Timor Leste, have rarely been realized. On the one hand, democratic institutions and elections provide regular benchmarks, information about preferences, and sanctioning mechanisms (Matanock 2017). On the other hand, liberal democratic politics and economics, the foundations of liberal peacebuilding that underpin inclusive institutions, are inherently competitive and generate instability in fragile settings (Diamond 1990; Barnett 2006). In the interest of stability, foreign interveners may forego strong institutions to favor certain key parties, loyal western-educated allies, and patrimonial power networks that capture institutions (Belloni & Strazzari 2014; Ejodus 2017; Bieber 2018; Jackson 2020). Over-reliance on international support can likewise undermine institutional capacity, weakening trust in new institutions and allowing opportunists to entrench themselves with foreign support and “compromise” the institution-building process. Similarly, beliefs that foreign actors will act to minimize their own costs and operate on short time horizons, undermines trusts in their enforcement of institutional rules (Barnett et al. 2014; Lake 2016). Rather than transforming beliefs about power disparities or enforcement, they instead foster beliefs that the other side is becoming more powerful under international patronage while preparing to renege on institutional commitments after interveners withdraw.

A tangential logic of international peacebuilding contends that the greater problem of over-reliance on international actors is not institution capture by devious actors, but marginalization. Critical peace scholars argue that the monopolization of the peace process by

international actors, pursuing internationally-driven objectives and projects, ignores the local needs and realities of those in post-conflict settings. Local actors are thus subjects of peacebuilding rather than participants in it (Autesserre 2014; Ejdus 2017). In response to these power imbalances, local actors assert their agency by consciously undermining foreign preferences: what critical peace scholars label “resistance” (Richmond 2012; Mac Ginty & Richmond 2013; Ejdus & Juncos 2018). In the terms of the rationalist intervention games (Figure 1), while cooperation may be attainable and yield the value  $X$ , the local need is for  $X'$ , which is not received by playing by the internationally-mandated institutional rules. To pursue their own preferences then, local actors undermine new institutions, coopting them for their own interests and exploiting gray areas such as enforcement and implementation.<sup>8</sup>

Both explanations contribute to an understanding of why institution-building in post-intra-state conflict settings fail. Strategic concerns about the other side’s intentions limit cooperation, while marginalization by international actors fosters resentment and resistance. In the context of protracted conflicts, though, both explanations may be exacerbated by the beliefs, emotions, prevalent images of conflict, and an overall sense of victimization (Crocker et al. 2004). For example, mutual cooperation may be materially beneficial for two sides, but it is obstructed by the social meanings attached to it within respective groups (Kroneberg & Wimmer 2012). Emotions, such as fear, hatred, and anger over violence inflicted during conflict, or resentment over one group’s loss of status makes cooperation difficult. Action tendencies

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<sup>8</sup> This concept of ‘politics of resistance’ has been a popular explanation of peacebuilding shortcomings in Kosovo. However, a limited definition of the ‘resistance’ has resulted in conceptual stretching in studies of local-level peacebuilding. For example, both Van der Borgh (2012) who argues that Kosovo Serbs are building separate governance institutions, and Lončar (2016) who argues that peacebuilders interfere in daily routines, contend this is the “politics of resistance,” yet they explain drastically different observations at different units of analyses with different outcomes.

attached to such emotions as fear or anger may be “fight or flight” whereby group members prefer to isolate themselves from the “other.” Or, emotions such as hatred and resentment may have attached action tendencies pursuant to “destroying the other” as it can not be reasoned with or trusted (Halperin 2008; Petersen 2011, 2012). Importantly, these emotions are not inherent in groups, as primordialists would suggest, but manipulated by group elites to prolong conflict (Petersen 2011).

Accordingly, it is not surprising to see Turkish Cypriot and Kosovo Serb elites present their resistance to liberal peacebuilding or mutual institutions as existential, to prevent expulsion by the Greeks or conquest by “Muslims.” And it is similarly unsurprising to see cooperative group elites, willing to participate in institutions, derided as “national traitors” or not “true” co-ethnics (Jackson 2021a, 2021c). In such contexts, seemingly rational strategic actions taken by foreign interveners can have the opposite effect and exacerbate the emotional aspects of conflict. Take for example 2006 when the UN Interim Administration in Kosovo (UNMIK) removed Kosovo’s Prime Minister Bajram Kosumi from power over his opposition to administrative decentralization, something the Serbs in Kosovo and Belgrade had been pushing for since 2002. Kosumi was replaced by Agim Çeku, a moderate local partner who pledged to implement decentralization and who, married to an ethnic-Bosniak, had pledged his general support for improving interethnic relations. However, having been both a former commandant of the insurgent Kosovo Liberation Army and an artillery officer in the Croatian Army that prosecuted Operations Flash and Storm in 1995 that expelled hundreds of thousands of Serbs from Croatia, his appointment antagonized Kosovo Serbs and Belgrade who refused to engage with any government that Çeku headed.

The following chapter, Chapter 3, explores questions of group-level leadership and incentives to cooperate or not after conflict. The remainder of this chapter turns to diplomatic peace efforts in conflict, specifically internationally-led mediation, and explains how it alters domestic preferences, or the “context” in which conflict occurs. As noted in the introductory chapter (Chapter 1), the broader focus on mediation and engagement with states is due in large part to existing international norms and preferences that preclude engagement directly with separatist or unrecognized entities (Caspersen 2018; Cantir 2020), but also the acknowledged need for mediators to engage external states and regional powers in resolving protracted conflict (Crocker et al. 2004). In both the cases of Cyprus and Kosovo local regime leaders have been included in internationally-led talks, but so too have their patron state governments. Though this may contradict norms upholding the territorial integrity of states-in-conflict, it also implicitly recognizes the role of patron states and their status of guarantors of a settlement.

## **2.2 Mediation: Diplomatic Peacemaking**

Internationally-led peacebuilding, outlined above, often occurs alongside diplomatic engagement with warring sides to reach a settlement (Lepgold & Weiss 1998; Crocker et al. 2004; Rothchild & Emmanuel 2010). Broadly defined, mediation is the involvement of a third party in abating or resolving conflict through consensual diplomatic engagement (Zartman & Touval 1985).

Mediation often follows a triadic pattern in which parties engage individually with the third party mediator (shuttle or proximity talks), and with one another under the mediator’s guidance (direct talks). Within generally acknowledged frameworks, this official party-mediator interaction is considered “track one” diplomacy. Additional “track one-and-a-half” diplomacy between parties and third party NGOs, and “track two” between unofficial actors, contribute to the mediation process. A combination of “tracks” has been argued to be most effective in conflict resolution

(Bercovitch & Gartner 2006; Gartner & Bercovitch 2006; Böhmelt 2010). In protracted conflicts, such as those in Cyprus and Kosovo, non-permissive environments and intolerance for cooperation, disguised as “security measures” can hamper “track two” diplomacy (Hoch et al. 2017). For example, in 1999 the TRNC government banned inter-communal contact to prevent Turkish Cypriot opposition groups from meeting with Greek Cypriot parties. Or, in 2000 Kosovo Serb leaders blacklisted community leader Randel Nojkić for brokering the end of an armed standoff with UNMIK. It is thus key for mediators in protracted conflict settings to engage interlocutors beyond the official parties, including neighbors and regional powers, their NGOs, and their opposition parties, in order to alter the broader conflict environment (Crocker et al. 2004).

Though scholars have identified the importance of “track two” diplomacy and unofficial actors in mediation processes, as additional channels of communication, the nature of mediation as consensual means that ultimately decision-making power rests with the sides’ leaders. Agreement must be accepted by parties, not imposed upon them (Bercovitch & Houston 2000). Given the need for consensual participation, the first challenge for mediators is securing participation, which requires that parties perceive a possible settlement as superior to the status quo (Kleiboer 1994; Zartman 2000; Greig 2001). As William Zartman (2001) argues, sides must realize they are in a “mutually hurting stalemate” in which neither side can escalate to victory. When sides view conflict as existential to their groups’ survival, the costs of ongoing conflict, or “frozen conflict,” may be preferred to concessions.

The parties then face the issue of whether or not to accept mediation, influenced in part by their perceptions about a possible solution, as well as their perceptions and beliefs about the mediators themselves. If the objective of mediation is for sides to recognize the costs of the

status quo and find a “least bad option,” then their perceptions and beliefs are influenced by the characteristics of the conflict such as intensity, duration, and the relative strength of sides (Greig & Diehl 2006; Greig & Regan 2008; Beardsley; 2010). Parties would then be more likely to accept mediation by mediators with whom they have an existing relationship and whom they consider to be “unbiased” in their provision of information (Böhmelt 2009; Melin & Svensson 2009; Crescenzi et al. 2011). Similarly parties would be inclined to accept mediation from a mediator who is biased in their favor, as information they conveyed would be most credible, hence some sort of preference alignment between parties and mediators (Kydd 2003; Smith & Stam 2003).

In seeking to alter the context of conflicts through transforming sides’ perceptions, beliefs, and incentives for cooperation, mediators generally have three types of strategies available to them. The first, and least intrusive, is *facilitation* by which the mediator brings together parties who would otherwise not talk to one another for regular meetings to increase information and build trust. Misperceptions about the other side and its intentions may be altered through communication and sharing information (Zartman & Touval 1985; Svensson 2007; Bronstein et al. 2012). In the setting of intractable conflicts, even getting the sides to sit and engage in talks can be considered a breakthrough. As a foreign diplomat in Cyprus noted in 1980, bringing the sides to the same table to talk was an achievement in itself.<sup>9</sup> However, when measured against the goal of altering the context of conflict, facilitation’s focus on communication does not directly alter costs and incentives for sides, and only alters beliefs so much as sides believe the credibility of information being conveyed (Bercovitch & Gartner 2006).

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<sup>9</sup> Quoted in *The Times* (12 December 1980).

A second mediation strategy, often regarded as the most effective in complex or intense conflicts is *manipulation*. Manipulative strategies aim to alter sides' strategic calculations through incentives and sanctions (carrots and sticks) that alter decision-making (Zartman & Touval 1985, Beardsley et al. 2006; Gowan & Stedman 2018). Mediators can reward cooperative positions or sanction intransigent ones, in theory altering perceived outcomes of decisions. Rewards provided by mediators, such as development aid, preferential trade, relief from economic embargoes, or membership in an organization can compensate for the political costs incurred by making costly concessions (Carnevale 1986, Beardsley et al. 2006, Rothchild & Emmanuel 2010). Similarly economic sanctions or embargoes may raise the domestic costs for certain decisions taken to block concessions or escalate a conflict (Peksen 2019).

The third type of mediation strategy, often complementary to both facilitative and manipulative mediation, is *formulation* by which the third party mediator proposes and advocates certain solutions, sets the rules of talks, and engages outside assistance to increase information from international and regional stakeholders (Zartman & Touval 1985, Beardsley et al. 2006). This approach was employed by the UN in both Cyprus and Kosovo. In Cyprus, UN-appointed envoys convened talks under the auspices of Good Offices, and then proposed a series of formulated solutions between 1965-2004 (Fisher 2001). Similarly, in Kosovo, UN-appointed envoy Martti Ahtisaari convened seven months of consultations between the sides, the information from which he drafted the Ahtisaari Proposal for Kosovo's status (Weller 2008).



Table 2.1. Mediation Strategies

<b>Strategy</b>	<b>Effect</b>	<b>How...</b>	<b>Examples</b>
<i>Facilitation</i>	Increases information, communication, and trust between parties	Organizing regular meetings, providing 'good offices' for neutral location	Cyprus: UN Good Offices as neutral facilitator
<i>Formulation</i>	Finding new solutions by mediator proposing, advocating, and constraining agreements	Mediator hosting sets the rules for mediation, including who participates, and acceptable and unacceptable solutions	Ahtisaari talks on Kosovo: consultations with parties to draft comprehensive proposal
<i>Manipulation</i>	Mediator offers rewards to parties of offset certain political costs of concessions needed for a settlement	Mediator(s) offer side-payments, international status, or long-term restructuring to induce cooperation	Rhodesia: US offering economic aid to white Rhodesians to end Bush War

### 2.3 Domestic Costs in Mediation

For concessions to be made in mediation, mediators must induce some form of change to a side's perceptions, beliefs, and costs of a conflict to arrive at settlement that is "less bad" than the conflictual status quo (Bercovitch & Houston 2000; Melin & Svensson 2009). Interlocutors in talks, though, are not solely accountable to mediators or other sides in a conflict, but also to domestic or group-level constituents. Drawing from Robert Putnam's (1988) logic of two-level games, negotiations occur simultaneously in two political spaces. At the first level, the appointed interlocutor, officially representing a party to a conflict, sits at the negotiating table with other interlocutors and mediators to reach a settlement. At the second level is the domestic audience or veto players whose approval is needed for an agreement to be accepted, ratified, or implemented in practice or in domestic legislation. Ultimately the preferences of veto players at the second level constrain the possible agreements that an interlocutor can reach at the first level (Putnam 1988).

As IR scholars of liberalism have generally argued, the basis of international cooperation is then alignment of domestic preferences, whether ideational, economic, or rent-seeking interests that determine policy (Moravcsik 1993, 1997). Enforcement of preferences is then not an external mechanism but domestic constraints imposed by key constituents. If interlocutors are unable to secure those preferences in talks, the domestic veto players can remove them (Putnam 1988; Moravcsik 1999). The logic of manipulative mediation is then to introduce new rewards and punishments to this second level with the intention of increasing the range of possible agreements that will be accepted by second-level veto players, which in turn expands the possible agreements an interlocutor can reach at the negotiating table (Bercovitch & Jackson 1997; Eisenkopf & Bächtiger 2013).

In the context of protracted conflicts, though, intransigent policies at the second level (domestic political space) are often tied to concepts of national identity and are salient for the general population and their leaders. For example, Kosovo's centrality in the concept of broader Serbian national identity (Judah 1997), has made the prospect of concessions on Kosovo domestic taboo and, as Filip Ejdus (2020) argues, triggered a crisis of identity in Serbia. As in James Fearon's (1994) conceptualization of "audience costs," sides remain locked in costly suboptimal positions due to fears of losing support for climbing down from a dispute.<sup>10</sup> It should thus be expected that the weaker a domestic coalition's position is during a protracted conflict, the less likely it will be to climb down, or make concessions that will be politically costly to its support (Crocker et al. 2004). While Fearon's argument relies on a disputed mechanism that

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<sup>10</sup> This argument builds heavily on Bueno de Mesquita and others' (2005) conceptualization of the selectorate and the winning coalition. Regime type is indicated by the size of the selectorate which has a say in selecting the leadership, while the winning coalition is the group of actors who garner private benefits from their candidate being selected. In a non-democratic regime, certain sectors such as the military, favored firms, or key identity groups often form the winning coalition and are also capable of removing the leader for unfavorable policy. See: Weeks (2008); Snyder & Borghard (2011).

democratic audiences would punish a leader, Kenneth Schultz (1998) argues that international actors can also receive information from a domestic opposition regarding preferences towards a new policy. A weak coalition, then, that opposes concessions may have its negotiating position undermined by a strong domestic opposition that signals a different position on talks.

In applying these observations more directly to the practice of mediation, and manipulative mediation more specifically, there are two potential mechanisms through which second-level constraints on an interlocutor could be altered in order to expand the set of possible agreements - sticks and carrots, or sanctions and rewards (Gowan & Stedman 2018). The most readily observable form of “sticks” are economic sanctions leveled by an external state, group of states, or international organization, against one side. Economic sanctions are deliberate actions or withdrawal from previous relations with the purpose of punishing the target party by depriving it of economic value and coercing compliance with certain preferences of the sending party (Galtung 1967; Hufbauer et al. 1990). Sometimes described as “short-of-war” measures (Hultman & Peksen 2017), economic sanctions follow the logic of “compellence” in that once they are deployed, at least in theory, they continue until the target changes its behavior (see Schelling 1966). The efficacy of sanctions, though, is indeterminate. Economic sanctions may have the opposite intended effect and strengthen target regimes by depriving civil society and opposition groups of resources or providing a pretext for further crackdowns (Peksen & Drury 2015; Marinov & Nili 2015). Or sanctions can cause a “rally-around-the-flag” effect that increases domestic support for the regime as constituents view it as a victim and the economic hardships they endure as “patriotic” (Marinov 2005; Ang & Peksen 2007; Peksen 2019). Sticks

may leverage concessions through compellence, but also may strengthen support for the regime and weaken opposition.<sup>11</sup>

Rewards, or “carrots,” on the other hand provide some form of benefit to targets in exchange for compliance with senders’ preferences. In the short-term, mediators and third-parties may offer one-off benefits such as economic or development aid, or a preferential trade deal, in exchange for concessions (Zartman & Touval 1985; Beardsley et al. 2006). In essence, the third party is “compensating” the domestic veto players for costly concessions. If a regime expects to incur serious domestic costs for concessions, the rewards it receives could be used to benefit development or increase wages, offsetting political costs or dampen backlash (Carnevale 1986). For example, the United States’ strategy in sub-Saharan Africa during the Cold War sought to create stability in conflict states by offering development aid packages in exchange for certain outcomes. In Rhodesia, the US offered the white Rhodesians led by Ian Smith development aid for concessions in ending the Bush War, and in Angola offered the Angolan government development aid to settle the Angolan Civil War without the continued deployment of Cuban forces (Zartman & Touval 1985). A similar strategy was pursued by the US in Cyprus in 1978 with the failed “ABC Plan” which offered development aid to the Turkish Cypriot side in exchange for returning to the Republic of Cyprus institutions and making territorial concessions (Fisher 2001).<sup>12</sup>

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<sup>11</sup> Frye (2019) argues against the broad generalization of a “rally-around-the-flag” effect using survey data from Russia, but does note a polarizing effect in public opinion towards the issue areas that the sanctions are in response to.

<sup>12</sup> This failed due in large part to negative views of the US on both sides of the ethnic divide in Cyprus. Turkey was locked in a dispute with the US over an arms embargo and the Greek Cypriots were skeptical of US involvement, which the Greek Cypriot left blamed in part for failing to prevent the 1974 coup d’etat that led to the Turkish invasion. In this case, the mediator had little credibility with the sides.

A unique form of “carrot” relevant to both the cases of Cyprus and Kosovo is the prospect of European Union membership in exchange for concessions. By nature, EU membership or accession is a manipulative process, whereby applicant states must execute EU-prescribed domestic reforms in line with the EU’s *Acquis Communautaire* in order to make progress towards membership and receive intermediate rewards such as preferential trade, tranches of aid, visa liberalization, or the status of “candidacy” (Lavenex & Schimmelfennig 2009). Conflict resolution may fit into such chapters of the *Acquis* as Chapter 23 - Fundamental Rights, Chapter 24 - Justice Freedom and Security, Chapter 30 - External Relations, or more commonly Chapter 35 - Other issues. Failure to implement necessary reforms, or concessions in the case of a settlement, results in accession being stalled and intermediate rewards being withheld - the “conditionality” process of accession (Schimmelfennig & Sedelmeier 2004; Sasse 2008; Trauner 2009). In this respect, the EU has a comparative advantage in manipulation, as it not only provides one-off or incremental rewards for compliance, but ultimately transforms domestic payoff structures in the longer-term in “locking in” certain standards and mechanisms (Tocci 2007; Lavenex & Schimmelfennig 2009; Bergman & Neimann 2015). In contrast to Zartman and Touval’s (1985) claim that mediators can not act as permanent “chaperones,” EU accession as a part of mediation or conflict resolution, does lock-in or reorient certain positions that rule out conflict or at least make escalation highly costly for domestic parties.

As with economic sanctions, or “sticks,” EU accession conditionality has disparate effects, due in large part to the context of the receiving state. As Frank Schimmelfennig (2005) argues, EU conditionality has the effect of solidifying existing cleavages in receiving states, and therefore its transformative effects are constrained by ex ante party constellations. Others argue that EU conditionality has the capacity to moderate nationalist parties and preferences within

receiving states (Vachudova 2008, 2014). Denisa Kostovicova (2014) argues that in the case of Serbia, intransigent or nationalist parties maintained a rhetoric opposing EU conditions with regard to Kosovo to avoid public backlash, while simultaneously working to implement EU-mandated conditions. Accordingly, domestic actors tempered hardline positions and how they appealed to constituents in order to receive long-term external rewards (Moravcsik & Vachudova 2003). Conversely, though, EU aid and the prestige that candidacy brings to regimes can ultimately undermine democratic institutions by weakening opposition and selectively using reforms to target opposition or media (Börzel & Risse 2003; Kostovicova & Bojičić-Dželilović, 2006; Börzel, 2011). And, though regimes may not begin the accession process with devious objectives in mind, prolonged timeframes subject to exogenous shocks, changes of domestic government and the political will of EU member states reduces the credibility of incentives for meeting conditionality. Hence both the appeal of rewards from the EU may change over time, as may beliefs about the credibility of membership or long-term rewards being awarded, though the rewards themselves or conditions do not change (Anastasakis, 2008; Grabbe, 2014; Kmezić, 2014; Ker-Lindsay et al., 2017).

To summarize, mediation can take facilitative or manipulative forms, both of which could include formulation. The key distinction between these strategies is whether or not the third party mediator offers some form of material reward or threatens some form of material or economic sanction in exchange for concessions, outside of what benefits may be attained strictly through the terms of a settlement. The logic underpinning manipulative mediation is that the threat of sanctions or the perspective of rewards can alter decision-making calculus at the “second level” of negotiations - the domestic space constraining the range of possible agreements an interlocutor can agree to. An expanded domestic space in negotiations can expand the set of

possible agreements that can be reached, with the aim being for the ranges of possible agreements of the two sides to expand in such a way that they reach some overlap or common areas they are willing to make concessions on. The three pathways in which domestic political decision-making can be altered are: (1) economic sanctions, or “sticks,” that impose a continuing cost on a target until it changes policies; (2) one-off or shorter term rewards that “compensate” a potentially costly concession domestically; and, (3) longer term restructuring of reward structures, best exemplified in the cases of Cyprus and Kosovo by European Union accession. Importantly, for any of these pathways to be successful in altering domestic policy towards a protracted conflict, they have to be accepted by the key political coalitions in the patron state.

## **2.4 Identifying Mechanisms**

Drawing from this review, a few mechanisms can be identified that link mediation by international actors to changes of preferences in protracted conflicts (Figure 2.2). Based on points identified above and in the preceding chapter (Chapter 1), it is expected that mediators will engage more openly with patron states rather than local regimes. Engagement with separatist or unrecognized local regimes violates certain international norms of sovereignty that preclude their recognition (Caspersen 2018; Coppetiers 2018). Direct engagement with such groups, pursuant a settlement, assumes their capacity and legitimacy to enforce a settlement, conferring a “legal personality” and strengthening separatist claims (Fortin 2017). Similarly, manipulative engagement directly with local regimes can provide them with the resources and aid needed to persist outside of state institutions, and likewise strengthen claims to autonomy or self-rule. However, in-keeping with best practices of process tracing (Bennett & Checkel 2015), direct

engagement between mediators and local regimes is still treated as a possible explanation, and case evidence either confirming or refuting its mechanistic role is considered.

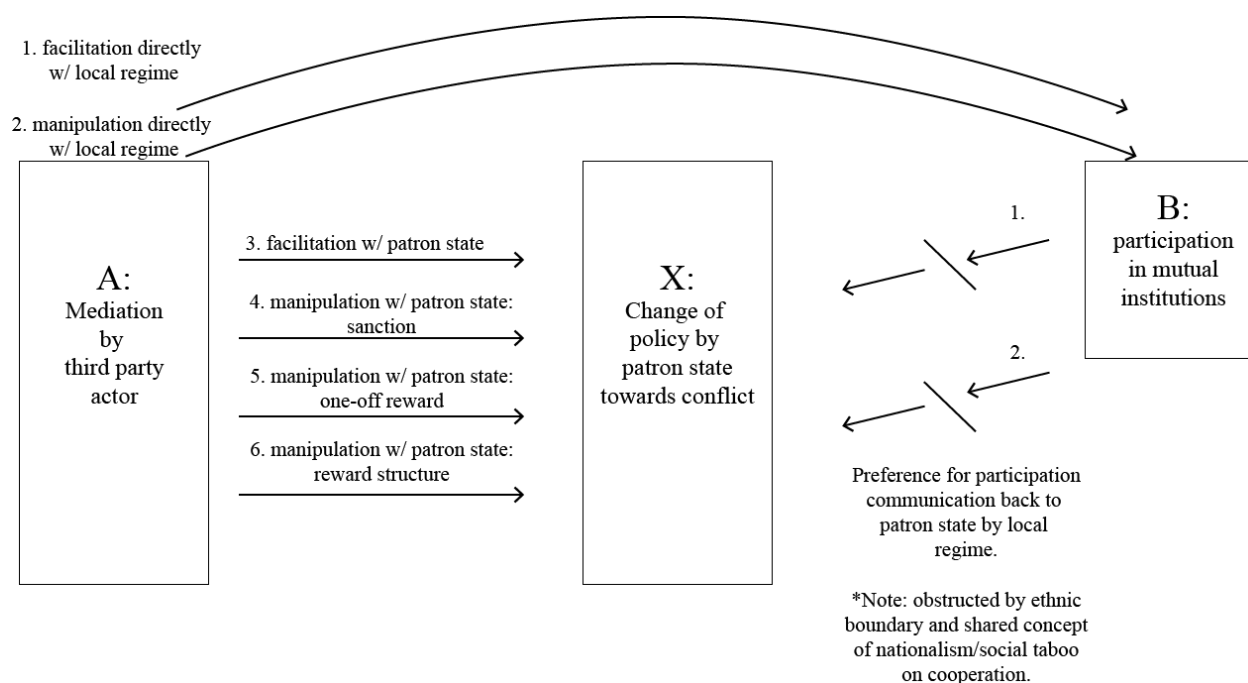


Figure 2.2. Mechanisms Linking Mediation to Policy Change.

Figure 2.2 identifies six potential mechanisms linking internationally-led mediation to policy change within patron states. Mechanisms 1 and 2 involve direct engagement with local regimes, which then communicate new preferences back to their patron states, presumably able to leverage some change in policy, or signal to the patron state government that status quo policies are insufficient. These two mechanisms are derived primarily from the theoretical concepts of peacebuilding and the aim of peacebuilders to engage minority groups or weaker sides in mutually acceptable state institutions as a means of redressing grievances (Call 2008). The linkage between patron states and local regimes is explored in greater detail in the following chapter (Chapter 3). The other four mechanisms are engagement directly between the mediator and the patron state. Importantly, the outcome being observed is not the existence of these types of engagement, most likely all forms of engagement are observable, but rather what type of



engagement produces a change in the patron state's policy towards the conflict. Mechanism 3 involves facilitative mediation, and Mechanisms 4, 5, and 6 manipulative mediation in which the inducement is either a "stick" (sanction), short-term or one-off reward, or long-term payoff structure. These mechanisms are summarized in table 2.2.

Table 2.2. Mechanisms.

	<b>Pathway</b>	<b>Outcome</b>	
<i>1.</i>	Facilitation w/ local regime	Local regime engages in dialogue with mediator and other side; alters beliefs about others' intentions	Joins mutual institutions in parent state; conveys preference to patron state
<i>2.</i>	Manipulation w/ local regime	Mediator "buys off" local regime leaders with payoffs or government positions; individual benefits payoffs exceed status quo benefits	Joins mutual institutions in parent state; conveys preference to patron state
<i>3.</i>	Facilitation w/ patron state	Mediator engages in dialogue with patron state; provides assurances about other side; communicates information from other side	Patron state alters beliefs about other sides' intentions or preferences; changes policy to fit new beliefs
<i>4.</i>	Manipulation w/ patron state: sanction	Third-party sender imposes economic sanctions on patron state with condition to alter policy for sanctions to end	Patron implements new policy in-line with conditions for sanctions relief
<i>5.</i>	Manipulation w/ patron state: one-off reward	Third-party offers patron state a one-off benefit such as an aid package in exchange for concessions	Patron state implements new policy in order to receive reward; lasts until reward is dispersed
<i>6.</i>	Manipulation w/ patron state: reward structure	Third-party organization offers patron state membership and long-term rewards in exchange for concessions; membership favored by key constituency in patron state	Patron state changes policy, if supported by key elements of government; credibility of rewards declines over time.

## 2.5 Summary

The purpose of this chapter has been twofold. First, to situate protracted conflicts within the larger context and research program of liberal peacebuilding after intra-state conflict, with the intended outcome of building mutually-acceptable state institutions in which previously warring sides participate. This is not to say that conflict ends or its underlying causes are precipitously resolved when a side agrees to participate in mutual institutions. Rather that is the point at which

conflict and its underlying causes and disputes *begin* to be resolved in an institutional setting rather than using violent or contentious means. The underlying reasoning is that access to institutions and the durability of institutions to contain disputes prevent recurrent violent conflict (Walter 2015). The second purpose was to identify specific theoretically-defensible mechanisms linking internationally-led peacemaking and mediation to specific changes to policies of patron states towards protracted conflicts. Table 2 identifies and outlines six specific mechanisms which are evaluated in Cyprus and Kosovo using case-specific historical evidence in Chapters 4 and 6.

### 3 LOCAL REGIMES & DIAGONAL LINKAGES

In April 2003, after TRNC President Rauf Denktaş rejected the initially proposed Annan Plan for reunification, the European Union communicated to Turkey that its bid for membership, begun in 1999, required that it “strongly support efforts to find a comprehensive settlement of the Cyprus, building on the initiatives of the United Nations Secretary General, which remain on the table.” A week later, restrictions on intercommunal contact and travel across the UN-administered ceasefire line between the TRNC and the Republic of Cyprus were lifted at Ankara’s behest and talks on the Annan Plan resumed the following year (UNSC May 2003).<sup>13</sup>

In December 2011, after the EU withheld candidacy for membership from Serbia, EU High Representative for Foreign Affairs and Security Policy Catherine Ashton stated the condition that Belgrade “exert maximum pressure on those in Kosovo preventing agreements from being implemented.”<sup>14</sup> Withholding of Serbia’s EU candidate status came after nine months of EU mediated “technical dialogue” between Belgrade and Prishtina, which had stalled in fall 2011 after violent unrest in northern Kosovo blocking the implementation of agreements on customs and border controls. When Serbia successfully completed the technical dialogue in March 2012, including implementation, the EU granted it candidacy.<sup>15</sup>

What these anecdotes illustrate, in the context of these two protracted conflicts, is that support for an agreement or a settlement by the patron state was not enough. In order to receive the benefits of mediation, they had to implement agreements within their client unrecognized local regimes, the TRNC and the parallel Serb administration in northern Kosovo. What these anecdotes further illustrate is that in the context of both cases, client local regimes had their own

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<sup>13</sup> Quoted in *Anadolu Agency* [in Turkish] (15 April 2003, 22 April 2003).

<sup>14</sup> Quoted in *AFP* (11 December 2011).

<sup>15</sup> *Agence Europe* (29 March 2011).

agency and ability to veto settlements. For the Turkish Cypriots who were directly engaged in the settlement process, this meant walking away from the table and blocking domestic policies for implementation. For the Kosovo Serbs, who had little input in the settlement process, this meant using violence and contentious displays to prevent implementation and undermine talks. These actions taken to undermine talks approximate the “spoiler problem” in peace negotiations: conscious acts of violence or subterfuge taken to undermine peace processes by actors whose livelihoods, values, or worldviews are threatened by a settlement (Stedman 1997). These examples further approximate the distinction between “internal” and “external” spoilers: those who are party to the peace process who use institutional means to undermine agreement; and, those outside of the process who must use extra-institutional means such as violence or public unrest.

The purpose of this chapter is to identify mechanisms by which a patron state can influence the decision-making of a local regime, in particular with regard to participation in the parent state’s institutions. These mechanisms are largely based on an overview of three areas of literature. First is an overview of a “local regime” that develops during and immediately after ethnic conflict. Drawing from Gel’man & Ryzhenkov (2011), a local regime is disaggregated as a complex of actors, institutions, resources, and strategies that determine the conduct of subnational politics and links to higher tiers of authority. This relates directly to the second area: elite preferences and incentives to cooperate or “spoil.” And this is followed by an overview of ways in which local regimes are linked to external patron states. Ultimately I draw from these three areas to identify the potential mechanisms linking patron states’ changes of policy to local regime elites’ choice to accept the reality of the post-conflict state and participate in institutions, or reject that reality in favor of the status quo.

### 3.1 Conceptualizing the Local Regime

To restate the objective of liberal peacebuilding outlined in the previous chapter, foreign peace interveners in a civil conflict aim to develop a strong institutional structure of the state that can contain conflict and provide alternative means to violence to redress grievances (Call 2008; Walter 2015). Democratic institutions have been, at least in theory, the intended outcome of liberal peacebuilding, due to advantages that election cycles provide in revealing information about sides' intentions and preferences, regular monitoring, and a way for voters to sanction parties (Matanock 2017). The question facing armed groups, particularly non-government, or rebel armed groups after conflict is whether or not to accept the reality of the post-conflict state and contest elections in the first place. In a simple form, this choice can be cast as a basic prisoners' dilemma, with certain expected values attached to the choices of "participate" or "exit" (Petersen 2011). If the intended outcome is for mutual participation, then peacebuilding begins from a position of mutual non-cooperation. A war such as the Russian Civil War, in which neither side fully controlled the government, would approximate an "exit;exit" situation. More common, though, are intra-state conflicts in which one side controls the machinery of the state and the other side contests it, whether a rebel group seeking to overthrow a regime or a separatist group seeking to secede from the state, approximating a "participate;exit" situation. The difficulty in peacebuilding is then convincing the weaker or numerically inferior side, which is not in control of government, to participate (Fearon 1994).

		Local Regime	
		<i>Participate</i>	<i>Exit</i>
Government	<i>Participate</i>	X  X	Z  Y
	<i>Exit</i>	Y  Z	T  T

Figure 3.1. Prisoners' Dilemma.

Numerous strategic factors influence the non-government side's decision to cooperate or not, but one additional factor is their group-level institutions. More developed group-level institutions or "bush bureaucracies" that develop during conflict can result in a lower likelihood of participation after fighting ends (Ishiyama & Widmeier 2013, 2019). While drawing heavily from previous rigorous work on rebel and criminal governance, I conceptualize this more broadly as local regimes: complexes of institutions, actors, resources, and strategies that determine the conduct of local politics and links to higher tiers of political authority (Gel'man & Ryzhenkov 2011). This broader definition, derived from the study of federalism in post-Soviet Russia, is useful in that it does not depend on the presence of ongoing conflict to exist but can persist in post-conflict states, and persist as political divisions after they are reintegrated into the hierarchical structure of a parent state, while retaining their key aspects *ex ante*.

Table 3.1. Local Regime Components.

Aspect		Example:
<i>Actors</i>	Individual elites in decision-making positions at the local-level	Mayor or governor (hierarchical state); warlord, chieftain, organized crime boss
<i>Institutions</i>	Modes of exchange between elites and local public: what the elites provide to public in exchange for support, tribute, or taxation	Municipal taxes in exchange for public services; “pork” in exchange for political support; a protection racket
<i>Resources</i>	Goods and/or funds necessary to provide services to group or local public in exchange for support	Budget or VAT transfers from line ministries (hierarchical state); funds to pay salaries; militia to provide protection
<i>Strategies</i>	Means that elites use to pursue or maintain positions by appealing to constituents and other officials; influenced by available resources	Clientelism - distributing civil service posts to supporters; ethnic closure - preventing group members from seeking services from non-co-ethnics

While in the state of “exit” from state institutions, groups develop their own localized institutions of exchange. As states lose capacity to provide essential functions and services during intra-state conflict or crises (Milliken & Krause 2002), identity groups tend to turn inward for those services, chief among which is protection either from other groups or the state itself (Lake 2017). Locally this approximates Mancur Olson’s (1993) “stationary bandit” who in order to maximize efficient extraction, stakes out a population under their protection to whom they provide security in exchange for tribute or political support. In contrast to a “roving bandit” who plunders a population then moves on, the stationary bandit’s rewards are based on the longevity of their position and their protection of the population in order to maximize the tribute they receive. This concept of governance has four facets: elites who provide services, a population that receives those services, the type of services provided, and the type of tribute paid by the population in return.

Firstly, institutions of exchange form between local publics and local elites who require certain key services in the absence of state authority. These institutions range in complexity. At the most basic end they can approximate organized criminal protection rackets in which those

with guns and training protect others in exchange for support, but also use their positions to deter “clients” from seeking protection from other providers (Jackson 2021c). At the more developed end, local institutions can include judicial, tax collection, and bureaucratic administrative structures. More developed institutions generally equate to longer perceived time horizons, with institutional structures intended to increase efficient control over populations or areas for a longer time (Arjona 2016). Importantly for these institutions to function, there is an identified group which receives their benefits. Benefits distributed on the basis of ethnic identity restrict distribution to a relatively stable group in the short term (Fearon 1999, Laitin & Van der Veen 2012), and facilitate efficient distribution through existing networks and shared practices (Habyarimana et al. 2007). Accordingly, as states collapse into crisis or intra-state conflict, group identities are often restructured to narrower, more exclusive, sets of traits that more clearly define group membership and who receives finite benefits (Chandra 2012; Chandra & Boulet 2012). What this often means, though, is where group members are geographically concentrated, non-members are removed either by killing them off or forcibly expelling them (Chinkin & Kaldor 2017). Expropriation of non-members’ property then serves both as a resource for in-group distribution and as an obstacle to future settlements (Jenne 2010).

At the head of these group-based institutions are ethnic elites whose positions are determined by their ability to provide services required by the group. As Charles Tilly (2003) argues, a critical relationship in any system of governance is between administrators and “violence entrepreneurs” or those actors capable of deploying organized violence. In a consolidated state setting this would mean the relationship between an executive and the military or police services capable of using organized violence to enforce rules or protect the state. In a non-consolidated or conflict setting, this relationship is decentralized and key “violence



entrepreneurs” can be warlords, militia leaders, paramilitaries, or gang leaders capable of mobilizing organized forms of violence (Tilly 2003). Accordingly in conflict settings, such “violence entrepreneurs” may be the notable local elites providing protection to their groups or have considerable influence or even veto power over group-level elites (Driscoll 2015). For example, for the Turkish Cypriot elite, which had few distributable resources while living in cramped and blockaded enclaves from 1964-74, their relationship with the paramilitary *TMT* was critical to their governance. The *TMT* provided protection, prevented Turks from leaving enclaves for better-served government-held areas, and enforced local rules including conscription that kept their fighting capability high (Jackson 2021c). Aside from the provision of protection and the influence of “violence entrepreneurs,” group-based elites are also those who have access to black and gray economies capable of providing key goods such as food or medicine during conflict (Koehler & Zürcher 2003). Such actors, whose positions within groups rise based on their ability to provide goods and services during conflict, come to resemble a wartime *nouveau riche*. Those who may have had skilled careers prior to conflict may abandon them for the in-group benefits of smuggling or warlording (Andreas 2004; Reno 2009).

On the other side of these institutions of exchange, group-members pay tribute to group elites in return for protection and other services. In Olson’s (1993) conceptualization, this takes the form of taxation as a form of extraction beneficial to elites over time. However, tribute is not strictly material or monetary and can take the form of political support, loyalty, and trust for elites which allows them to maintain their positions of power within the group and speak on the group’s behalf (Stroschein 2017; Blattman et al. 2021). To maintain their status, though, elites must have the ability to satisfy group-level demands. As the need for protection decreases after conflict, patronage derived from formal and/or informal institutions is necessary to maintain

support (Darden 2008; Jackson 2021a). Patronage inducements can include public works, funds for development, favors with the bureaucracy, or local civil service posts, distributed not in exchange for bribes, but in exchange for continued political support (Chandra 2004; Kitschelt & Wilkinson 2007). As Kanchan Chandra (2004) argues, in rigid ethnic settings, party order and loyalty is based largely on distribution of these inducements to members. While in ethnically-mixed electoral districts, parties can maintain support on ethno-nationalist appeals or by opposing other groups (Manning 2004), in ethnically distinct areas, maintaining support requires tangible benefits (Chandra 2004). Elites then require continued access to resources as a source of patronage for supporters and can condition their participation in mutual institutions which allow access to patronage (Jackson 2021a).

When intra-state fighting ends without an outright victory for one side over the other, these local regimes persist into the “post-conflict” period (Arjona 2014). This is perhaps most evident in the so-called “frozen conflicts” of the post-Soviet space in which fighting has ended, but the outcome is indeterminate, and the numerically weaker side remains outside of the recognized state order.<sup>16</sup> In the context of such conflicts, group-level elites face the question of whether to accept the post-conflict state organization, with authority derived from the central government, or reject it in favor of their “unrecognized” status quo (Ishiyama & Widmeier 2013). Such conflicts are the most difficult to resolve though, even by the difficult standards of intra-state conflicts (Gowan & Stedman 2018). As a growing research program on the political development of unrecognized states demonstrates, they are not simply ungoverned areas as early works argued (e.g., Kolossov & O’Laughlin 1999; Lynch 2004), but have developed institutional

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<sup>16</sup> These “frozen conflicts” are generally taken to include Abkhazia, Nagorno-Karabakh, South Ossetia, and Transnistria.

structures with reciprocal relations with their populations (Kolstø & Blakkisrud 2008, 2012; Bakke et al. 2014).

### **3.2 Post-Conflict Elites & Institutional Preferences**

Local regimes' choice whether to participate in shared institutions after fighting ends or remain outside of them as "unrecognized" entities is influenced by their elites' decisions and strategies. On the one hand, they face the prospect of new institutional structures to access government and redress grievances, as well as access patronage through ministerial transfers (Jackson 2021a). On the other hand, these new structures include mechanisms for bureaucratic oversight, accountability, and sanctioning (Skendaj 2014; Matanock 2017; Jackson 2021b). Many local regime elites rise to prominence because of conflict and have greater social roles and values during conflict than they had before it began or will after it ends (Collier et al. 2004). Accepting new institutions, especially democratic ones, is costly to such elites' positions of power or personal gain from illicit activity (King 2001; Zürcher et al. 2013). Though participation in central institutions and elections can provide a means of elites accessing patronage from state institutions or federal structures (Ishiyama & Marshall 2016), it can also adversely affect critical local constituencies, upset local patterns of distribution or patronage, and conflict with strategies of ethnic closure. Weak leaders may eschew cooperation as a way of outbidding in-group opponents, to shore up nationalist support and avoid ousting (Crocker et al. 2004). In the context of protracted conflicts, there are three means through which elites discourage participation in state institutions (Table 3.2).

One means of discouraging participation is the use of in-group sanctions and policing to deter group members from crossing ethnic boundaries to participate in or seek benefits from non-co-ethnic institutions. As Stathis Kalyvas (2008) argues, ethnic group-members are likely to

defect to the out-group if their group's resource endowment and ability to distribute resources declines. Group-level elites seek to deter this with threats of violence. The same mechanisms that facilitate in-group distribution, increased information and trust, also facilitate in-group policing and enforcement. Group-level elites can gather information quickly on potential defectors through community networks and threaten or punish them or ostracize them from the group (Fearon & Laitin 1996; Habyarimana et al. 2007). In pre-1974 Cyprus the Turkish Cypriot leaders used local-level legislation and threats of imprisonment or violence to deter Turkish Cypriots from leaving their cramped enclaves to live in better-served Greek Cypriot areas (Jackson 2021c). And, in pre-2013 Kosovo, parallel Serb elites used violent attacks and "naming and shaming" as "national traitors" those Kosovo Serbs who participated in central institutions (Jackson 2021a).

Another means of discouraging cooperation is through group-level discourse and narratives. Building on Petersen's (2011) study of the Western Balkans, these narratives can be used to manipulate and foster certain emotions and associated actions. In this regard, even under-supplied local regimes can maintain in-group support by embellishing the threats posed by non-co-ethnics, or the state itself - a fear of conquest if group unity is broken (Lynch 2004; Blakkisrud & Kolstø 2011). Discourse invoking fear of others' intentions or resentment over loss of status can contribute to isolation and deter contact. Discourse invoking anger or hatred creates feelings of an existential struggle, in which the other cannot be reasoned or compromised with and only "removed" or destroyed (Petersen 2011). While these emotions are not naturally occurring, groups' existence in a state of conflict, even very low-intensity conflict with limited violence, regularly reproduces and reinforces these emotions (Halperin 2008). Individual acts of violence, or even mundane activities, contribute to narratives of an existential struggle and deter

cooperation by group members. Discourse by Turkish Cypriot elites construed the Republic of Cyprus' weapons imports and security reforms, under peacekeepers' supervision, as part of a larger plot to expel Turks from Cyprus after 1967 (Jackson 2021c). Similarly in Kosovo, acts such as ethnic-Albanian farmers gathering or street crime, were cast as evidence of a plot by a radical "Albanian National Army" or Al Qaeda to cleanse the Serbs from Kosovo.<sup>17</sup> In both instances, simple acts were cast as part of a broader existential struggle in which cooperation across the ethnic boundary or letting down one's guard would lead to destruction of the group.

Lastly, a third means of discouraging cooperation is through acts of spoiling. Following Stephen John Stedman (1997), spoilers are those actors whose livelihoods, positions, and/or worldviews are threatened by peace and use violence or sabotage to undermine settlements. This description maps onto many theoretical expectations about local regime and group-level elites outlined above. Individual elites who derive their positions of power and resources to maintain support from illicit markets, commanding militias, or providing public services in the absence of state institutions, stand to lose their stations within the group in a peace settlement (Collier et al. 2004). They have an incentive, instead, to prolong the status quo to maintain their positions (King 2001), especially if their influence in the central government will be reduced (Driscoll 2015).

Spoilers can exist inside of the peace process, using institutional means to undermine settlements or upset talks (Zahar 2006, 2010). Or they can exist outside of the process, often

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<sup>17</sup> The Albanian National Army was a radical splinter group that formed after the insurgent conflicts in Kosovo, southern Serbia, and Macedonia with support from radical elements of the demobilized Kosovo Liberation Army and National Liberation Army. It carried out a few armed attacks in Macedonia after 2001, but was more of a strawman for Serbian and Macedonian nationalists to attribute individual acts of violence to a larger ethno-nationalist plot. See: Phillips (2004); Jackson (2021a, 2021b). Serb officials began claiming that the Albanian insurgents in Kosovo and southern Serbia were part of a broader campaign by Al Qaeda after the September 11 terror attacks in the US, and continued this claim in response to later episodes violence including the 2004 ethnic riots. See: Interview with Nebojša Čović, *RTS* [in Serbian] (23 September 2001); *Tanjug* [in Serbian] (4 October 2004).

using more overt means such as violence to undermine support for agreements and to create a lack of trust, in particular for pro-peace or moderate factions (Stedman 1997; Kydd & Walter 2002). Especially for those external to the peace process, spoiling can be a means of asserting agency or gaining a voice by signaling their ability to disrupt a settlement (Newman & Richmond 2006). Targeted or indiscriminate violence during peace talks can have the effect of manipulating group-members' emotions, provoking reprisals or reducing support for inter-group cooperation (Petersen 2011).

Identification of spoilers and the timing of spoiling has been challenging to scholarly studies of peace processes. The risk of spoiling is greatest when officials commit to a peace process from which they cannot back out or climb down, and the spoilers themselves have public support (Aggestam 2006). There is disagreement, however, as to who constitutes a spoiler player in a peace process. Broad definitions identify spoiling as “any violence committed by those who oppose an accord” (Sisk 2006), or even more broadly as “actions taken to disrupt, undermine, hinder, or delay a peace process” (Newman & Richmond 2006). Andrew Reiter (2016) builds on these broad definitions to add that spoilers may use violence to “modify” peace agreements that they deem insufficient. These definitions linking violence to peace, however, leave the type and intention of violence broadly defined. Violence is to be expected in a post-conflict setting, pursuing various objects that may not be linked to peace processes, such as revenge and personal grievances (Petersen 2011), or criminality, sometimes construed as “accidental spoiling” (Mac Ginty 2006). Broad definitions lead to the observation that anybody could be a “potential spoiler” regardless of intent (Newman & Richmond 2006). David Cunningham (2006) provides a more nuanced conceptualization of “viable spoilers” as veto players in a peace process whose agreement is needed in order to reach a settlement. They may signal their viability through

contentious or violent displays, but other forms of violence such as personal feuds or criminal turf wars do not constitute spoiling. Accordingly, “potential spoilers” can then be identified by the necessity of those players' agreement in securing and implementing a settlement.

Table 3.2. Strategies of Deterring Cooperation

Means	Purpose	Examples
<i>In-group policing</i>	Prevent defection and/or group-members seeking services from non-co-ethnic institutions	<i>TMT</i> preventing Turkish Cypriots from moving outside of enclaves.
<i>Discourse</i>	Narrative that evokes emotions in group-members and casts others' as existential threats to their survival who can not be reasoned or cooperated with	Serb leaders' narrative that violence in Kosovo was part of a broader civilizational conflict with Al Qaeda.
<i>Spoiling</i>	Use of violence, sabotage, or contentious displays to undermine a settlement by veto players whose agreement is needed. Intended to undermine support for pro-peace factions.	Colombian paramilitaries attacking FARC rebels during peace negotiations, undermines trust that agreement will be enforced. <sup>18</sup>

### 3.3 Diagonal Linkage

Lastly, a critical component of local regimes' survival is access to resources that elites can use to protect the group, provide goods and services, or distribute patronage in order to build and retain the support of group members. One such source of resources is linkage to external patron states, more often than not ethnic kin-states, that support the subnational group's political claims and survival outside of the state organization. Drawing on Rogers Brubaker's (1995) idea of the “triadic nexus,” in the absence of a robust hierarchical linkage between a subnational group and its parent state, that group's relations with a proximate kin-state or patron state become more salient.<sup>19</sup> I term this relationship a “diagonal linkage” in that it is not a hierarchical linkage in the

<sup>18</sup> See case study by Nasi (2006).

<sup>19</sup> The distinction of “patron state” is a more generalizable definition than kin-state, which requires a condition of shared identity. For example, Russians have a separate ethnic identity from Armenians, but Russia has long been a patron state to the Armenians who considered Russia to be a protector from the Ottomans. See: Abushov (2019).

traditional sense between a state and a subnational group, but a patron-client relationship between an external state and the subnational group within a parent state. This linkage between groups and cross-border patrons has been identified as an important factor in conflict onset, duration, and political claim-making by ethnic groups (Horowitz 1985). The importance of diagonal linkages between patrons and subnational groups has been less explored in studies of peace processes.

In studies of conflict onset and duration, external patrons or proximate cross-border conflicts are an important variable. On the one hand, there is the risk of conflict in one state spilling over (“contagion”) into a neighboring state (Buhaug & Gleditsch 2008). Risk of conflict spillover is particularly high when a receiving state has reduced capacity, especially in peripheral regions (Braithewaite 2010), although this risk is significantly reduced by the presence of foreign peacekeepers (Beardsley 2011). On the other hand, patron states can influence groups’ ability to wage conflict by supplying arms and trained fighters that allow groups to punch above their weight (Caspersen 2007; Gleditsch 2007; Cederman et al. 2009). This makes conflict simultaneously intra-state and transnational, or international if multiple patrons become involved, what Paul Diehl and others (2021) have labeled “international-civil militarized conflicts.”

Beyond material terms, patron or kin- states also influence political claims made by groups that lead to conflict onset (Horowitz 1985; Brubaker 1995). For a group to see its ethnic kin succeed in their claim-making in a neighboring state can influence their own claim-making in their parent state. For example, in the insurgent conflicts in southern former-Yugoslavia, the success of the Kosovo Liberation Army, albeit with NATO support, influenced the political

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claims of ethnic-Albanians in southern Serbia and Macedonia seeking to improve their own political status, triggering armed insurgencies (Jackson 2021a, 2021b).

Patron states are likewise key variables in the survival of groups outside of state institutions after fighting ends. As Crocker and others (2004) note in their review of intractable conflicts, external resource endowment can prolong conflicts by extending hardline or uncooperative leaders' time horizons or beliefs about future survival. Local regime elites' legitimacy and in-group support depend upon their ability to provide for group members and require access to resources from an alternative source than the parent state (Kolstø & Blakkisrud 2008, 2012; Berg & Mölder 2012). This ranges from providing basic services such as protection or healthcare to more developed institutions such as education, jobs, and economic development. Inability to meet these needs may result in an elite conceding and accepting a role in state institutions or being ousted by a challenger capable of providing them. Access to external resource flows, though, alters this decision about political survival in the status quo. Basic services require specific equipment, such as weapons, medicine, and funds to pay salaries, while more advanced services require infrastructure, specialized construction, and loans for development. Patron states can meet all of these material needs (Bakke et al. 2015, Kanol & Koprulu 2017). As unrecognized local regimes are constrained in external relations, patron states are also key conduits of trade and investment, and sources of employment, remittances, and education for group members (Cantir 2015, Comai 2018).

Patron states' support for local regimes allows them to survive outside of state orders, either as unrecognized states or separatist entities, but also constrains their decision-making capacity. Many such entities demonstrate overreliance on patron states that limits their ability to act autonomous in their own affairs, whether in security, economic policy, or executive decision-

making (Kanol 2015; Berg & Vits 2018; Ker-Lindsay & Berg 2018). While Ishiyama and Batta (2012) argue that unrecognized states fail to consolidate democratic institutions due to the persistent threat of conquest that favors autocratic or dominant parties, others argue that institutional consolidation is obstructed by the external influence of patron states (Kanol 2015; Kanol & Koprulu 2017). In a 1996 ruling, for example, the European Court of Human Rights pronounced that the TRNC lacked the capacity to act autonomously and was a “subordinate regime” to Ankara (Risini 2018). The case example of the Serb Republic of Krajina, which existed autonomously within Croatia from 1991-95, illustrates that its leaders' patrons in Serbia conditioned their support on certain political demands that ultimately destroyed the linkage between the Serb elites and local population. Belgrade shifted its material and political support to group elites aligned with its preferences, which created a conflict between them and the previous powerholders (Caspersen 2007; Kolstø & Pauković 2014).<sup>20</sup>

To summarize, diagonal linkage, or the dependent relationship between a subnational group and an external patron state, affects both the ability of local regime elites to provide sought after services and constrains their autonomous decision-making ability. As group members may shift their political support to leaders best able to provide services or patronage (Chandra 2004), so too may patron states shift their political and material support to local regime leaders best able to deliver on their preferences. Bearing in mind, though, the ability of local regime elites to assert agency by spoiling or deterring cooperation, this does not mean that these elites will

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<sup>20</sup> As this case study further illustrates, this conflict between the two factions of Serb leaders destroyed the Serb Republic of Krajina's weak institutions as one side used its support from Belgrade to build its own forces while the other built local popular support. Respective forces were geared more toward outbidding one another through predation of the population, protection racketeering, and smuggling that by the time Croatian forces retook Krajina in Operations Flash and Storm in 1995, the ability of the Krajina administration to organize and defend itself had been completely undermined. A similar dynamic was observed in Chechnya, where the local regime failed to consolidate clan-based groups in a single institutional structure, which ultimately led to it being unable to organize a coherent defense in the Second Chechen War. See: Aliyev & Souleimanov (2019).

unquestioningly implement patron state preferences. In fact it may bring them directly in conflict with patron states and fellow group members, as in Krajina. In this sense, the patron state-local regime relationship approximates a principal-agent problem, especially when one side changes its policies or priorities, in which the agent (local regime) has its own preferences and strategies distinct from the principal (patron state). Furthermore this “agent” has become entrenched in their position with the support of the “principal.”

Table 3.3. Diagonal Linkage Pathways.

<b>Pathway</b>	<b>Influence</b>	<b>Examples</b>
<b><i>Dictate preferences</i></b>	Local regimes as “puppets” of patron states, change preferences to reflect interests of patrons; undermined by increased local agency	Serbian government forcing Kosovo Serbs to boycott participation on principle in 2004
<b><i>National disassociation</i></b>	Patron state withdraws support for local regime, claims its identity is not associated	Russia withdrawing support from Armenia/Nagorno-Karabakh in 2020
<b><i>Resource transfer</i></b>	Patron states provide material resources for local regime to survive outside of parent state institutions	Turkey funding 50-80% of Turkish Cypriot budget after 1974
<b><i>Leadership support</i></b>	Patron state providing political resources to one set of leaders in local regime; could include material resources or political campaigning using patron state facilities and media	Serbian government officials campaigning for Kosovo Serb <i>Lista Srpska</i> ; blacking out media coverage of other parties
<b><i>Threatening withdrawal of support</i></b>	Using negative incentives to deter a local regime position or policy that conflicts with patron states preferences	Kenan Evren threatening to remove Turkish Cypriot government if it declared independence in 1983; AKP threat to withhold financial support from Turkish Cypriots if Ersin Tatar lost 2020 election

### 3.4 Identifying Mechanisms

Building on this theoretical overview, mechanisms linking changes in patron states’ policies to group-level elites’ decision-making to participate in the institutions of their parent state or not, can be identified. Importantly this decision is taken at the level of the local regime. By

disaggregating the local regime into actors, institutions, resources, and strategies, specific changes can be identified at the local regime-level that answers questions of how group-level elites participate or prevent participation in state institutions, and how their diagonal linkage to patron states affects their decision making (see Mahoney 2015 on disaggregating mechanisms). Working backwards, this mechanism that links participation to changes in patron states' policies ( $M_2$ ) can further be subdivided into two phases: (1) altering what is obstructing participation at the local regime level (Table 3.2); and, (2) altering how patron states support and/or constrain local regimes (Table 3.3).

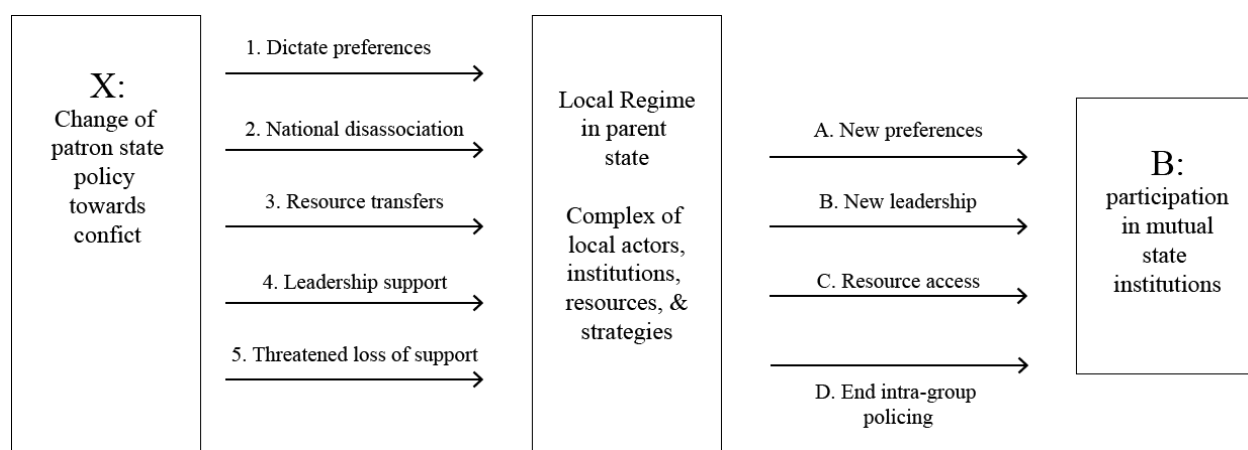


Figure 3.2. Pathways Linking Patron State Policies to Local Regime Cooperation.

Figure 3.2 identifies five potential mechanisms by which patron states can alter local regimes' decision-making, and potential mechanisms by which local regimes strategies towards participation may change. Mechanisms 1 and 2 are expected to be the least likely to be successful. It is unlikely that a national group in a patron state would precipitously end its association with a proximate group in order to further a strategic objective, especially in the context of a protracted conflict in which that national group casts itself as in an existential struggle. As Jelena Subotić (2016) demonstrates, in Serbia, state-level elites rather reconstructed

their narrative reaffirming Kosovo as an integral part of Serbian identity, bolstering national claims, despite simultaneously making concessions. It is likewise unlikely that a patron state can simply dictate new preferences to local elites which are then implemented in practice, given that local elites have their own constituents, interests, and strategies. For example, in the early months after the Kosovo War, the Serb local regime in Kosovo developed specifically because it refused to accept the authority of officials in Serbia ruling from Belgrade, while they were the ones providing for the local population. However, this is not to say that these strategies were not attempted at any point and, though unlikely to succeed, considering evidence of their use and *why* they may have failed is also useful.

Mechanisms 3, 4, and 5 then address the more in-depth pathways of diagonal linkage. By Mechanism 3 the patron state would seek to induce change in the local regime's decision-making by altering resource flows that constrict the strategies elites can employ, or by conditioning resource transfers on certain preferences. By Mechanism 4 the patron state would provide political support, such as patronage, coveted posts, or campaign support to key local leaders in exchange for supporting its preferences. Mechanism 5 is then the converse, by which the patron state uses threats to withdraw support from political leaders who oppose its preferences, such as threats of withdrawing campaign support, withholding resources, or stripping employment or posts.

Following a change within the local regime, the question is then what changes in order for participation to occur. Mechanisms A, B, C, and D (Figure 1) constitute potential paths through which changes to local regimes result in institutional participation. These include: (A) new preferences for participation adopted by local regime elites; (B) new leadership in the local regime that favors participation rather than the status quo; (C) access to resources or distributable

patronage available through state institutions; and/or, (D) a change to intra-group policing or enforcement of the status quo in which local regime “violence entrepreneurs” end or reduce sanctions against co-ethnics for crossing the ethnic boundary or for seeking services from non-co-ethnic institutions.

### **3.5 Summary**

The purpose of this chapter, building on the preceding chapter (Chapter 2), has been to identify specific ways in which changes to policies and preferences within patron states produce change in protracted conflicts, particularly with regard to participation in shared institutions. In order to theorize mechanisms by which this change occurs, it is first necessary to disaggregate the concept of a local regime as a complex of subnational actors, institutions, resources, and strategies, and situate it specifically in the context of an identity-based or ethnic conflict. It is then possible to identify specific ways in which local regime actors gain and maintain local support, and specifically how they prevent cooperation with non-co-ethnics. Lastly, it is possible to identify the specific ways in prior case studies and theorize that patron states influence local regimes, as key sources of necessary resources, political support, and as conduits to the outside world. Accordingly, building on Chester Crocker and others’ (2004) assertion that intractable or protracted conflicts persist in large part due to resource endowments and intra-group politics, this chapter has identified a number of ways in which external patrons can alter political actors, institutions, and strategies, as well as resource endowments at the local regime level. These mechanisms are further evaluated, using in-depth historical evidence in the cases of Cyprus (Chapter 5) and Kosovo (Chapter 7). An important aspect of these analyses is empirically “reconstructing” local regimes as sets of informal institutions and relationships and identifying

how specific aspects of those local regimes were altered through “diagonal linkage” at key points in the conflict resolution process.

#### 4 GOOD OFFICES & THE MOTHERLAND IN THE CYPRUS CONFLICT

In January 2003, the Turkish Foreign Ministry included support for the United Nations' "Annan Plan" - the comprehensive settlement for Cyprus, proposed in November 2002 - in its official foreign policy strategy, departing from a long-standing position supporting Turkish Cypriot sovereignty, and more recent policy in the 1990s pursuing increased integration of the TRNC with Turkey. This change to official policy towards Cyprus was in direct response to external developments in the mediation of a settlement of the Cyprus conflict. Following the theoretical outline presented in Chapter 2, this chapter traces changes to Turkey's policy positions towards Cyprus as the "patron state" of the Turkish Cypriots. The aim is to identify how different forms of mediation altered or failed to alter preferences and policies towards Cyprus, and how these forms of mediation interacted with the domestic political conditions within Turkey.

It is important to note that in addition to Turkey's governing coalitions during this period, the Turkish military constituted an additional powerful veto player in Turkish domestic politics. Beginning in 1960, the military ousted civilian governments four times, ostensibly to safeguard the republican constitution adopted in 1923 and create stability during periods of economic, social, and political unrest. With each intervention the military's role and influence in politics grew, institutionalized in the National Security Council (*MGK*). In conceptualizing Turkey's domestic political space (Level II in Putnam's "two-level game"), there were two sets of domestic veto players constraining possible agreements: the civilian governing coalition and the *MGK*. Their relationship had an important bearing on policy outcomes (Aydinli, Özcan, & Akyaz 2006).

The analysis proceeds chronologically over six periods. The first period, prior to the initiation of UN mediation in 1964, is intended to provide background and context of the Cyprus



conflict including the negotiation of independence between Britain, Greece, and Turkey. The remaining five periods, from 1964-2021, provide an overview of efforts to mediate a solution to the conflict, focusing specifically on mediators' strategies, Turkey's preferences, and policy changes. Each section concludes by relating the observations to the mechanisms for inducing policy change outlined in Chapter 2 (restated in Table 4.1 below).

Table 4.1. Mechanisms.

	<b>Pathway</b>	<b>Outcome</b>
1. Facilitation w/ local regime	Local regime engages in dialogue with mediator and other side; alters beliefs about others' intentions	Joins mutual institutions in parent state; conveys preference to patron state
2. Manipulation w/ local regime	Mediator "buys off" local regime leaders with payoffs or government positions; individual benefits payoffs exceed status quo benefits	Joins mutual institutions in parent state; conveys preference to patron state
3. Facilitation w/ patron state	Mediator engages in dialogue with patron state; provides assurances about other side; communicates information from other side	Patron state alters beliefs about other sides' intentions or preferences; changes policy to fit new beliefs
4. Manipulation w/ patron state: sanction	Third-party sender imposes economic sanctions on patron state with condition to alter policy for sanctions to end	Patron implements new policy in-line with conditions for sanctions relief
5. Manipulation w/ patron state: one-off reward	Third-party offers patron state a one-off benefit such as an aid package in exchange for concessions	Patron state implements new policy in order to receive reward; lasts until reward is dispersed
6. Manipulation w/ patron state: reward structure	Third -party organization offers patron state membership and long-term rewards in exchange for concessions; membership favored by key constituency in patron state	Patron state changes policy, if supported by key elements of government; credibility of rewards declines over time.

#### 4.1 Intercommunal Relations & Independence

Cyprus as an independent state was the product of negotiations between the Greek and Turkish Cypriot communities, their national homelands of Greece and Turkey, and Cyprus' colonial

ruler, Britain. The island of Cyprus had been under British dominion since 1878 and ruled as a Crown Colony since 1914. Under British rule, as under Ottoman rule that preceded it (1571-1878), the Greek and Turkish communities, the island's largest, existed separate from one another in public life. Each celebrated its own national holidays, spoke its own language, flew its own flags, and ran its own schools with teachers and materials imported from respective homelands (Anastasiou 2008b). There was limited interaction between communities and minimal common "Cypriot" identity. Rather identity was communal, linked more closely to the respective homeland nationalisms of Greece and Turkey. These national identities, though, were rooted in conflict with one another. Modern Greek nationalism was rooted in its struggle against the Ottomans in the Greek War of Independence (1821-29) and the Balkan Wars (1912-13). And Turkish nationalism was rooted in the Greco-Turkish War (1919-22) from which the modern Republic of Turkey was born (see Souter 1984; Mavratsas 1997; Joseph 2009).

Table 4.2. Cyprus Demographics, 1960.

	Greek Cypriot	Turkish Cypriot	Other
<i>Percent (total pop.)</i>	78	18	4
<i>Numerical</i>	441,583	103,822	~22,000

Separate and conflictual national identities resulted in irreconcilable visions for a Cypriot state. Greek Cypriots favored *enosis* - political union with Greece in a single Hellenic state. In 1947 Greek Cypriot officials petitioned British authorities for *enosis* and in 1950 held an unofficial referendum in favor of *enosis* (Anastasiou 2008a). The Greek Cypriot *Ethnarchy Council*, composed of Orthodox Church leaders and led by *Ethnarch* of Cyprus Archbishop Makarios III, organized the pro-*enosis* movement and petitioned Athens for international

support.<sup>21</sup> Greece raised the issue of Cyprus' independence in the United Nations and sued Britain over its colonial policing practices in Cyprus at the European Court of Human Rights (ECtHR) (Heraclides 2011; Ker-Lindsay 2011; Risini 2018).

For the Turks, *enosis* was a strategic threat to Turkey (50 miles from Cyprus) and an existential threat to the Turkish Cypriots. They had watched their co-ethnics be forcibly expelled from Crete when it was annexed by Greece after the Balkan Wars and feared a similar fate in Cyprus. They instead advocated *taksim* - ethnic partition of Cyprus between Greeks and Turks linked to their homelands. Turkey had formally renounced its territorial claims to Cyprus in 1923, but the Turkish government and military believed that *enosis* threatened the concept of "territorial balance" that underpinned the 1923 Treaty of Lausanne and was a Greek attempt to revise the regional status quo at Turkey's expense (Loizides 2007; Heraclides 2011).<sup>22</sup>

Intercommunal violence between Greek and Turkish Cypriots began in 1956. The Greek Cypriot *EOKA*, an *enosist* insurgency supplied by Greece and led by Greek General George Grivas had begun a guerilla campaign against British colonial authorities in 1955. The *EOKA* avoided confrontations with the Turkish community, casting itself as strictly anti-colonial (Fouskas 2001).<sup>23</sup> British authorities, though, had disproportionately recruited Turkish Cypriots as officials and gendarmes, making them *EOKA* targets (Novo 2012). This, coupled with international constraints of Britain's policing practices due to the Greek petition at the ECtHR,

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<sup>21</sup> The *Ethnarchy Council* and position of *Ethnarch* were vestiges of the Ottoman millet system of non-territorial decentralization through which different nationalities under Ottoman dominion, signified by religious affiliation were afforded cultural autonomy under religious officials in exchange for tribute to the Sublime Porte. Archbishop Makarios III, born Michael Mouskos, was elected *Ethnarch* of Cyprus by the *Ethnarchy Council* in 1950. He had adopted the clerical name Makarios III upon his appointment as Bishop of Kition in 1948.

<sup>22</sup> The concept of territorial balance, agreed in 1923, was that the borders of Turkey and Greece (and Bulgaria) were delimited and ethnic populations could be exchanged to those delimited states, but states could not claim new territory based on a national population residing there.

<sup>23</sup> The *EOKA* had initially distributed Turkish-language pamphlets in Turk-inhabited areas clarifying that its target was British rule.

led to the creation of Turkish Cypriot paramilitary protection groups.<sup>24</sup> In 1958 they were consolidated into a single pro-*taksim* militia, the Turkish Resistance Organization (*TMT*) whose fighters were trained and supplied by the Turkish military (Kadioğlu and Bezci 2020).<sup>25</sup>

Simultaneously facing a guerilla conflict, intercommunal violence, and international pressure the British began negotiating a “short-of-independence” settlement in 1955. Four British proposals (Table 3) envisioned forms of limited self-rule with Britain retaining authority in defense, policing, or foreign affairs. The MacMillan Plan (1958), which proposed a seven-year period of joint rule by Greece and Turkey under British supervision, was particularly unpalatable to the Greek side and the *EOKA*, which rightly believed Ankara would never permit *enosis* after joint rule ended (Fisher 2001). Unlike Grivas and the *EOKA*, Makarios was willing to negotiate independence in the short-term, though he refused to rule out *enosis* to avoid a split with the *EOKA* (Fisher 2001; Ker-Lindsay 2011).

Cyprus’ independence was agreed at talks in Zurich and London in 1959 between Britain, Greece, and Turkey. Collectively known as the “1960 Treaties,” the Treaties of Establishment and Guarantee provided for an independent state of Cyprus with power shared between Greek and Turkish Cypriots at three levels. At the communal-level, each would have a Communal Chamber to oversee community matters such as religion and education.<sup>26</sup> At the state-level, power would be shared in a proportional assembly and executive council with a Greek Cypriot President (Archbishop Makarios) and a Turkish Cypriot Vice President (Fazıl Küçük) who both

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<sup>24</sup> The ECtHR petition against British rule in Cyprus drastically reduced the efficacy of its police, including banning them from carrying firearms and detaining suspected insurgents.

<sup>25</sup> A number of *TMT* fighters who had been recruited by 1958 had received formal training as gendarmes from the British authorities. The *TMT* was overseen by a special military intelligence unit in Turkey named “The Project for Reconquering Cyprus” run by Turkish FM Fatin Rüştü Zorlu. Turkish army commandos who had officially “resigned” were smuggled into Cyprus as teachers or temporary workers to train and advise the *TMT*, and arms were smuggled from Turkey. After the 1960 coup in Turkey Zorlu was executed and the unit disbanded.

<sup>26</sup> This had been a specific preference of the Turkish Cypriot leader Fazıl Küçük, who had long advocated for the return of the Islamic authority in Cyprus (*EVKAF*) to communal oversight rather than colonial administration.

had legislative veto power. Employment in the civil service would adhere to a 70:30 Greek-to-Turk ratio, except the security services, which would be 60:40 (Souter 1984; Anastasiou 2008b). Lastly, at the international level, the Treaty of Guarantee gave Britain, Greece, and Turkey the role of “guarantors” of Cyprus’ constitutional order, permitting each to station a limited military force in Cyprus and the right to intervene if the constitution was violated (Fisher 2001; Ker-Lindsay 2011).<sup>27</sup>

Cyprus became independent in August 1960, but the power-sharing framework envisioned in the 1960 Treaties was never consolidated. On the Greek Cypriot side, nationalists believed that the *EOKA*’s five-year struggle against colonial rule had entitled them to *enosis*. The more practical concern, though, was the constitutional system that precluded reform without the guarantors’ approval - derided by Makarios as “incomplete sovereignty.” On the Turkish Cypriot side Vice President Küçük believed the constitution had failed to prevent the marginalization of the Turks and protested failure to meet constitutionally-mandated civil service quotas, including in the National Guard (army).<sup>28</sup>

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<sup>27</sup> This included two Sovereign Base Areas retained by Britain. The presumption of the Treaty of Guarantee was that violation of the constitutional order would be clearly indicated and the guarantor states would act in concert to restore order. However it did not rule out unilateral action by any guarantor.

<sup>28</sup> Makarios had stated his intention to disregard constitutional mandates on employment and representation beginning in January 1962, which sparked nationalist responses on both sides. Interviews with Makarios and Küçük in *The Times* (9 January 1962, 17 September 1962, 7 January 1963, 1 April 1963).

Table 4.3. Pre-Independence Negotiations, 1955-60.

Year	Mediator		Outcome
1955	Britain	Eden Plan: self-rule, limited sovereignty	Rejected
1956	Britain	Harding Plan: self-rule, minority protections	Rejected
	Britain	Radcliffe Plan: self-rule, limited sovereignty	Rejected
1958	Britain	MacMillan Plan: 7-year joint rule by Greek and Turkey	Rejected
1959	Britain	Zurich-London Talks: Treaties of Establishment and Guarantee	Accepted, independence 1960

The failure of the power-sharing constitution led to violent conflict in 1963. In protest of the civil service quotas, Küçük vetoed all legislation including on matters of budget and taxation, paralyzing the state. Makarios responded by forcing Küçük out of the executive council and proposing the “13-Points Amendments” in November 1963, which ostensibly aimed to increase government efficiency at the cost of Turkish Cypriots’ representation and veto power. Amid these political tensions, violence broke out in December 1963 and by January 1964 both sides had remobilized their paramilitary forces and the Turkish Cypriots had been forced to relocate to distinct mono-ethnic enclaves where they were protected by the *TMT* and supported by Turkey (UNSC 1964; Jackson 2021).<sup>29</sup>

#### 4.2 International Intervention: UN Good Offices & UNFICYP

International actors intervened in Cyprus beginning in January 1964 hoping to mediate a solution to the growing violence. The early British attempt to begin a mediated dialogue failed in January

<sup>29</sup> Approximately 25,000 Turkish Cypriots were driven from their homes during fighting, and 95 Turkish Cypriot-inhabited villages and neighborhoods abandoned. By the 1960 Agreements, the National Guard was limited to a strength of 2,000 of which 800 were to be Turkish Cypriots. Ultra-nationalist paramilitaries and ad hoc recruited auxiliary police operated seamlessly with the National Guard, totaling a fighting force of ~30,000. UNFICYP officers noted that upon deployment one of the most difficult tasks was identifying what actually constituted the government security force. UN observers later noted that modern small arms and military hardware purchased by the government found its way to paramilitary units.

1964 but provided two points of note. One was the sides' preferences for a settlement: a majoritarian political system and the abolition of the Treaty of Guarantee on the Greek Cypriot side; and on the Turkish Cypriot side a federal system by which the Turkish Cypriots would have authority over distinct Turkish-majority areas.<sup>30</sup> The Greek Cypriots ruled out any communal rights beyond classification as a national minority, believing federalism was a precursor to partition. Neither interlocutor, though, proposed *enosis* or *taksim*.<sup>31</sup> The other notable point was that the Turkish government selected as negotiator and interlocutor of the Turkish Cypriot community, Rauf Denktaş, the President of the Turkish Cypriot Communal Chamber rather than Vice President Fazıl Küçük. Denktaş was regarded as the more pragmatic leader by Ankara, and Küçük's hardline stance on partition and annexation by Turkey had annoyed Turkish Prime Minister İsmet İnönü, who saw him as attempting to undermine Ankara by whipping up nationalist supporters in Turkey during a political tumultuous period following the 1960 coup (Jackson 2021).<sup>32</sup>

Unsuccessful mediation by Britain in January 1964 led to UN intervention in Cyprus. UN Security Council Resolution 186 (March 1964) established a dual UN mission of peacekeeping (UNFICYP) and mediation (Good Offices). While UNFICYP achieved some success in de-escalation, the Mission of Good Offices faced numerous obstacles to opening dialogue between the sides. For one, neither side recognized the other as legitimate. The Greek Cypriots regarded parallel governance of the Turkish Cypriot enclaves with aid from Ankara, as tantamount to secession, while the Turkish Cypriots regarded their bypassing and ousting from government as an unconstitutional *fait accompli* to take control of the state. Importantly, UNSCR 186

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<sup>30</sup> Interview with Turkish Cypriot negotiator, Rauf Denktaş, *The Times* (8 January 1964, 13 January 1964).

<sup>31</sup> Interview with Greek Cypriot negotiator Glafcos Clerides, *The Times* (3 January 1964, 5 January 1964, 12 January 1964).

<sup>32</sup> Report on meeting between Küçük and İnönü, *The Times* (3 January 1964).

recognized Makarios' government as the sole legitimate government of Cyprus, undermining the Turkish Cypriot position. The first UN mediator, Sakari Tuomioja, refused to support any solution that would undermine a government recognized by the UN or lead to the dissolution of a UN member state - precluding concessions on federalism from the Greek Cypriot side (Fisher 2001). His successor, Galo Plaza, similarly blamed the Turkish Cypriots for undermining a UN recognized state, leading both Turkey and Denktas to end talks and calling for Plaza's dismissal as mediator (UNSC December 1965).

The failure of Good Offices under Tuomioja and Plaza in 1964-65 was followed by talks mediated by Carlos Bernades and Bibiano Osorio Tafall from 1966-73 that produced more sustained dialogue and made some progress. Bernades involved Greece and Turkey directly in talks with the aim of ruling out *enosis* and *taksim* (UNSC June 1966; June 1967). Denktas's position, though, was unchanged from that expressed in London in January 1964: federalism and sustained Turkish guarantorship. He ruled out disbanding the *TMT* and returning to areas under Greek Cypriot authority as "restoring conditions dangerous to Turkish Cypriots' security" (UNSC March 1966; June 1966; June 1967). Though, after a diplomatic intervention by the United States in November 1967 following another round of violence, the Greek Cypriot side implemented "de-escalation measures" including ending its blockade of enclaves and demobilizing paramilitary forces, Denktas did not reciprocate and continued to insist on federalism while simultaneously increasing the *TMT*'s defensive capacity (Jackson 2021).

By 1973, it appeared as though the Greek Cypriot side would be willing to accept some form of federalism. Both Denktas and Clerides believed talks had made serious progress since 1968 and UNFICYP reported decreased tensions.<sup>33</sup> Clerides indicated a willingness to accept a

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<sup>33</sup> Report on talks, *The Times* (26 October 1972).



federal solution with certain guarantees against partition. Denктаş similarly indicated willingness to concede the structure of a central government, granting the Greek Cypriots a preponderant role, in exchange for decentralized authority in security matters (UNSC December 1970; May 1971; May 1974). Clerides, though, backtracked early in 1974 and ruled concessions on federalism as Makarios' government came under growing right-wing pressure from the nationalist *EOKA-B* - an *enosist* paramilitary successor to the *EOKA*, also led by George Grivas.

#### 4.2.1 *Turkey's Preferences*

Throughout the early period of UN mediation, Turkey supported a federal solution for Cyprus and backed Denктаş as negotiator specifically for his preference for federalism. Turkey's policy towards Cyprus was threefold. First, Turkey diplomatically aided Denктаş in talks, with Turkish Ministry of Foreign Affairs officials sitting beside him during negotiations. The preference for a federal solution had been formulated jointly by Denктаş and officials in Ankara as early as December 1963, and Denктаş regularly stopped in Ankara for consultations with the Ministry of Foreign Affairs and military ahead of UN-led talks.<sup>34</sup> Second, Turkey supplied humanitarian and financial aid to the Turkish Cypriots via its embassy in Nicosia. This included aid from the Turkish Red Crescent and funds to construct homes for displaced Turks in enclaves (UNSC December 1964; June 1967; June 1971). And third, Turkey supplied and maintained the Turkish Cypriot fighting force, the *TMT*, by providing weapons, advisors, training, and air support. Prior to 1960, this had included clandestine weapons transfers and commandos smuggled in Cyprus as temporary workers to advise and train the *TMT* (Kadioğlu & Bezci 2020). After 1963, Turkey aided the *TMT* in recruiting and training fighters, mainly Turkish Cypriot students studying in

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<sup>34</sup> Interviews with Rauf Denктаş and İsmet İnönü, *The Times* (31 December 1963, 8 January 1964, 26 January 1964).

Turkey, and the Turkish Air Force carried out strikes on Greek Cypriot forces in 1964 and 1967 to protect enclaves (UNSC December 1964; March 1968).<sup>35</sup> Weapons and recruits were smuggled into Cyprus via Kokkina/Erenköy, the Turkish Cypriots' only coastal enclave, and UN observers noted modern Turkish weapons and high levels of discipline present in the *TMT*, even after Greek Cypriot de-escalation measures in 1968 (UNSC June 1970; November 1971; May 1972).

Despite Turkey's measured position on federalism, successive Turkish governments from 1964-68 were under nationalist pressure to invoke the Treaty of Guarantee and invade Cyprus to protect the Turkish Cypriots. This included pressure from the military. Turkish nationalists saw Greek Cypriot actions against Turks as an effort to revise the territorial balance of the Treaty of Lausanne and to repeat the expulsion of Turks from Crete (Loizides 2007, 2016).<sup>36</sup> Post-1963 fighting was cast not as a strictly Turkish Cypriot issue, but a "shared national cause."<sup>37</sup> Denktaş presented the Turkish Cypriots as the "frontier of the Turkish nation" against the Greeks and İnönü's successor as Prime Minister described the conflict as a matter of national honor, "that a Turk can live without bread, but not his honor."<sup>38</sup> These sentiments were further evident in mass demonstrations, which included senior military officers, in Ankara and Istanbul at which calls were made to invade Cyprus and effigies of Makarios were burned by protestors.<sup>39</sup>

Facing the prospect of military escalation by Turkey in direct response to violence in 1964 and 1967, the United States intervened diplomatically. In both 1964 and 1967 the Turkish military launched airstrikes against Greek Cypriot forces and mobilized for invasion, but stood

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<sup>35</sup> Report on *TMT* recruitment, *The Times* (29 March 1964).

<sup>36</sup> See also: *The Times* (3 April 1963, 5 November 1965).

<sup>37</sup> Interview with Rauf Denktaş, *The Times* (26 July 1964).

<sup>38</sup> *The Times* (25 October 1964), Süleyman Demirel quoted; *New York Times* (6 December 1967).

<sup>39</sup> *The Times* (16 August 1964, 1 September 1964).

down under US pressure. In 1964 US President Johnson threatened to withdraw military support for Turkey and “no longer guarantee Turkey's security against the Soviet Union” if Turkey invaded Cyprus, which İnönü specifically referenced in his decision to call off the invasion.<sup>40</sup> Then in November 1967, US envoy Cyrus Vance persuaded Turkish Prime Minister Süleyman Demirel to call off an invasion in exchange for Greek Cypriot de-escalation measures and clandestine Greek forces being repatriated to Greece, including George Grivas (Fisher 2001, Heraclides 2011). US intervention, including using direct threats against Turkey in 1964 prevented escalation, but did not produce concessions or a settlement.

The decisions to stand down from invasions under US pressure generated domestic costs for successive Turkish governments and fed anti-American sentiment. İnönü faced calls for his resignation after calling off the 1964 invasion and harsh criticism from the military and opposition Justice Party (*AP*) led by Demirel. The *AP* ousted İnönü's Republican People's Party (*CHP*) in the following election, capitalizing on his decision to stand down on Cyprus as dovish and bowing to foreign threats against Turks.<sup>41</sup> Demirel too lost government and military support after standing down from invasion in 1967. He was censured in the Grand National Assembly for his decision to call off the invasion. And in both instances, anti-American sentiments in the public and military increased, including riots at the US embassy in Ankara.<sup>42</sup>

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<sup>40</sup> *The Times* (19 June 1964, 13 January 1966); *New York Times* (30 November 1967)

<sup>41</sup> *The Times* (13 January 1966).

<sup>42</sup> *The Times* (23 November 1967); *New York Times* (4 December 1967)

Table 4.4. Timeline of Negotiations, 1964-74.

Year	Mediator		Outcome
1964	UN: Sakari Tuomioja	Intercommunal talks - international law problem	Rejected by Denktas
1965	UN: Galo Plaza	Good Offices - constitutional law problem, Plaza Report for reforming constitution	Rejected by Denktas
1966	UN: Carlos Bernades	Good Offices - establish dialogue and joint technical committees	Progress, stalled by 1967 violence
1967	US: Cyrus Vance	Vance Agreement - stops Turkish invasion, repatriates Greek troops, "de-escalation"	Accepted
1968	UN: Carlos Bernades	Good Offices - advised by constitution experts	Progress towards compromise solution
1972	UN: Bibiano Osorio Tafall	Good Offices - advised by constitution experts	Fails, federalism rejected by Clerides
1974	UN	Emergency talks in Geneva - Turkey proposed cantonal settlement	Rejected by Clerides, second invasion

A final area that bears consideration is then July 1974 when Turkey did not stand down its forces and invaded Cyprus twice in 24 days. The first invasion on 20 July 1974 was triggered by a coup d'état by the nationalist *EOKA-B* to topple Makarios' government. The *EOKA-B*, a second iteration of the *enosist EOKA*, was formed by Grivas in 1971 and backed by the military junta in Greece. It was composed of former *EOKA* fighters, police, and National Guard troops loyal to Grivas (Bolukbasi 1995, Kaufmann 2007).<sup>43</sup> When Makarios ordered that all military personnel seconded from Greece leave Cyprus in July 1974, fearing a coup attempt, the *EOKA-B* overthrew him and installed Nikos Sampson as President. This was followed by days of intra-ethnic violence in which the *EOKA-B* murdered hundreds of Greek Cypriot moderates and leftists. After Sampson announced victory over his ideological opponents on 19 July, the Turkish

<sup>43</sup> Grivas died in early 1974 and control of *EOKA-B* was passed directly to Dimitrios Ioannidis, leader of the second Greek junta, which had overthrown the first junta in 1973, and was adamantly pro-*enosis* and opposed Makarios' rule, which he believed was too far left and accommodating toward Turks.

military General Staff believed the *EOKA-B* would turn its violence on the Turkish Cypriots and it pressed Prime Minister Bülent Ecevit to order the invasion.<sup>44</sup> Ecevit's decision was influenced by two factors. One, his *CHP* government had narrowly survived a confidence vote the month before and was in a very weak position to oppose the military, especially given the costs suffered by prior governments for standing down (Kaufmann 2007).<sup>45</sup> The other was that the US, which had previously pressured Turkey to stand down, believed it would not take unilateral action while emergency talks were ongoing and took no measures to prevent an invasion.<sup>46</sup> Ecevit ordered the first invasion on 20 July 1974.

After three days of fighting toppled Sampson's putschist government, talks resumed, with Turkish Foreign Minister Turan Güneş assuming the role of chief negotiator. Güneş continued to push for a federal solution. In August 1974 he proposed a federal settlement in which the Turkish Cypriots would inhabit six autonomous cantons comprising 34 percent of Cyprus' territory as a guarantee of both Turkish Cypriot security and against *enosis*.<sup>47</sup> The *EOKA-B* coup was regarded as evidence that the Greek Cypriots could not be entrusted to preclude *enosis*, even if a given government guaranteed it. Clerides refused to concede on cantons while Turkish troops were still deployed in Cyprus, ignoring the ultimatum given by Güneş. In response, Turkey launched a second invasion on 14 August 1974 partitioning Cyprus into Turkish and Greek zones divided by

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<sup>44</sup> This belief that the *EOKA-B* would attack the Turkish Cypriots has been the subject of some debate. Prior to the Turkish invasion, the *EOKA-B* had primarily targeted ideological opponents and it was only after July 20 that they targeted Turkish Cypriot enclaves. Crawshaw (1978) has argued that without Turkish invention and the existing pattern of segregation, inter-communal fighting may not have resumed in 1974. Kaufmann (2007) argues that given the adamantly pro-*enosis* and anti-Turk positions of Sampson and the Athen junta, protracted violence would eventually target the Turkish Cypriots either to remove an obstacle to *enosis* or outbid for support. The Turkish military command was particularly wary of Sampson who had run for parliament by publicly boasting of murdering Turks in 1963-64 and pledged to "cleanse the island of the stench of the Turks."

<sup>45</sup> There was speculation at the time that once Ecevit gave his approval for the invasion, he had no control over the courses of action taken by the military, including in ordering the second invasion. Report on confidence vote in The Grand National Assembly, *The Times* (18 June 1974).

<sup>46</sup> The US Department of Defense and intelligence services publicly blamed the state department for providing assurance that Turkey would not invade Cyprus as negotiations were ongoing. See: *New York Times* (20 July 1974).

<sup>47</sup> Details of proposal published in *The Times* (12 August 1974).

a 180-kilometer ceasefire line. The Turkish military and Turkish Cypriot paramilitaries forcibly expelled ~200,000 Greek Cypriots to the south and called on Turks living in the south to relocate north (Kaufmann 2007; Bryant & Hatay 2020).

#### 4.2.2 *Observed Mechanisms*

This first period of mediation by primarily the UN resulted in little change in the sides' preferences for a settlement. Though specific points of intervention by UN mediators, UNFICYP, and the US did result in de-escalation and improved relations, overall preferences for a solution did not change between the London talks in January 1964 and the emergency talks convened in July-August 1974. The Greek Cypriots refused to grant the Turks autonomy and preferred a majoritarian political system and an end to the guarantee system. The Turkish Cypriots' primary demands were territorial autonomy in a federal structure that gave them authority over security, which Denktaş and his patrons in Ankara regarded as the long-term solution to intercommunal violence and a guarantee against *enosis*. This was initially proposed by İsmet İnönü in December 1963, and reaffirmed by Turan Güneş in August 1974.

Table 4.5. Observed Mechanisms, 1964-74.

	<b>Mechanism</b>	<b>Observations</b>	<b>Outcome</b>
1.	Facilitation w/ local regime	Rauf Denktaş as primary negotiator; engaging directly with UN mediator and Glafcos Clerides.	Did not press Turkey for concessions; called for escalation and criticized Turkey for not escalating.
3.	Facilitation w/ patron state	Turkey as a party to talks since 1955; included in UN Good Offices after 1966.	No change of position; constrained by nationalists/military domestically.
4.	Manipulation w/ patron state: sanction	US intervention in talks in 1964 and 1967 to prevent Turkish escalation/invasion of Cyprus.	Turkey stood down from invasions; leaders suffer domestic political costs, esp. from military.

Three of the mechanisms theorized in Chapter 2 were observable in the period from 1964-74, but produced little policy change towards the Cyprus conflict within Turkey. The first observable mechanism was facilitation with the local regime (#1, Table 4.5). Given Denktas's role as primary interlocutor in talks, this was the most common form of mediation, with regular meetings between he and his Greek Cypriot counterpart Glafcos Clerides facilitated by the UN. This failed to alter policy in Ankara, and Denktas himself was highly critical of Turkish decisions to not invoke the Treaty of Guarantee and escalate the conflict.<sup>48</sup>

The second observable mechanism was facilitation with the patron state (#3, Table 4.5). Turkey had always been involved in talks on Cyprus, beginning in the pre-independence talks in 1955, but after 1963 played a key role in Denktas's positions, including on federalism and guarantees. Turkish officials were directly involved in UN mediation and in 1965 urged Denktas to reject mediation by Galo Plaza. Facilitation failed to change Turkish positions on Cyprus, due in large part to the salience of the Cyprus issue in the Turkish public and military, which opposed concessions and precluded the governments of İsmet İnönü and Süleyman Demirel from making concessions, domestically cast as "capitulation" to Greece (Loizides 2016).<sup>49</sup>

The third observable mechanism was manipulation with the patron state: sanctions (#4, Table 4.5). This was evident during the US interventions in 1964 and 1967 to prevent a Turkish invasion. These did not leverage concessions in Cyprus, but rather prevented escalation. US threats and guarantees conveyed in 1964 and 1967 were done to prevent Turkey from escalating the conflict by invoking the Treaty of Guarantee and invading Cyprus. In both instances, though, Turkey's ruling coalition suffered domestic political costs for not escalating, from opposition and

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<sup>48</sup> Example in an interview in which Denktas blames Turkey for "cutting off the windpipe" of the Turkish Cypriots by accepting UNFICYP control of the strategically important Kyrenia Road linking the two largest enclaves. See: *The Times* (11 October 1964).

<sup>49</sup> *The Times* (3 April 1963, 5 November 1965).

from the military, whose senior officers preferred escalation and had issued individual threats to “wipe out Cyprus” and to “protect the baby fatherland,” and had staged public protests over the decision to stand down from invasion.<sup>50</sup> It was under similar pressure from the military in July 1974, and no manipulation from the US, that Ecevit made the decision to invade.

### 4.3 Partition in Cyprus & Domestic Instability

UN-led talks resumed shortly after the Turkish invasions in 1974, and continued onto high-level talks between Denktaş and Clerides in Vienna in 1975. It was the Turkish side that now negotiated from a position of strength relative to the Greek Cypriots. As Bülent Ecevit stated “from now on negotiations will be easier... the way to meaningful negotiations has been opened by this military result” - their preferences of preventing *enosis* and carving out a Turkish Cypriot entity had been attained through military action.<sup>51</sup> After August 1974, the Turkish Cypriots inhabited contiguous territory, rather than disparate enclaves, and were protected by ~40,000 Turkish troops stationed in Cyprus. They controlled the ports at Kyrenia/Girne and Famagusta/Gazimağusa, and the agricultural region of Morphou/Güzelyurt, meaning they were no longer dependent upon the goodwill of the Greek Cypriots for aid (UNSC June 1976). Importantly, though, the Greek Cypriot-controlled Republic of Cyprus ( RoC) remained the internationally recognized government while the UN condemned Turkey’s invasions and the Turkish Cypriots’ declaration of an autonomous Turkish Federated State of Cyprus (TFSC) as undermining Cyprus’ sovereignty (text of UNSCR 367).

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<sup>50</sup> General Staff officers quoted, *The Times* (25 October 1964, 23 November 1967).

<sup>51</sup> Bülent Ecevit quoted, *The Times* (16 August 1974).



Talks convened in Vienna in 1975 by UN Secretary General Kurt Waldheim and his envoy Javier Pérez de Cuéllar produced a number of technical agreements dealing with immediate matters of the 1974 violence. This included the Vienna III Agreement, which banned involuntary population transfers and gave UNFICYP oversight of the Greek Cypriot community remaining in the TFSC (UNSC June 1975; September 1975; June 1976).<sup>52</sup> High-level talks in 1975-76 failed to produce a political agreement, though. On the Greek Cypriot side, Clerides called for a return to the pre-1974 status quo, which was a non-starter for Denktaş who was wary of any solution that would see the Turkish Cypriot returned to enclaves and specifically sought guarantees against a return to pre-1974 conditions. Denktaş instead reiterated his preference for a federal or confederal system in which federal entities would have preponderant power and be defined based on nationality - distinct Greek and Turkish Cypriot entities. Clerides rejected confederation as a precursor to secession, but was now willing to negotiate on federalism (UNSC June 1976; Fisher 2001).

The sides reached a compromise in February 1977 on the framework for a future settlement. Known as the “Four-Point Agreement” or “Makarios-Denktaş Guidelines,” it was agreed that a future settlement would be based on a single Cypriot state that was: (1) a non-aligned, bi-communal, bi-zonal federal republic; (2) in which the division of territory between federal entities would be based on economic viability and land ownership; (3) in which citizens would have the freedom of movement, settlement, and property ownership; and (4) the central government would be entrusted to safeguard the bi-communal character of the state (Fisher 2001). Though Denktaş and Clerides agreed in principle to the Guidelines, they failed to agree

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<sup>52</sup> UNFICYP was responsible for conducting interviews with all Greek Cypriots moving south after 1975 to ascertain if they were coerced into moving; transferring and monitoring formal requests from Greek Cypriot communities to Turkish Cypriot officials; and, providing humanitarian aid and relief to Greek Cypriot communities.

on an implementable settlement based on the Guidelines, due primarily to the third point, the “three freedoms.” Clerides believed that they would both prevent secession and solve the problem of displaced Greek Cypriots and dispossessed property after 1974 by permitting Greek Cypriots to resettle and reclaim property in the Turkish Cypriot entity. Denktaş, however, saw resettlement and property ownership as a means for Greek Cypriots to force Turks back into enclaves, returning to their pre-1974 status, and dilute the character of a federal state. He instead proposed implementation of the three freedoms after a set time and fixed caps on resettlement, which Clerides rejected (UNSC June 1977; December 1977; Ker-Lindsay 2011).

Failure to reach a settlement in line with the Makarios-Denktaş Guidelines precipitated both the resignation of Javier Pérez de Cuéllar as mediator and another US diplomatic intervention.<sup>53</sup> The US, along with Britain and Canada proposed the “ABC Plan” in 1978 as a 12-point framework for a federation, including constitutional principles and territorial adjustments in exchange for economic aid in implementation - one-off manipulation. It too was rejected by both sides: the Turkish Cypriots who opposed ceding territory gained in 1974; and by the Greek Cypriots who viewed it as an attempt to placate Turkey and were already wary of US power politics (Fisher 2001; Heraclides 2004, 2011).<sup>54</sup>

Kurt Waldheim persuaded the sides to return to Good Offices, mediated by Hugo Gobbi, in 1979 to find a solution to the three freedoms and work on intermediate “confidence-building measures” (UNSC December 1979; Heraclides 2011). The two main confidence-building measures proposed by the UN were the reopening under UNFICYP authority of (1) the Nicosia/Lefkoşa International Airport, and (2) the resort town of Varosha/Maraş. Both had been

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<sup>53</sup> The US had an interest in quickly resolving the conflict to de-escalate tensions between NATO allies Greece and Turkey. US envoy Clark Clifford had been present at talks since they resumed in 1975.

<sup>54</sup> The Greek Cypriot left was already suspicious of the US, which it believed had knowledge of the 1974 coup and had allowed it to proceed as a way of removing a non-aligned leader and replacing him with a right-wing regime.

closed since 1974, with UNFICYP in control of the airport, and Varosha/Maraş fenced off and abandoned, under authority of the Turkish military.<sup>55</sup> Denктаş, though, refused to make concessions on the “federal character of the state,” which meant opposition to the three freedoms, and likewise refused to concede Varosha/Maraş, which he regarded as a prized bargaining chip valued by the RoC. Gobbi noted Denктаş’s general unwillingness to engage in any “give-and-take” style talks, especially on matters conflicting with his interpretation of a bi-zonal, bi-communal state (UNSC December 1979; December 1980).

Talks then stalled in 1983 when the TFSC unilaterally declared independence as the Turkish Republic of Northern Cyprus (TRNC). Denктаş claimed the eventual aim was incorporation of the TRNC into a single Cypriot state, but believed that by declaring independence he was taking the disputed issues of federalism off of the table (UNSC December 1983).<sup>56</sup> Despite his pronounced intentions, the declaration of independence was condemned as illegal by the UN Security Council, criticized by Ankara, and the TRNC was regarded internationally as an unrecognized pariah state (UNSCR 550; Fisher 2001; Ker-Lindsay 2011).

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<sup>55</sup> Prior to 1974 Varosha/Maraş was a modern resort district south of Famagusta/Gazimağusa inhabited by Greek Cypriots that was a notable tourist destination with modern hotels and beaches. In 1974 the Turkish military seized it and expelled its residents. The hotels and businesses were looted before the Turkish military fenced it off and left it abandoned. The UN initially proposed reopening it under UNFICYP control in 1978.

<sup>56</sup> Interview with Rauf Denктаş, *The Times* (18 November 1983).

Table 4.6. Timeline of Negotiations, 1974-83.

Year	Mediator		Outcome
1975	UN: Kurt Waldheim, Javier Pérez de Cuéllar	Vienna Talks - short-term humanitarian agreements	Accepted
1977	UN: Javier Pérez de Cuéllar	Good Offices - Makarios-Denktaş Guidelines for federal state	Rejected over three freedoms
1978	US: Clark Clifford	ABC Plan - minority protections/economic aid	Rejected
1979	UN: Hugo Gobbi	Good Offices - endorse Guidelines, confidence-building measures	Failed, TRNC declared in 1983

### 4.3.1 Turkey's Preferences

Turkish policy towards Cyprus following the 1974 invasions and partition aimed to bolster the TFSC's position and claims to autonomous governance outside of the organization of the RoC state. This was pursued primarily through three means. The first, and most overt, was by underwriting its security. Turkey stationed ~40,000 Land Forces troops in the TFSC, on the northern side of the UN-controlled ceasefire line, who regulated movement across the line. The Turkish Cypriot security and emergency management services - the *Mühacit* (militia successor to the *TMT*), the police, coast guard, and fire service - were all placed under the authority of the Turkish General Staff in Ankara. Senior Turkish officers regularly rotated through deployments in the TFSC, which was considered a strategic garrison by the military (UNSC June 1976; December 1976; Bryant & Hatay 2020).<sup>57</sup>

The second means of supporting the TFSC's survival outside of the RoC was through financial assistance. The Turkish lira was the currency of exchange in the TFSC and the Turkish Agricultural Bank (Ziraat Bank) was the primary lender. Turkey provided the majority of the

<sup>57</sup> Author interview, TRNC, 2021.

TFSC's funds in the form of loans and aid, which accounted for 80 percent of the TFSC budget in 1975 and 53 percent by 1981. This included funding the salaries of a bloated public sector that included state-run factories, farms, hotels, and schools whose public sector unions were key political constituents (Hatay 2005; Isachenko 2009; Bozkurt 2014).<sup>58</sup>

The third means of strengthening the TFSC was through population substitution. Beginning in 1976, settlers from mainland Turkey, often rural Anatolia, were brought to the TFSC to increase the Turkish population, and replace Greek Cypriots fleeing to the RoC. These settlers who were often more religious and had more affinity with the Turkish mainland than Turkish Cypriots were given expropriated Greek Cypriot property, jobs in state-run enterprises, and were often settled in close proximity to remaining Greek Cypriot villages where they were accused of harassment and encouraging ethnic-Greeks to flee, in contravention of the Vienna III Agreement (UNSC June 1976; December 1982). Many were agricultural laborers and the families of Turkish military personnel (Hatay 2005).<sup>59</sup> From 1975-83, the Greek Cypriot population in the TFSC declined from 8,707 to 914, while an estimated 49,422 settlers arrived from Turkey (CoE 2003).

Within Turkey, changing these policies which permitted the TFSC to exist independent of the RoC was obstructed by two related trends in Turkish politics. One was that, as before 1974, the issue of Cyprus was a salient national issue. The dual outcome of the 1974 invasions in both protecting the Turkish Cypriots by carving out their own statelet, and preventing the Greek nationalist goal of *enosis* was cast as a great national victory for Turkey. Cyprus was the first time Turkish forces had been victorious and held territory since the birth of the Republic of

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<sup>58</sup> Author interview, TRNC, 2021.

<sup>59</sup> Author interview, TRNC, 2021.

Turkey in 1923.<sup>60</sup> Furthermore, this landmark victory was at the expense of Turkey's great historical rival, Greece (Mavratsas 1997; Joseph 2009). Commemoration of the first Turkish invasion on 20 July became a yearly holiday, "Peace and Freedom Day" on which Turkish Cypriot leaders would pay homage to Ankara for saving them with remarks such as "if not for Turkey, we would have suffered the same fate as Crete."<sup>61</sup> And the Turkish military commemorated the Cyprus invasions as the "honorable victory of a proud nation," in response to international condemnation.<sup>62</sup> Concessions, or reducing support for the TFSC, was at odds with this national narrative of victory.

The second and related trend in Turkey was that this period after 1974 was characterized by political instability, ultimately leading to a coup d'état in 1980 by *MGK* chief Kenan Evren followed by three years of military government, and a longer transitional period under a military presidential council. Instability was due in part to economic volatility under Turkey's rapid industrialization project and import-substitution model, but also to ideological divisions between the far-right and communists that manifested itself in widespread violence on city streets and university campuses. Süleyman Demirel and the *AP* returned to power in elections in 1975, ousting Ecevit and the *CHP*, however Demirel was in a tenuous position at the head of a weak right-wing coalition that included Necmettin Erbakan's Islamist National Salvation Party (*MSP*) and Alparslan Türkeş's ultra-nationalist/fascist National Action Party (*MHP*). The *MHP*'s militant youth wing, the Gray Wolves, was one of the primary culprits of right-wing violence at the time.

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<sup>60</sup> Author interview, TRNC, 2021.

<sup>61</sup> Transcript of speech by Denктаş, *Radio Bayrak* [in Turkish] (20 July 1996).

<sup>62</sup> Chief of General Staff quoted, *The Times* (16 October 1975).

*MHP* leader Türkeş, known as Başbuğ (leader) by his followers, hailed from Cyprus originally and personally held hardline views on the conflict and Cyprus itself as rightfully Turkish. This was reinforced by the *MHP*'s Turanist/Eurasianist ideology, which favored an exclusive pan-Turkic national identity over cooperation with the West, including NATO, and regarded Turkey as a historical victim of external forces that had cleaved away both its sovereignty and territory, including Cyprus (Yavuz 2002; Başkan 2006; Kiratli 2015).<sup>63</sup> Türkeş and Erbakan explicitly ruled out concessions on Cyprus in their coalition protocol with the *AP*. On two occasions Türkeş threatened to quit the coalition, toppling the government, if Demirel made any concessions on Cyprus or on confidence-building measures, which he regarded as Turkey being forced to cede sovereignty.<sup>64</sup> Accordingly, Demirel shirked responsibility and insisted that any territorial concessions, opposed by both Türkeş and Erbakan, were up to Denktaş. When the *CHP* briefly returned to power in 1978, it voiced support for the UN confidence-building measures, but it was ousted again by the *AP-MHP* before any action was taken.<sup>65</sup>

It was in this context that the US again provided a form of negative manipulation during talks. In 1975, the US Congress imposed an arms embargo on Turkey, banning further sales of weapons and impounding already purchased weapons awaiting delivery, with the attached condition that Turkey “actively facilitate a solution” in Cyprus. The US rejected token efforts by Turkey such as withdrawing a hundred troops or permitting resettlement of some displaced

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<sup>63</sup> The Turanist or Eurasianist ideology espoused by the *MHP* separated all actors, domestic and foreign, into friends of enemies of Turkey, denied the identity of separate ethnic groups, such as Kurds within Turkey, and supported close national ties with other Turkic peoples, such as the Azeris, in Eurasia. This generally meant opposition to Western influence and later the EU. Turanism was also generally associated with exclusionary racism in Turkey and equated to European fascism. Türkeş had been court martialled in 1945 for promoting “racist-Turanist ideology.”

<sup>64</sup> *The Times* (17 July 1975, 16 August 1977, 22 January 1978).

<sup>65</sup> Ecevit quoted, *The Times* (17 January 1978, 26 July 1978).

families as insufficient.<sup>66</sup> This was costly to the Turkish military, and Air Force in particular which relied on regular supplies of American equipment and parts. In the longer-term this contributed to economic instability as the military diverted funds to refit its forces, away from the state-subsidized industries and import-substitution that had kept wages artificially high.<sup>67</sup> Despite the cost of sanctions imposed on Turkey, and the politically powerful military directly, it did not leverage concessions. The importance of the *MHP* in the ruling coalition prevented Turkey from making concessions on its policies supporting the TFSC. In response to the embargo, Turkey instead forced US military bases in Turkey to close.<sup>68</sup>

It might have been expected then that when Kenan Evren and the *MGK* overthrew the Turkish government in September 1980 they would have been in a better position to make concessions. The military was not constrained by the coalition politics that had hamstrung Demirel and Ecevit, and it was the military that had faced the costs of the US arms embargo. Furthermore, Evren's policy preferences included improving Turkey's relations with the West and NATO. However, by the time Evren assumed power, the US had effectively ended its embargo. In 1978 US President Carter had pushed for a partial lifting in Congress after Ecevit pledged to accept confidence-building measures. In 1980, following the Soviet invasion of Afghanistan and the Iranian revolution, the US signed the Defense and Economic Cooperation Agreement with Turkey, granting 450 million USD in aid and a guaranteed loan program for five years in exchange for reopening US bases in Turkey that had been closed in 1975.<sup>69</sup> Though Evren did encourage Denktaş to make concessions on confidence-building measures,

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<sup>66</sup> *The Times* (5 February 1975, 17 June 1975).

<sup>67</sup> *The Times* (16 August 1976, 13 February 1978); Defense Minister Ferit Melen quoted, *The Times* (13 July 1976).

<sup>68</sup> *The Times* (13 July 1975, 21 October 1975, 22 January 1976, 5 July 1976).

<sup>69</sup> Report by the Comptroller General of the United States: "The Defense And Economic Cooperation Agreement - U.S. Interests And Turkish Needs" (7 May 1982).



manipulation had effectively ended with the military resupplied by the US, reducing the incentives for Evren to make more costly concessions on Cyprus.

#### ***4.3.2 Observed Mechanisms***

The period of the TFSC, 1974-83, was characterized by a new phase of mediation under UN auspices, necessitated by the post-1974 reality in Cyprus. Prior to 1974, the Greek Cypriots had had an advantage in talks in that they controlled the internationally recognized state regardless of any settlement. After 1974, it was the Turkish side that had the advantage in that it had achieved its preference for an autonomous, ethnically distinct entity via military conquest.<sup>70</sup> Accordingly, a federal settlement, which the Turkish side had favored prior to 1974, but the Greek Cypriots had rejected, was agreed upon in principle in 1977. The contentious issue then became the character of the federal entities and the “three freedoms” - movement, settlement, and property ownership. Denktaş opposed the three freedoms as diluting the authority of the federal entities, and believed settlement and property ownership would rapidly lead to the Turkish Cypriots’ return to marginalization in enclaves as Greek Cypriots would return north to reclaim property. His position was backed by Ankara, where nationalist factions opposed any concessions on what the Turkish military had seized in 1974.

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<sup>70</sup> Consider Ariel Rubinstein’s (1982) concept of a “continuation value” in bargaining, by which a side requires greater concessions to reach an agreement if its current value in respect to its preferences is higher.

Table 4.7. Observed Mechanisms, 1974-83.

Mechanism	Observations	Outcome
1. Facilitation w/ local regime	Rauf Denктаş as primary negotiator in UN-led talks.	Agrees in principle to Makarios-Denктаş Guidelines, not implemented; no policy change in Ankara.
2. Manipulation w/ local regime	Rauf Denктаş as primary negotiator in US-led ABC Plan, offers development aid for territorial concessions.	Rejected over territorial concessions; no policy in change in Ankara, shirks responsibility to Denктаş.
3. Facilitation w/ patron state	Turkey as a party to UN- and US-led talks in 1975, 1978, and after.	No policy change; concessions obstructed by <i>MHP</i> and <i>MSP</i> coalition partners who ruled out concessions on Cyprus.
4. Manipulation w/ patron state: sanction	US arms embargo imposed on Turkey with attached condition that it constructively facilitate a solution in Cyprus.	Limited effect: partial lifting in exchange for Ecevit supporting CBMs; rally-around-flag effect led to anti-US position and closing US military bases.

Four mechanisms, theorized in Chapter 2, were observable during this period. However there was only limited indication in Ankara of a changed policy towards Cyprus, evident during Bülent Ecevit’s brief return to power in 1978, and then again during the military rule of Kenan Evren from 1980-83. Ecevit had accepted the UN-proposed confidence-building measures in principle in 1978, though they were never implemented as he lost power again by 1979. Evren, whose military junta sought improved foreign relations, also supported the confidence-building measures in Cyprus, asked Denктаş to be “more flexible on the issue of territory,” and had warned Denктаş not to escalate by declaring independence in May 1983.<sup>71</sup> Both of these changes of policy were never implemented in practice.

The first two observable mechanisms were facilitation and manipulation with the local regime (#1 and #2, Table 4.7). Denктаş remained the chief negotiator in UN-led talks from 1975-77 and 1979-83, which followed a facilitative strategy during which the sides agreed in principle

<sup>71</sup> Turkish military officials on territorial concessions in Cyprus, *The Times* (6 August 1981, 24 September 1981); Evren on TFSC independence and threat to remove Denктаş, *Globe and Mail* (19 May 1983) and *The Times* (20 June 1983).

to the Makarios-Denktaş Guidelines. Though Kurt Waldheim was able to convince Denktaş to return to talks in 1979, progress on implementation of the Guidelines was never realized. Similarly, Denktaş rejected the US-led ABC plan which offered one-off development aid in exchange for territorial concessions, which he adamantly opposed. Denktaş's intransigence in these two types of talks meant that he did not attempt, let alone affect policy change in Ankara. On the contrary, he opposed the moderate policy changes under Ecevit and Evren, stalling on confidence-building measures in 1978 and 1980, and specifically waiting to declare independence as the TRNC until the interregnum between military and civilian rule in November 1983 when Evren could not punish him, as he had threatened in May 1983.<sup>72</sup>

The other two observable mechanisms were facilitation with the patron state (#3, Table 4.7), and manipulation with the patron state: sanctions (#4, Table 4.7). Facilitation had little observable effect, due in large part to the position of nationalists in Turkish domestic politics who specifically opposed concessions on Cyprus. Concessions during the *AP* government would have triggered a coalition collapse, as the *MHP* and *MSP* explicitly threatened to quit the coalition over concessions on Cyprus. As a result, Süleyman Demirel shirked responsibility for concessions by passing all responsibility to Denktaş to avoid political costs beginning in 1975.<sup>73</sup>

Manipulation in the form of the US arms embargo, 1975-80, had limited effect in policy change. While it generated economic costs in Turkey, and the military in particular, it also hardened the domestic political position. Demirel quit talks in 1976, saying he would not negotiate under a US embargo, and Turkey retaliated by closing US military facilities in Turkey. Its limited effect was evident in 1978, when the US partially lifted the embargo in exchange for Ecevit supporting UN confidence-building measures. However, by the time Evren came to

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<sup>72</sup> Interviews with Rauf Denktaş, *The Times* (16 November 1983) and *Financial Times* (16 November 1983).

<sup>73</sup> Demirel quoted, *The Times* (23 September 1975).

power, and the embargo may have been most effective, given Evren's position on improving economic stability and relations with the west, it had effectively ended following regional geopolitical developments. While Evren did press Denktaş to be more flexible in talks, and avoid escalation, the costly pressure on Turkey to follow through on concessions at a time when the government could not be punished domestically was reduced.

#### **4.4 The TRNC & Europe, 1984-2000**

The period following the declaration of independence by the TRNC demonstrated intensified efforts by the UN to reach a settlement, intransigence between the sides, and increasing international pressure on the Turkish side. True to his claim that independence was an interim status and the TRNC was a de facto federal entity to be reunited with the RoC, Denktaş returned to UN-led talks in 1984. However, he believed that independence had taken the concessions he opposed, namely the three freedoms outlined in the Makarios-Denktaş Guidelines, off of the table and the TRNC would be incorporated as was into a federal state. He and RoC President Spyros Kyprianou agreed on a "blueprint" for reunification as a bi-zonal federation in which the TRNC would retain 29 percent of territory and foreign troops would be withdrawn, but implementation failed again when Denktaş refused to compromise on the three freedoms (UNSC May 1987; November 1987; Bolukbasi 1995).

Successive UN Secretaries General then proposed comprehensive solutions in 1989 and 1992, but again failed. Javier Pérez de Cuéllar's "set of ideas" proposed in 1989 was rejected in 1990 for failing to address previously contentious issues. Denktaş opposed it for not institutionalizing protections for the TRNC as an equal political entity in a federation, and the RoC rejected it for failing to protect the three freedoms and remove Turkish troops from Cyprus

(Bolukbasi 1995; Loizides 2007; Heraclides 2011). Boutros Boutros-Ghali's 1992 proposal included 100 points for compromise between the sides, but was again rejected over the same issues. Though Denктаş accepted 91 of the 100 points, he opposed the inclusion of the three freedoms and territorial concessions envisioned in the proposal, specifically to cede control of the Morphou/Güzelyurt district to the RoC. Morphou/Güzelyurt contained the TRNC's agriculture industry, its main aquifer, and one-third of its population, which Denктаş argued conflicted with the principle of land distribution based on economic viability and property ownership included in the Makarios-Denктаş Guidelines (Bolukbasi 1995; Loizides 2007; Ker-Lindsay 2011).<sup>74</sup> With these comprehensive solutions having failed, UN Good Offices returned its focus to confidence-building measures specifically focusing on the Nicosia/Lefkoşa International Airport, Varosha/Maraş, and development of the ethnically-mixed village of Pyla in the UN-controlled buffer zone (UNSC June 1993).

Three related regional developments following the rejection of Boutros-Ghali's proposal transformed the context in which talks were held and ultimately contributed to a more intransigent position on the Turkish side. The most salient in the context of negotiations was the decision by the European Union to accept the RoC's candidacy for membership in 1994. Both Ankara and the TRNC opposed this as violating the 1960 Treaties which forbade Cyprus from joining any international body of which Turkey was not a member.<sup>75</sup> Turkey and Denктаş demanded that the RoC withdraw its EU membership bid as a precondition for resuming talks in 1995.<sup>76</sup> The EU's decision to begin accession negotiations with the RoC in 1997 effectively

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<sup>74</sup> The RoC President Giorgios Vassiliou, who succeeded Sypros Kyprianou in 1988, also rejected Boutros-Ghali's proposal after Denктаş already had, in opposition to the inclusion of Turkish Cypriot legislative veto, which he claimed had led to the beginning the conflict in 1963.

<sup>75</sup> Interview with Rauf Denктаş, *Radio Bayrak* [in Turkish] (29 November 1994, 8 February 1995, 14 January 1996, 19 October 1997).

<sup>76</sup> Interview with Rauf Denктаş, *Radio Bayrak* [in Turkish] (27 January 1995, 7 September 1995, 6 December 1995).

ended talks until 2000.<sup>77</sup> In response, Denктаş renounced support for a federal solution beginning in 1998, calling instead for a confederation (Anastasiou 2008b).<sup>78</sup>

Shortly after the EU accepted the RoC's application for membership, the European Court of Justice (ECJ) ruled that EU member states could not trade directly with the TRNC, effectively embargoing it. As the EU did not recognize the TRNC, the ECJ ruled that it could not accept the validity of its customs stamps or health certificates. This meant a 14 percent import tariff on TRNC goods, pricing them out of European markets. Prior to this ruling, Britain had been the primary importer of Turkish Cypriot agricultural products (Talmon 2001). This meant that Turkey was the only conduit for trade for the TRNC and this coupled with the collapse of Polly Peck Inc., a conglomerate owned by Turkish Cypriot businessman Asil Nadir, drove the TRNC into further economic dependence on Turkey (Gökçekuş 2009, Bozkurt 2014, Kanol & Koprulu 2017).

Table 4.8. Timeline of Negotiations, 1984-2000.

Year	Mediator		Outcome
1984	UN: Hugo Gobbi	Good Offices - Blueprint for federal state	Rejected in 1986 over three freedoms
1989	UN	Pérez de Cuéllar proposes "set of ideas"; does not protect TRNC political equality or three freedoms	Rejected
1992	UN	Boutros-Ghali proposes "set of ideas"; 100 points for agreement and map of territorial adjustments	Rejected
1999	UN	Good Offices	Failed - Denктаş rejects federation after EU accession talks begin

<sup>77</sup> TRNC Ministry of Foreign Affairs (31 March 1998).

<sup>78</sup> Interview with Rauf Denктаş, *Turkish Daily News* (24 June 1998).

The third development then came in 1996 when the ECtHR ruled on the case of *Loizidou v. Turkey*. The claimant, Titina Loizidou, was expelled from Kyrenia/Girne by Turkish forces in 1974. The ECtHR ruling found Turkey culpable for the deprivation of the claimant's human rights by first forcibly expelling her from her property in 1974, and then continuing to violate her human rights by preventing her from returning to reclaim her property and livelihood. This ruling opened the door for a flood of similar applications from Greek Cypriots against Turkey and further damaged the TRNC's tourism sector, as both proprietors and guests could be found complicit in the continued violation of human rights (European Commission 2001; Risini 2018).<sup>79</sup> It further dealt a blow to Turkish and Turkish Cypriot claims of legitimacy by casting the 1974 invasions as grounded in human rights violations and pronouncing the TRNC to be an illegal "subordinate regime" of Ankara.

#### ***4.4.1 Turkey's Preferences***

Turkey's policies towards Cyprus, in response to these developments and others, were characterized by increased integration of the TRNC into Turkish economic and security structures. Though military rule in Turkey officially ended in November 1983, Kenan Evren remained President until 1989, advised by a "Presidential Council" composed of General Staff officers. As such, the military retained a strong role in politics even after the transition to civilian rule. This was compounded by the onset of civil conflict against Kurdish insurgents in eastern Anatolia, beginning in 1984. The military intervened in politics again in 1997 to remove from power an Islamist government led by Necmettin Erbakan in the "coup by memorandum" (Aydinli, Özcan, & Akyaz 2006; Patton 2007; Keyman 2010).

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<sup>79</sup> It was estimated that by 2000 the ECtHR was reviewing 150-200 applications brought against Turkey by Greek Cypriots.

The first civilian government after 1983, led by the Motherland Party (*ANAP*), pursued the same policies as the Evren's junta, in particular improving foreign relations with the West and economic stability. *ANAP*'s leader, Turgut Özal who had been appointed by the military government, implemented neo-liberal economic policies aimed at reducing the economic instability that had led to the coup in 1980. Özal, who succeeded Evren as President, took Turkey into the Council of Europe in 1989 (placing it under the ECtHR's jurisdiction), and in 1986 began consultations on Turkey's EU membership, believing it would stabilize the economy.<sup>80</sup> After 1989, though, Özal withdrew his support for EU membership in opposition to EU political conditionality. He was discouraged by the EU's insistence on linking a solution to Cyprus to Turkey's membership. The military further opposed EU conditionality that would see troops withdrawn from Cyprus and its political influence curbed, as well as criticism of its human rights record during the ongoing Kurdish insurgency (Tocci 2005).<sup>81</sup> *ANAP*'s coalition partners and successors, Bülent Ecevit's Democratic Left (*DSP*, split from *CHP*) and Süleyman Demirel's True Path Party (*DYP*, successor to the *AP*), likewise opposed EU political conditionality linking a Cyprus settlement to membership, with Ecevit responding that "Turkey would never sacrifice Cyprus for the EU."<sup>82</sup> After the 1997 Luxembourg Summit, at which the RoC's EU membership was accepted and Turkey's rejected, the *MGK* formally withdrew its support for EU accession and the government announced the end of relations with the EU. In response the Turkish government threatened sanctions against EU-based firms operating in Turkey.<sup>83</sup>

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<sup>80</sup> Turgut Özal quoted, *The Times* (19 February 1986); *Reuters* (22 November 1987, 27 September 1989).

<sup>81</sup> *Reuters* (22 April 1988, 28 April 1988); *Financial Times* (14 June 1988); *The Times* (20 June 1988), *Turkish Radio-Television* [in Turkish] (9 March 1995, 13 December 1995).

<sup>82</sup> Ecevit quoted, *AFP* (30 October 1997, 10 December 1997); *Turkish Radio-Television* [in Turkish] (9 December 1997).

<sup>83</sup> *Financial Times* (28 November 1997); *AFP* (14 December 1997); *Associated Press* (16 December 1997).



While Turkey's relationship with the EU declined during this period, its economic and security relationship with the TRNC became more consolidated. Beginning in 1986 Turkey began to export its neoliberal austerity and privatization reforms to the TRNC via conditionality attached to economic aid (Bozkurt 2014).<sup>84</sup> This included Turkey funding and carrying out key infrastructure projects in the TRNC including the construction of new power plants and grids, and a fresh water supply from Turkey (Bozkurt 2014; Kanol & Koprulu 2017). Turkey influenced appointments to key posts in the TRNC, such as in the security forces which remained under Ankara's control, and the central bank. In 1998, Ankara declared the TRNC to be a "priority development area" granting it the same status as underserved regions in mainland Turkey with government incentives for private investment. This integration was ultimately institutionalized in 1999 in the Cooperation Council between the foreign ministries of Turkey and the TRNC, through which aid and development projects were coordinated.<sup>85</sup> During the 1980s and 1990s Turkey increased and institutionalized its political leverage in the TRNC, coming to resemble the dependent regime it claimed not to be.<sup>86</sup>

The final development during this period was in the security field, and contributed to the military's opposition to concessions on Cyprus. In 1996 the RoC purchased Russian S-300 missile batteries as part of security reforms (UNSC June 1998). For the Turkish military, which had long-viewed Cyprus as a strategic position 50 miles from Turkey's southern coast, the deployment of missile batteries in the RoC was considered a strategic threat. Military bases on Turkey's southern coast were within range of the S-300 missiles and radar systems.<sup>87</sup> Though the

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<sup>84</sup> Author interview, TRNC, 2021; Tansu Ciller quoted, *Turkish Radio-Television* [in Turkish] (3 January 1997).

<sup>85</sup> *Radio Bayrak* [in Turkish] (28 January 1998); *Turkish Daily News* (26 February 1998); *Anadolu Agency* [in Turkish] (20 July 1999).

<sup>86</sup> Author interview, TRNC, 2021.

<sup>87</sup> Interview with Rauf Denктаş, *Radio Bayrak* [in Turkish] (29 December 1996); *The Times* (21 January 1997).

sale of the S-300s was eventually halted in 1999, this drove the military to take an even harder line on Cyprus and oppose conceding its garrison in the TRNC. In response to this dispute, the Turkish Air Force began regular flights of bombers and attack aircraft to the TRNC, often straying over the buffer zone, and in 1998 held war games in the TRNC that simulated surgical attacks on S-300 launchers (UNSC December 1998).<sup>88</sup>

#### ***4.4.2 Observed Mechanisms***

The period from 1984-2000 was characterized by a hardening of intransigent positions in Turkey and the TRNC, and simultaneous integration of the TRNC into Turkey's economic and security structures. This was driven in part by Turkish policies to implement neo-liberal economic reforms under the post-junta *ANAP* government which were transferred to the TRNC via economic aid conditions. It was also driven by four exogenous events that increased the TRNC's reliance on Turkey: (1) the RoC's EU membership bid which was opposed by both the TRNC and Turkey, who responded by pledging to further integrate or annex the TRNC; (2) the 1994 ECJ ruling that effectively made Turkey the TRNC's sole conduit for trade; (3) the 1996 ECtHR ruling that undermined the post-1974 Turkish position as illegal; and (4) the RoC purchase of missile batteries, considered a strategic threat to Turkey by the General Staff. By 1999 policies had not changed regarding Cyprus, and if anything the sides had moved further apart with the Turkish Cypriots proposing a confederation in contrast to the federal solution envisioned in the Makarios-Denktaş Guidelines.

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<sup>88</sup> *Associated Press* (5 November 1997).

Table 4.9. Observed Mechanisms, 1984-2000.

Mechanism	Observations	Outcome
1. Facilitation w/ local regime	Denktaş as primary interlocutor in talks; UNSG proposals in 1989 and 1992.	Both UN proposals rejected; confidence-building measures rejected; no change of policy.
6. Manipulation w/ patron state: reward structure	EU linking Turkish membership prospect to Cyprus settlement.	Rejected: opposition to political conditionality; will not exchange Cyprus for EU; military withdraws supports for EU membership.

Evidence of two theorized mechanisms can be observed during this period. The first mechanism is facilitation with the local regime (#1, Table 1), which notably included two attempts at formulation by UN Secretaries General Javier Pérez de Cuéllar in 1989 and Boutros Boutros-Ghali in 1992. However neither comprehensive proposal successfully managed the contentious issues of negotiations, specifically the three freedoms, territorial adjustments, and the federal status of the TRNC. Denktaş ultimately rejected both formulated proposals with the support of Ankara and refused further talks after 1997.

The second observed mechanism was manipulation with the patron state: reward structure (#6, Table 4.8), by which the European Union linked Turkey's membership prospect to a solution in Cyprus. This, however, failed to alter the Turkish position, due in large part to the influence of the military. Both the military and Kemalist parties - *ANAP*, *DSP*, and *DYP* - favored EU accession for economic reasons but opposed political conditionality. The military in particular opposed EU conditions that would curb its influence in politics and its ability to fight the ongoing Kurdish insurgency. In response, Turkish officials ruled out exchanging a Cyprus solution for EU membership, and by 1997 the *MGK* withdrew its support for EU membership in response to the RoC being granted candidate status. Accordingly, given the political context of Turkey, and the influence of the military in particular, the inducement of potential EU

membership did not alter Turkey's policies to favor a settlement, while the four noted events drove Turkey to further integrate the TRNC.

#### **4.5 The Annan Plan, 2000-2004**

The closest the sides came to reaching a settlement was with the "The Comprehensive Settlement of the Cyprus Problem" proposed by UN Secretary General Kofi Annan in 2002. Known colloquially as the "Annan Plan," it proposed a slate of compromises based on the sides' preferences expressed over the course of the UN Mission of Good Offices. Prior to the Annan Plan's proposal in November 2002, two attempts by the UN to resume talks had failed, first in 2000-01 when Denktaş set RoC recognition of the TRNC's independence as a precondition, and then in April 2002 when the RoC received a deadline for EU accession.<sup>89</sup> Denktaş wanted EU accession delayed until Turkey became a member, thereby preserving the Treaty of Guarantee. The RoC, led again by Glafcos Clerides, refused to make concessions on EU accession, which was believed would supersede the 1960 Treaties, and refused recognition of the TRNC.<sup>90</sup>

At resumed talks in New York in November 2002, the Annan Plan was presented as the most comprehensive proposal to date. It was an example of formulative mediation derived directly from the sides preferences expressed during UN facilitation, unlike prior proposals by Sakari Tuomioja and Galo Plaza that sought to shift blame to one side, or the those by Javier Pérez de Cuéllar and Boutros Boutros-Ghali that proposed specific points of compromise but left the contentious issues on the table. The initial Annan Plan included:

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<sup>89</sup> Interviews with Rauf Denktaş, *Anadolu Agency* [in Turkish] (11 July 2001, 25 August 2001); *Radio Bayrak* [in Turkish] (12 September 2001).

<sup>90</sup> Interviews with Rauf Denktaş, *Radio Bayrak* [in Turkish] (8 February 2000); *Anadolu Agency* [in Turkish] (26 February 2000, 21 September 2000, 8 April 2002); *Turkish Radio-Television* [in Turkish] (4 July 2000); Interview with Glafcos Clerides, *CyBC* (18 September 2000).

- *Character of the state* as a bi-zonal, bi-communal federation formed of two component federal entities;
- *International personality* as a singular state, in which citizens would possess two citizenships: one with the common state and one with their constituent federal entity;
- *Executive powers* held in a six-member executive council composed of four Greek Cypriots and two Turkish Cypriots elected by the legislature to serve in ten-month rotating terms as President and Vice President;
- *Legislative powers* held in a bi-cameral legislature in which each community would hold 24 of 48 seats in the upper house, and the lower house would be proportional. Any vote would be required to pass both houses;
- *Communal governance* carried out by a legislature elected in each federal entity;
- *Compensation* for displaced persons provided at market value adjusted for inflation;
- *Moratorium on resettlement* for a set period, followed by caps on the number of citizens of one federal entity residing in the other;
- *Common state flag and anthem* (UNSC April 2003).

Denktaş agreed to consider the Annan Plan as a basis for continued talks, but was concerned that the TRNC's poor economic state compared to the RoC would lead to economic and political domination by the Greek Cypriots, again undermining the federal state.<sup>91</sup> Attempts to overcome this issue in direct talks, including economic aid to the TRNC and restrictions on economic activities by Greek Cypriots in the TRNC over three rounds of revisions, failed to placate Denktaş and in April 2003 he rejected the Annan Plan (Anastasiou 2008b; Heraclides

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<sup>91</sup> Interviews with Rauf Denktaş, *Anadolu Agency* [in Turkish] (10 December 2002, 8 January 2003, 13 January 2003, 16 February 2003).

2011).<sup>92</sup> Importantly, this meant that the RoC signed its accession agreement with the EU in April 2003 without the TRNC, and would accede to the EU on 1 May 2004 regardless of a settlement (Tocci 2007). Talks remained stalled until February 2004. Though Denktaş remained opposed to the Annan Plan, under pressure from Turkey (see Chapter 5) the TRNC agreed to hold a referendum on the Annan Plan, simultaneous to one in the RoC. The version of the Annan Plan, voted on in April 2004 had been revised four times since its initial proposal in November 2002, to include:

- A larger executive council of nine members with the roles of President and Vice President rotating twice over three 20-month periods;<sup>93</sup>
- A joint central bank and Court of Federal Jurisdiction with primacy over federal entities;
- Restitution of Greek Cypriot property in the TRNC doubled, with moratorium on resettlement shortened and compensation for property backed by government bonds;
- Citizenship for Turkish settlers in the TRNC capped at 45,000 and those not granted citizenship given five years to leave;<sup>94</sup>
- Joint EU membership with the TRNC joining the EU along with the RoC, and special development aid and a moratorium on Greek Cypriot business ownership in the TRNC to foster economic parity between federal entities;
- Community veto power and separate majorities removed from central government;

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<sup>92</sup> Denktaş quoted on rejection, *Anadolu Agency* [in Turkish] (8 April 2003).

<sup>93</sup> This was a specific demand of the Greek Cypriot side, intended to create a more permanent executive body with more consistency especially in foreign affairs.

<sup>94</sup> This excluded settlers from Turkey who had married Turkish Cypriots. However it was a contentious issue. The Turkish Cypriot side had initially demanded 60,000, but estimates on settlers were as high as 120,000 at the time. See: European Commission (2002), CoE (2003).

- The Treaty of Guarantee would remain in place until 2018, when it would either be voided by Turkey’s EU membership, or renegotiated (UNSC May 2004; Anastasiou 2008b).

Accordingly, the contentious issues that had obstructed talks since 1977 were addressed: the three freedoms, centralized power, property, and the Treaty of Guarantee. Importantly, the TRNC ended its opposition to EU membership that had obstructed talks during the 1990s (UNSC April 2004; May 2004).

Table 4.10. Annan Plan Referendum Results, 2004.

	<i>Greek Cypriots (RoC)</i>	<i>Turkish Cypriots (TRNC)</i>
<i>In-favor (YES)</i>	24.2 pct	64.9 pct
<i>Against (NO)</i>	75.8 pct	35.1 pct

In the simultaneous referendums, held on 24 April 2004, the Turkish Cypriots voted in favor of the Annan Plan, and thereby reunification with the RoC and EU membership. This was the first time since the start of the conflict in 1964 that (1) the Turkish Cypriot population had been given a direct say in peacemaking, and (2) the official Turkish Cypriot position was in favor of a proposed settlement. The Annan Plan failed, however, due to the Greek Cypriot rejection. RoC President Tassos Papadopoulos, elected in February 2003, had distanced himself from the proposal, claiming to have inherited it from his predecessor, Clerides, who it was believed had supported Papadopoulos on the understanding that he would back the Annan Plan. Instead, though, he campaigned against it as impractical “capitulation” that legitimized Turkish occupation.<sup>95</sup> Importantly, the EU had removed the “Helsinki Tail” from the RoC’s accession

<sup>95</sup> Papadopoulos campaign speech before referendum, *CyBC* (22 April 2004).

agreement in 2002, which the RoC signed in April 2003 without the TRNC, meaning that it would not incur any punishment for rejecting the Annan Plan - it would join the EU the following week regardless. If anything, it was believed that the added burden of the economically unstable TRNC would harm its position in the EU (Tocci 2007; Ker-Lindsay 2011).

Table 4.11. Timeline of Negotiations, 2000-04.

Year	Mediator		Outcome
2000	UN: Kofi Annan, Alvaro de Soto	Good Offices resume under pressure from UNSC for solution	Fail in 2000
2001	UN: Kofi Annan, Alvaro de Soto	Talks restart without preconditions	Fail in 2002
2002	UN: Kofi Annan, Alvaro de Soto	Annan Plan proposed in November 2002	Rejected by Denktaş in April 2003
2004, Feb.	UN: Kofi Annan, Alvaro de Soto	Talks on Annan Plan resume in February	Referendum agreed
2004, April	UN: Kofi Annan, Alvaro de Soto	Simultaneous referenda on Annan Plan	Rejected by Greek Cypriots

#### ***4.5.1 Turkey's Preferences***

Support for the Annan Plan in the TRNC was due in large part to domestic change within Turkey. The regional context in which the Annan Plan was proposed shifted in late 1999, with the so-called “seismic rapprochement” that led to improved relations between Greece and Turkey, as well as between Turkey and the EU, which had undermined talks during the 1990s. Earthquakes in İzmit and Athens in August and September 1999 led to public outpourings of solidarity between Greece and Turkey, and reciprocal humanitarian aid and assistance (Evin 2004). In December 1999, at the EU’s Helsinki Summit, Greece committed to ending its veto of



Turkey's EU membership application and pre-accession aid. The "Helsinki Tail" was also agreed by which the EU would take into account any settlement progress prior to accession and grant special accommodations for Cyprus' accession in the event of reunification (Anastasiou 2008b; Heraclides 2011). It was within this context that the EU endorsed a UN settlement in 2000, and appended support for a UN settlement in Cyprus to Turkey's accession process (European Commission 1999; 2000). The EU later specified that a political condition for Turkey's accession was support for "the solution for the Cyprus problem proposed by the UN Secretary General" in direct reference to the Annan Plan (UNSC April 2003; European Commission 2005).

Domestically within Turkey, the primary change came with the rise of the Justice and Development Party (*AKP*), as a reformist-Islamist party that won an outright majority in the Grand National Assembly in 2002. Led by Recep Tayyip Erdoğan and Abdullah Gül, former officials in Erbakan's Welfare Party and Virtue Party, the *AKP* cast itself as a conservative pro-EU party in contrast with the anti-westernism associated with Erbakan and his new Felicity Party.<sup>96</sup> The *AKP*'s rise was attributable to both the growth in Islamic-based welfare following *ANAP*'s neoliberal reforms in the 1980s and general disenchantment with the Kemalist-military establishment after the 1997 "coup by memorandum" that ousted and banned the Welfare Party (Patton 2007; Keyman 2010; Ozel 2013). In addition to campaigning on a pro-EU reform platform in the 2002 elections, the *AKP* leadership regarded EU membership talks as benefiting their position by curbing the influence of the military in politics. Unlike previous governments that had supported the economic benefits of EU accession but opposed political conditionality, the *AKP* believed that political conditions such as a human rights protections and democratic

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<sup>96</sup> Following the 1997 "Coup by Memorandum" Erbakan's Islamist Welfare Party was disbanded and recast as the Virtue Party which then collapsed in 2001 and split into the more hardline anti-West Felicity Party led by Erbakan and the reformist *AKP*.

reforms would curb the influence of the military and the “authoritarian tendencies of militant Kemalism” which had stifled political Islam and constrained democracy in Turkey (Glyptis, 2005; Aydinli et al., 2006; Gürsoy, 2011).

The *AKP* also sought to distinguish itself from its predecessors, including the Welfare Party, in its foreign policy and policy on Cyprus. Erdoğan regarded Turkey’s long-standing intransigent policy on Cyprus, including maintaining a strong military presence and propping up Rauf Denktaş as “40 years of mistakes” that hindered Turkey’s relations with its neighbors and the EU and exemplified the military’s parochial influence at cost to Turkey as state. In the 2002 election campaign, Erdoğan ruled out his predecessors’ threats to annex the TRNC and supported a “Belgian-style federal solution.”<sup>97</sup> The *AKP* supported the Annan Plan when it was proposed in November 2002 and in January 2003 the Foreign Ministry announced that its Cyprus policy had been revised in-line with the terms of the Annan Plan, despite Denktaş’s opposition to it.<sup>98</sup> *AKP* Foreign Minister Yaşar Yakış visited Denktaş during talks in New York in 2002 to persuade him not to reject the Annan Plan, but accept it as a basis for further talks.<sup>99</sup> When Denktaş did reject the Annan Plan in April 2003, the EU reiterated support for a settlement as part of its political conditionality, stating that Turkey must “strongly support efforts to find a comprehensive settlement of the Cyprus problem, building on the initiatives of the United Nations Secretary General, which remain on the table.”<sup>100</sup> Restrictions on movement across the ceasefire line, maintained by military and police who were commanded from Ankara, were lifted at Ankara’s behest the following week (UNSC May 2003; November 2003). In the subsequent TRNC

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<sup>97</sup> Erdoğan quoted, *Anadolu Agency* [in Turkish] (6 November 2002, 2 January 2003).

<sup>98</sup> *Anadolu Agency* [in Turkish] (16 November 2002, 17 November 2002); Foreign Ministry Press Release, *Turkey Today* (9 January 2003).

<sup>99</sup> *Anadolu Agency* [in Turkish] (16 November 2002, 17 November 2002, 20 November 2002, 24 December 2002, 19 January 2003, 27 January 2003); *Radio Bayrak* [in Turkish] (24 November 2002).

<sup>100</sup> EU Commissioner for Enlargement Günter Verheugen quoted, *Anadolu Agency* [in Turkish] (15 April 2003).

elections in 2003, the *AKP* backed the pro-EU party that supported the Annan Plan in the TRNC, the Republican Turkish Party (*CTP*).<sup>101</sup> Even as Denktaş refused to continue talks after April 2003 and again in 2004, *AKP* Foreign Minister Abdullah Gül continued to support the Annan Plan and push for continued talks (UNSC May 2004).<sup>102</sup>

Lastly, the military did not oppose the *AKP*'s pro-EU agenda outright, as it had opposed EU membership in the 1980s and 1990s. The military continued to support Denktaş due to a preference for strategic stability in the eastern Mediterranean, and existing personal relationships between Denktaş and senior officers (Anastasiou 2008b).<sup>103</sup> The military, though, was generally unpopular after 1997 and less obstinate on the issue of EU membership than it had been when the *MGK* withdrew support for accession in 1997 (Yesilada & Sozen 2002). Importantly, this newfound support for EU accession within the military General Staff, was crucial for it remaining on the *AKP*'s side, despite its aversion to Islamist politics. Though EU accession conditions curbed the political influence of the military and subjected it to civilian control, the General Staff regarded it as a sustainable remedy to the problems that had led to its interventions in politics since 1960: economic instability, violent polarization between far-right and far-left, political Islam, and Kurdish separatism (Aydinli, Özcan, & Akyaz 2006; Taspinar 2011).

#### **4.5.2 Observed Mechanisms**

The period from 2000-04 was characterized by a marked shift in Turkish policy towards Cyprus, best indicated by the Turkish Foreign Ministry's revision of its policy in-line with the Annan Plan in 2003. This new policy was facilitated by the ascension of the *AKP* to power in 2002 as a party that favored EU accession to which a Cyprus settlement was linked and was critical of

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<sup>101</sup> *CTP* leader Mehmet Ali Talat quoted, *Anadolu Agency* [in Turkish] (28 October 2003).

<sup>102</sup> Also: *Anadolu Agency* [in Turkish] (23 April 2004).

<sup>103</sup> Author interviews, TRNC, 2021.

prior Cyprus policies. Importantly, the *AKP* supported EU membership early on as a long-term means of curbing the influence of the military and Kemalist parties. Simultaneously the military ended its opposition to EU accession as a solution to the long-term problems that had plagued Turkish politics. The outcome of this period, despite a Greek Cypriot rejection in April 2004, was a new Turkish policy in support of a comprehensive settlement. The problem, explored in more depth in the following chapter, was then inducing the TRNC to support this policy in favor of the Annan Plan.

Table 4.12. Observed Mechanisms, 2000-04.

Mechanism	Observations	Outcome
1. Facilitation w/ local regime	Denktaş as primary interlocutor; Annan Plan based on preferences conveyed by RoC and TRNC.	Denktaş rejects Annan Plan in April 2003.
6. Manipulation w/ patron state: reward structure	Turkish prospect for EU membership linked to support for UN proposal of Cyprus settlement - Annan Plan.	Turkish Foreign Ministry revised Cyprus policy in-line with Annan Plan in January 2003.

During this period, two potential mechanisms were observable. The first was facilitation with the local regime (#1, Table 4.12), by which Denktaş continued to serve as primary interlocutor and from which the Annan Plan was formulated. However, despite the Annan Plan including Denktaş's preferences, he rejected it in April 2003, though had never fully supported it since November 2002.

The second mechanism, manipulation with the patron state: reward structure (#6, Table 4.12), led directly to a change in Turkish policy by offering the long-term reward of EU membership in exchange for a settlement in Cyprus. Previous Turkish support for EU accession had been undone by linking accession to a Cyprus settlement (among other political conditions), which both the civilian government and *MGK* opposed. The same condition was reiterated by the

EU in 2002, but the difference was the dominance of the *AKP* in government which supported EU accession at the time, and held an outright majority leaving it immune to radical coalition partners (as the *AP* had suffered from in the 1970s). EU accession then presented long-term benefits for the two key factions in Turkey. For the *AKP* government, EU accession appealed to its supporters and curbed the influence of the military, which had intervened five years earlier to remove an Islamist government. For the military, EU accession provided a potential remedy to Turkey's persistent instability that had triggered its interventions in politics since 1960. Accordingly, while EU accession provided an inducement for policy change pursuing a settlement, the appeal of that inducement depended on the preferences of the political factions in power domestically within Turkey (see Schimmelfennig 2005).

#### **4.6 Post-Annan Plan, 2005-21**

The failure of the Annan Plan in 2004 was followed by four years of stalled talks, while Tassos Papadopoulos remained President of the RoC. Though he and Mehmet Ali Talat, the *CTP* leader who was elected to succeed Denktaş as TRNC President in 2005, met on numerous occasions to discuss practical and humanitarian issues, his preconditions of Turkish troops leaving Cyprus and the TRNC renouncing its independence obstructed a resumption of talks. Talks under UN auspices only resumed in 2008 after the election of Demetris Christofias as RoC President, with the intention of reaching a political solution within the framework of the Annan Plan (UNSC November 2009).<sup>104</sup> In talks mediated by UN envoy Alexander Downer in July 2008 the sides reaffirmed commitment to a bi-zonal, bi-communal federation and agreed to 18 confidence-building measures. Since 2004, though, a new issue area to be negotiated was alignment of the

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<sup>104</sup> Christofias was leader of the communist *AKEL* party in RoC and a supporter of reunification who had met with Talat on many occasions during the 1990s.

TRNC with EU standards, on which talks began in September 2009. In 71 meetings from 2008-10 Talat and Christofias agreed to solutions for governance and power-sharing, economic management, and EU standards, and limited progress was made on the contentious issues of property ownership and security (UNSC November 2009; May 2010).

Talks broke down from 2012-14 after the RoC assumed the rotating EU presidency in July 2012, complicated by leadership changes on both sides and a growing dispute over natural resources. In the RoC, Christofias was replaced by another committed pro-reunification leader in 2013, Nicos Anastasiades, one of the few Greek Cypriot leaders to have supported the Annan Plan in 2004. In the TRNC, though, Talat was replaced by Derviş Eroğlu, the former hardline *UBP* Prime Minister who had opposed federalism in the 1990s and the Annan Plan in 2004 (UNSC May 2010).<sup>105</sup> Despite Eroğlu's previous opposition to the Annan Plan, he promised to continue talks in 2010, and when talks resumed again in 2014, he did reaffirm commitment to the parameters for a settlement outlined in the Annan Plan, albeit under pressure from Ankara.<sup>106</sup>

Eroğlu was ousted as TRNC President in 2015 by Mustafa Akıncı, a long-time peace activist who had advocated for the Annan Plan alongside Talat. UN envoy Lisa Bittenheim noted renewed political will for a settlement between Anastasiades and Akıncı who approached matters constructively and avoided blaming one another (UNSC January 2016; July 2016). They failed to reach an agreement at a summit in Geneva in November 2016, but reconvened talks in Crans-Montana, Switzerland in 2017, though Akıncı was losing support for continued talks.<sup>107</sup> Though they reached nearly full agreement on federal structure, free movement of persons,

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<sup>105</sup> Anastasiades was leader of the center-right *DISY* (the same party as Glafcos Clerides), which had viewed the Annan Plan as a practical solution which could be adjusted over time, especially once both sides were in the EU. See: *AFP* (14 May 2012).

<sup>106</sup> This statement had been set as a precondition for resuming talks by Anastasiades. Christofias had been critical of Eroğlu during talks who he believed was delaying an agreement and refused to renounce a supposed "plan B" for Cyprus. See: *Cyprus News Agency* (11 February 2014).

<sup>107</sup> *AFP* (21 November 2016); *Anadolu Agency* (26 June 2017); *Associated Press* (29 June 2017).

territory, and property restitution, the Crans-Montana talks ended without an agreement due to issues of the political status of the TRNC and security guarantees (UNSC September 2017).<sup>108</sup>

Both Anastasiades and Akıncı supported continuing talks, but Turkey withdrew its support for the Annan Plan framework after the failure of Crans-Montana (UNSC October 2018). In October 2020, nationalist leader Ersin Tatar was elected TRNC President, having campaigned on promises to end talks and pursue a two-state solution, and unilaterally resettle Varosha/Maraş under Turkish Cypriot control. At the 2021 Geneva Summit, Tatar and Erdoğan announced an official position in favor of a two-state solution - renouncing the commitment to federalism held since the 1977 Makarios-Denktaş Guidelines.

Table 4.13. Timeline of Negotiations, 2005-21.

Year	Mediator		Outcome
2008	UN: Alexander Downer	Good Offices resume between Christofias and Talat, then Christofias and Eroğlu	Fail in 2012 when RoC takes EU presidency
2014	UN: Alexander Downer, Lisa Buttenheim	Talks restart between Anastasiades and Eroğlu, then Anastasiades and Akıncı	Lead to Geneva Summit
2016	UN: Lisa Buttenheim	Geneva Summit between Anastasiades and Akıncı	Fails to produce agreement
2017	UN: António Guterres, Lisa Buttenheim	Crans-Montana Summit between Anastasiades and Akıncı	Fails
2021	UN: Jane Holl Lute	Geneva Summit	TRNC and Turkey announce support for 2-state solution and resettlement of Varosha/Maraş

<sup>108</sup> Turkey and the TRNC regarded the RoC proposals including a precondition on Turkish troop withdrawals as nothing new and their position to be based on a “charm offensive” rather than substantive concessions. Turkey had been willing to withdraw 80 percent of its garrison from the TRNC, which was rejected by the RoC, which demanded full withdrawal. See: *AFP* (30 June 2017, 3 July 2017, 8 July 2017); *Associated Press* (5 July 2017).

#### 4.6.1 Turkey's Preferences

The change in talks from 2008-21 reflected a marked change in Turkish domestic politics and Turkey's relations with the European Union. Turkey's declining relationship with the EU has been the subject of a considerable body of scholarship, and linked to both the consolidation of autocratic power by the *AKP* over the course of its rule, and enlargement problems on the EU's side. In the years immediately after the Annan Plan referendum, Turkey remained committed to a solution in the framework of the Annan Plan, as well as EU political reforms. In 2008, Erdoğan threatened to call fresh elections, despite the *AKP*'s majority, if the opposition attempted to block EU reforms included in constitutional amendments (Cagaptay 2009). Importantly, support for EU accession continued to placate the military which had an uneasy relationship with Erdoğan and was gradually losing influence in the *MGK* (Taspinar 2011).<sup>109</sup> Simultaneously though, Turkey was critical of the EU's position on Cyprus and its failure to end the TRNC's isolation, despite its support for the Annan Plan.<sup>110</sup> It denied the RoC access to its ports and airports after 2005, in contravention of its EU accession partnership, hoping to force the RoC back into talks on the Annan Plan. The EU responded, not by pressuring the RoC, but by threatening to suspend Turkey's accession negotiations, begun in October 2005, and the RoC then responded by threatening to block further negotiations.<sup>111</sup>

Changes to the *AKP*'s pro-EU/pro-Annan Plan position became more evident after 2010. Regionally, the *AKP* supported several Islamist parties during the Arab Spring, supporting the ousting of secular governments in Tunisia and Egypt, and its foreign policy discourse became

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<sup>109</sup> *MGK* statement of support for restarting talks within UN parameters, *Turkish Daily News* (26 April 2008, 21 July 2008).

<sup>110</sup> Statements by Turkish Foreign Minister-then-President Abdullah Gül, *Turkish Daily News* (30 May 2005); *Anadolu Agency* (21 January 2006); *Associated Press* (18 September 2007).

<sup>111</sup> *Associated Press* (3 November 2006); *Turkish Daily News* (9 November 2006); *Deutsche Welle* (8 December 2006).



increasingly critical of NATO and Israel (Larrabee 2007; Cagaptay 2009; Akyol 2011). An undocking from the EU's regional preferences was made more evident after the outbreak of the Syrian Civil War, which saw refugee flows to the EU via Turkey. The *AKP* could leverage concessions from the EU with transactional deals on the issue of refugees rather than domestic reforms that curbed the *AKP*'s power, such as the 2016 deal with the EU by which Turkey stopped refugee transit to Greece in exchange for 6 billion euro in aid and visa-free travel (Lepeska 2015; Batalla Adam 2017). Turkey's relationship with the EU further declined after the violent crackdown on the Gezi Park protests and increasing curbs on free speech and critical media that triggered EU human rights sanctions (Danforth & Toygur 2017). While the *AKP* initially supported the EU's democratic political conditionality, including human rights standards, to curb the military's influence in politics, these conditions became a hindrance to *AKP* rule, and Erdoğan began to cast the EU as an opponent to Turkey, harkening back to the anti-Western "enemy" rhetoric that had been espoused by the *MHP* and by Erbakan in the 1970s and 1990s (Aydın-Düzgit 2016; Cagaptay 2020; Bechev 2022).

Two developments pertaining more directly to Cyprus further influenced change in Turkey's policy. The first was a dispute over hydrocarbons in Cyprus' Exclusive Economic Zone (EEZ) beginning in 2006 and escalating after 2011. Turkey and the TRNC disputed the RoC's authority to tender contracts for exploration and drilling in Cypriot waters, and when it did award contracts to EU-based firms, Turkey responded by sending its own exploration ships and naval warships to the waters off of the TRNC. The gas reserves in Cyprus' EEZ were estimated to be negligible. Their extraction, though, was viewed as an issue of sovereignty rather than resource competition. Turkish warships turned away foreign exploration vessels from Cypriot waters and resumed wargames in the TRNC, including naval exercises, that had been suspended as a show

of good faith since 2002 (UNSC July 2013; June 2018).<sup>112</sup> As early as 2007, the EU warned Turkey that unilateral claims over hydrocarbons in Cyprus' EEZ could lead to a suspension of membership talks.<sup>113</sup> In 2019, after confrontations between French exploration vessels and Turkish warships, the EU targeted sanctions against Turkey for “aggressive actions towards EU members” (UNSC November 2019).<sup>114</sup>

The second development was the domestic resurgence of Turanist/Eurasianist nationalists within Turkish domestic politics in 2016-17, who opposed concessions on Cyprus, EU accession, and viewed the West as a predatory opponent of Turks. Following a failed coup attempt in 2016, Erdoğan purged the military officer corps, most of whom were pro-western/pro-NATO leaning, and replaced them with high ranking officers more sympathetic to Pan-Turkic or Turanist/Eurasianist views, many of whom had been purged from the military during the Ergenekon Trials in 2008. This new officer corps was less supportive of EU reforms, favored a harder line on Cyprus, and influenced Turkey's problematic relationship with NATO after 2016 (Koru 2016; Erdemir & Tahiroglu 2017).<sup>115</sup> The following year, to pass the new constitutional referendum in 2017, transforming Turkey to a centralized presidential system, the *AKP* formed an alliance with *MHP* (Tol & Taspinar 2016; Dalay 2017; Genc 2019). The *MHP* had briefly tempered its anti-EU rhetoric in the early-2000s, but following the EU's warnings to Turkey specifically over Cyprus, it resumed its opposition to concessions on Cyprus (Kiratli 2015). As it had in coalition with the *AP* in the 1970s, and it explicitly ruled out security concessions on the

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<sup>112</sup> See official statements on hydrocarbon dispute in *Reuters* (7 August 2007); *AFP* (25 November 2008); *Cyprus Mail* (19 August 2011, 28 September 2011); *Anadolu Agency* [in Turkish] (15 February 2012); *Cihan* [in Turkish] (3 February 2014); also: Author interviews, TRNC, 2021.

<sup>113</sup> EU Enlargement Commissioner Olli Rehn quoted, *Turkish Daily News* (13 August 2007).

<sup>114</sup> Also: *The Economist* (25 July 2019).

<sup>115</sup> This was best exemplified in Turkey's purchase of Russian S-400 missiles instead of NATO systems that led to its exclusion from the F-35 fighter program. Their influence was also considered evident in Turkey's strong support for Azerbaijan in the 2020 Nagorno-Karabakh conflict.

TRNC, a federal settlement in Cyprus, and a Cyprus settlement as conditional for EU membership.<sup>116</sup>

Turkey's position changed significantly during this period. In the years immediately following the Annan Plan referendum in 2004, it continued to support a settlement within the framework of the Annan Plan. Over the following decade this preference shifted back to an intransigent position that opposed EU conditions linked to resolving the Cyprus conflict as observed during the 1990s. This was driven in part by domestic changes within Turkey that saw the *AKP* consolidate an autocratic hold on power, which EU political conditions would hinder, and a return of Turanist/Eurasianist forces in the military and ruling coalition after 2016 that opposed EU political conditions linked to Cyprus. This was further driven by an increasingly conflictual relationship with the EU. The *AKP* evolved from casting EU accession as a vehicle for reforming the autocratic tendencies of militant Kemalism in 2002 to casting it as an enemy of Turkey, responsible for sanctioning Turkey over human rights violations and naval operations in the eastern Mediterranean (Aydın-Düzgüt 2016; Bechev 2022). Consequently, the inducement of EU membership that had influenced policy change towards Cyprus in 2002-03 became less credible as a reward which would actually be received, and less appealing as a reward for the *AKP* government.

#### ***4.6.2 Observed Mechanisms***

As noted above, the post-Annan Plan period, 2005-21, was characterized by a marked shift in Turkey's policy towards Cyprus, from supporting continued talks in 2008 to opposing further talks after 2017 and formally advocating a two-state solution and the unilateral resettlement of

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<sup>116</sup> *MHP* Party Programs 2015, 2018.

Varosha/Maraş in 2019-21. The *AKP*'s rise after 2002 had marginalized the traditional veto players in Turkey politics, including the military, leaving space for a new Cyprus policy.

However, both regional and domestic developments saw the *AKP*-led government clash with the RoC on the issues of ports and hydrocarbons, and with the EU on democratic political reforms and foreign relations with member states. Ultimately, having marginalized the traditional Kemalist veto players, *AKP*-led Turkey returned to the same intransigent position on Cyprus, if not more extreme, that the Kemalists had held in the 1990s and before.

Table 4.14. Observed Mechanisms, 2005-21.

<b>Mechanism</b>	<b>Observations</b>	<b>Outcome</b>
1. Facilitation w/ local regime	TRNC president as primary interlocutor; constructive talks from 2008-17.	Near agreement in 2017; Akıncı's preference for continued talks after Crans-Montana failed to alter new Turkish preference.
6. Manipulation w/ patron state: reward structure	Turkish prospect for EU membership linked to support for UN proposal of Cyprus settlement.	Declining appeal/prospect of EU, confrontations with EU members, and return of Turanist/Eurasianist partners: reward for concessions decreased

During this period, two mechanisms were observable in talks. The first was facilitation with the local regime (#1, Table 4.14) by which the President of the TRNC remained the primary interlocutor in talks. This was influenced by who occupied that office, as well as the presidency of the RoC. Talks could not resume while Tassos Papadopoulos remained RoC President, due to his preconditions, and only resumed once Demetris Christofias was elected. On the TRNC side, talks were reported by UN envoys to be more constructive under Mehmet Ali Talat and Mustafa Akıncı, two long-standing peace activists, than under the more hawkish Derviş Eroğlu. Even after the failure of Crans-Montana, Mustafa Akıncı attempted to continue talks without Turkish support in 2017-18, but this failed to change Turkey's policy on ending talks, and Akıncı was ousted in subsequent elections.

The second observed mechanism was manipulation with the patron state: reward structure (#6, Table 4.14) by which a settlement in Cyprus was linked to Turkey's own EU accession prospect. This was reiterated by the EU in 2006 and 2007 when it issued warnings to Turkey that disputes with the RoC over access to ports and hydrocarbons would adversely affect membership negotiations. However, in-keeping with observations of EU conditionality, the leverage of conditions to induce reforms declined over time as the prospect of membership became less credible, subject to political changes within member states and aspirants themselves (see Anastasakis 2008, Freyburg & Richter 2010, Borzel & Lebanidze 2017, Bieber 2020). In the case of Turkey during this period, the appeal of membership declined. EU membership came to constitute a threat to *AKP* rule and anathema to its partners in the government and military after 2016. While the reward for concessions remained the same from 2002-21, the domestic political value of that reward for the ruling coalition declined, especially after 2016.

#### **4.7 Conclusion**

The purpose of this chapter has been threefold. First to provide a detailed overview of the context and dynamics of the Cyprus conflict, ongoing since before Cyprus' independence in 1960, as well as external efforts to mediate a solution beginning in 1964. For the majority of the conflict, the UN acted as mediator with brief interventions by the US, and indirect interventions by the EU in support of UN mediation. What is also evident from this overview is that within Turkey the Cyprus conflict was more than a strategic contest over territory, but was an aspect of national identity for developing nationalism in the Republic of Turkey. While Cyprus, lying only 50 miles from Turkey's southern coast, did present strategic challenges to Turkey, notable in the military and evident in the S-300 missile dispute in 1996-99, it was also a salient issue of

national identity that developed in the 1960s and continued after. Nationalist parties, such as the *MHP*, were unwilling to make concessions on Cyprus despite the material costs to Turkey.

The second purpose was to identify specific mechanisms through which internationally-led mediation affected Turkey's preferences towards Cyprus. As theorized in Chapter 2, there were a number of potential pathways through which policies could be altered by mediation. For much of the period considered in this study, Turkey's policy was largely intransigent on a settlement: formally calling for a federal solution, but opposing concessions on territory, troop removals, or the institutional nature of the federal state, while propping up the TFSC/TRNC and its leaders. For the most part, facilitative mediation involving the RoC, Turkey, the TFSC/TRNC failed to alter preferences. Only after the Turkish invasions in 1974 was the RoC willing to accept federalism, as it was the *de facto* reality after August 1974. Following 1974, Turkey and the TFSC/TRNC did not change their preferences despite comprehensive settlement proposals in 1977, 1989, and 1992, as that same post-1974 reality allowed them to achieve their objectives regardless of a settlement: preventing *enosis* and carving out a Turkish Cypriot entity linked to Turkey. Additional instances of manipulative mediation did have an effect on preferences, beginning in 1964 when US threats prevented Turkey from unilaterally invoking the Treaty of Guarantee and invading Cyprus. The effects of manipulation were most evident during the period of the Annan Plan, when Turkey's own EU accession was linked to a Cyprus settlement. And when the reward from this manipulation became less appealing due to regional and domestic developments, Turkey's preference for a settlement ended.

Lastly, the third purpose of this chapter was to identify specific instances of policy change towards Cyprus within Turkey. Three notable points of change can be identified from this overview. One was during the late 1970s and early 1980s when the *CHP* government of

Bülent Ecevit and the military junta of Kenan Evren supported concessions on UN confidence-building measures in response to a US arms embargo. Another was 2002-14 when the *AKP* government of Recep Tayyip Erdoğan, supported a settlement in the framework of the Annan Plan in official policy after Turkey's EU accession was linked to a Cyprus settlement. The last point of policy change was then from 2015-21 when Turkish support for a settlement declined, culminating in an official policy supporting a two-state solution tabled in 2021. These three specific instances are further analyzed in the following chapter to identify the specific ways in which changes to policy in Turkey were translated to the local regime, the TFSC/TRNC.

## 5 FROM TAKSIM TO PEACE & BACK AGAIN

The idea of unilaterally declaring independence was first proposed by Turkish Federated State of Cyprus (TFSC) President Rauf Denktaş in May 1983. He opposed the Greek Cypriot demands for a solution that guaranteed the freedom of movement, settlement, and property in a federal state, believing they would dilute the character of federalism, and believed that declaring independence would remove them from the negotiating table. Independence was subsequently proposed in the TFSC's parliament where it gained broad support in May 1983. The head of Turkey's military government (1980-83), Kenan Evren, warned Denktaş not to declare independence, believing it would ostracize Turkey from the West, and threatened to remove him as Turkish Cypriot leader in June 1983 if he continued his push for independence. Denktaş complied with Evren, but then in November 1983 unilaterally declared independence, with unanimous parliamentary support, as the Turkish Republic of Northern Cyprus. Denktaş had specifically waited until November, the interregnum between military and civilian rule in Turkey, when he believed Evren could not punish him and though Evren and the new *ANAP*-led civilian government did not approve, they could not remove Denktaş from power.

This anecdote from 1983 illustrates two points about the Turkey Cypriot local regime in conflict. One is that it was not a strictly subordinate regime that took orders from Ankara and implemented policy on its behalf. Rather it had its own leaders, who though dependent upon Turkey for resources and political support, had their own preferences for conflict resolution outcomes. The other point was that the Turkish Cypriot leader, Rauf Denktaş, was a skilled statesman able to influence and respond to Ankara's preferences in ways that benefitted his own interests and preferences. When Ankara's preferences supported concessions or more cooperative positions pursuant to a settlement, Denktaş could act as a spoiler to undermine them.



Building on the previous chapter (Chapter 4) that traced ways in which international mediation affected Turkish preferences and policy on Cyprus, this chapter traces how Turkey then sought to influence the policies and preferences of the Turkish Cypriot leadership. The purpose is twofold. First is to disaggregate the Turkey Cypriot local regime and trace its pathology over the course of the conflict, from 1964-2021. To reiterate (from Chapter 3), the local regime is the complex of actors, institutions, resources, and strategies that determine the conduct of subnational politics and how it links to higher tiers of authority. As noted in Chapter 3, one of these links to higher tiers of authority in the absence of consolidated hierarchical state, is the “diagonal linkage” to a patron state. The second purpose is then to identify the specific mechanisms for how the patron state, Turkey, enacts its own preferences within the local regime, and how those preferences affect local regime policies towards cooperation.

The analysis proceeds in two stages. In the first stage, the pathology of the Turkish Cypriot local regime is traced chronologically over four time periods, focusing specifically on key actors, institutions of exchange, resources, and strategies. The second stage, then builds on the findings from the previous chapter to identify the specific mechanisms by which Turkey enforced or failed to enforce its preferences in the TFSC/TRNC after policy change within Turkey.

## **5.1 Turkish Cypriot Regime: Enclaves to de facto State**

### ***5.1.1 Turkish Cypriot Enclaves Pre-Partition, 1964-74***

Cyprus was not partitioned into contiguous ethnic zones until after the second Turkish invasion in 1974, but a parallel Turkish Cypriot local regime had evolved since 1964. The outbreak of intercommunal fighting in December 1963 triggered the unmixing of the Greek and Turkish Cypriot populations. Turkish Cypriot villages and city quarters were targeted by the numerically

superior Greek Cypriot paramilitaries and the strictly ethnic-Greek National Guard, forcing ~25,000 Turkish Cypriots to flee their homes.<sup>117</sup> Turkish Cypriots abandoned 94 villages and neighborhoods and congregated in defensible enclaves where they were protected by the re-mobilized Turkish Resistance Organization (*TMT*), the pro-*taksim* militia that had fought the *EOKA* prior to independence. The largest enclaves were at Kokkina/Erenköy, Kyrenia/Girne, northern Nicosia/Lefkoşa, and the old city district in Famagusta/Gazimağusa, with smaller ones scattered around the island. They accounted for only 56 square miles (2-3 percent of total territory) and became cramped with relocating Turks and underserved with limited access to resources and basic services, due primarily to a blockade of individual enclaves by Greek Cypriot forces from 1964-68 (UNSC December 1964; Patrick 1973). This included an embargo on certain joint-use goods such as winter clothing, fuel, and tents which the Greek Cypriots claimed would be used by the *TMT*, but were also needed by displaced Turks to survive the winters. The boundaries around enclaves, marked by makeshift *TMT* fortification and Greek Cypriot checkpoints, became physical manifestations of the ethnic divide between Greek and Turkish Cypriots (UNSC December 1966; June 1967; March 1968).

Political leadership in the enclaves developed from three groups of officials. One was the Turkish Cypriot officials who had been elected to central institutions in 1960 before quitting in 1963, including Vice President Fazıl Küçük, former-defense minister Osman Örek, and 19 elected deputies. Another group was the members of the Turkish Cypriot Communal Chamber, provided for in the 1960 constitution, which was headed by Rauf Denktaş and 15 elected

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<sup>117</sup> One of the earliest challenges noted by UNFICYP was identifying official security forces. The National Guard, which was constitutionally limited to a force of 2,000, of whom 800 were supposed to be ethnic Turks, was more than 5,000 strong, commanded by officers seconded from Greece, and operated seamlessly with ~30,000 paramilitaries, many of whom were former-*EOKA* fighters, who were armed by the National Guard and reinforced National Guard positions. Official Turkish Cypriot policemen were disarmed and sent home.

deputies to oversee communal matters. Lastly, pertaining to the smaller enclaves, were the local village headman, *mukhtars*. These officials and institutions were consolidated into a single Provisional Administration in December 1967 composed of an assembly and executive council headed by Rauf Denктаş. By 1970 Denктаş was re-elected as head of the executive and his National Solidarity Programme held all of the posts in the Provisional Administration, despite the emergence of the Republican Turkish Party (*CTP*) in 1970 as an opposition movement (UNSC March 1968; Patrick 1973; Jackson 2021).

With limited access to resources, due to the Greek Cypriot blockades until 1968, and subsequent refusal to reintegrate, the enclave and provisional administrations were restricted in the services they could provide the Turkish Cypriot population. The primary service provided after December 1963 was physical protection, provided to enclaves by the remobilized *TMT*. By the end of 1964 its strength was estimated at 12,000 fighters, primarily manning makeshift roadblocks or fortifications around enclaves (UNSC December 1964; March 1965). This included a professional force of ~6,000, and an additional ~6,000 conscripts regulated through enclave-level conscription policies, which in addition to keeping the *TMT* at fighting force, kept a sizeable body of trained former-conscripts in reserve, to be recalled in case of emergencies (UNSC March 1966). Most *TMT* fighters had received formal training either as gendarmes during British rule, from Turkish commandos prior to independence, or more recently as students studying in Turkey (Novo 2012; Kadioğlu and Bezci 2020).<sup>118</sup> Turkey furthermore supplied the *TMT* with weapons. Despite the Greek Cypriot blockades, UN observers noted surplus Turkish weapons in *TMT* hands and high levels of command discipline observable in regular patrol

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<sup>118</sup> Reports on students' recruitment and training in Turkey, *The Times* (29 March 1964).

routes, unit tactics, and public ceremonies (UNSC June 1970; November 1971; December 1972).

Resources available to the Turkish Cypriot enclave elites, including the *TMT*, were provided primarily by Turkey or UN humanitarian aid. *TMT* fighters and weapons were smuggled into Cyprus via the Kokkina/Erenköy enclave, the Turkish Cypriots' only access to the coast (UNSC December 1964; June 1970). Their fighting capacity was boosted by Turkish air support during fighting in 1964 and 1967 when the Turkish Air Force carried out attacks on Greek Cypriot forces (UNSC December 1964; March 1968). Funding and limited humanitarian aid from the Turkish Red Crescent were provided via the Turkish embassy in Nicosia. Red Crescent aid was limited due to Greek Cypriot restrictions that had to be negotiated by the embassy and by enclave-level blockades that prevent certain goods from entering enclaves, ostensibly to deprive the *TMT* of resources. Humanitarian aid distributed by UNFICYP supplemented the limited Red Crescent aid, however, bans on items such as fuel, fertilizer, and construction materials continued to limit the services that could be provided in enclaves (UNSC December 1964; June 1967). Funds provided from Turkey were used to pay salaries and fund the construction of 1,400 new homes in enclaves beginning in 1966, but with bans on construction materials, they were not completed before 1972 (UNSC December 1969; November 1971; December 1972; May 1973).

Despite the poor provision of services within enclaves, few Turkish Cypriots relocated to better-served, government-controlled areas despite projects to provide accommodations (UNSC June 1970; May 1973). This was primarily due to policies and rhetoric designed to deter Turkish Cypriots from seeking benefits from the Greek Cypriots. Beginning in 1965, Turkish Cypriots were required to obtain an "exit permit" from the Communal Chamber and register with the *TMT*

in order to leave enclaves (UNSC March 1965). The Provisional Administration after 1967 passed seven laws regulating movement in and out of enclaves, that required exit permits and clearance from the *TMT*; and, an additional nine laws prohibiting moving residence from an enclave or sale of property to “persons not of the Turkish community.”<sup>119</sup> These enclave-level laws were annexed with penalties such as monetary fines and imprisonment. Harassment and threats of violence were also leveled by the *TMT* against Turkish Cypriots seeking employment or to resettlement outside of enclaves (UNSC December 1965; March 1968; June 1968; Jackson 2021). This constituted an institutionalized form of in-group policing to deter cooperation across ethnic boundaries.

In addition to legal sanctions and intimidation being used to deter Turkish Cypriots from crossing ethnic boundaries to resettle or find employment in the better-served, government-controlled areas, elite rhetoric contributed to their isolation. Elite-level discourse invoked threats of elimination, expulsion, and the fear of *enosis*. For example in 1964, Denktaş urged Turkish Cypriots not to return to “living amongst their persecutors” (UNSC December 1964). In 1965, Turkish Cypriot officials proclaimed that Greek Cypriot forces were preparing to overrun them and eliminate them from Cyprus (UNSC March 1965). And mundane acts such as Makarios’ government purchasing small arms from Czechoslovakia or reforming the National Guard structure were reported in Turkish Cypriot papers as evidence of a plot to eliminate them (UNSC March 1968; January 1972; May 1973).<sup>120</sup> As the UNFICYP commander observed, the Turkish Cypriot public within enclaves lived in a state of anxiety and fear due to beliefs of their imminent elimination from Cyprus (UNSC March 1965; June 1970).

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<sup>119</sup> Turkish Republic of Northern Cyprus Assembly Legislative Archives (accessed 9 December 2020); *Bozkurt* [in Turkish] (20 May 1969).

<sup>120</sup> Also: Interviews with Fazıl Küçük, *The Times* (7 December 1964, 29 December 1966).

During the pre-partition period of conflict, 1964-74, the Turkish Cypriot local regime emerged as a parallel system of governance within the enclaves that Turkish Cypriots fled to for protection after the outbreak of violence in December 1963. The key actors within this regime were primarily the established elites prior to 1964 drawn from the state, communal, and village levels of administration. The main service they provided to co-ethnics in exchange for support was physical protection, provided by *TMT* whose forces were regulated through conscription laws, and trained and supplied by Turkey. Provision of other services, such as housing for displaced persons, utilities, and jobs were limited and dependent upon financial and humanitarian aid from Turkey and the UN. Few Turkish Cypriots relocated though, due to enclave-level laws restricting movement, threats of sanctions or violence, and persistent fear of elimination by Greek Cypriots reproduced through elite discourse and occasional bouts of violence. Accordingly, there was minimal inter-ethnic cooperation which Rauf Denktaş used to reinforce his position that any settlement other than federalism was “restoring conditions dangerous to Turkish Cypriots’ security” (UNSC March 1966; June 1967).

### ***5.1.2 The Turkish Federated State of Cyprus, 1974-83***

The Turkish invasions of Cyprus in 1974 necessitated change in the Turkish Cypriot local regime. Most obviously, the Turkish Cypriots came to inhabit a contiguous territory in the northern 37 percent of Cyprus, which included two major ports at Kyrenia/Girne and Famagusta/Gazimağusa and the agricultural hub of Morphou/Güzelyurt. This meant they were no longer confined to disparate enclaves accounting for less than three percent of territory, nor were they dependent upon humanitarian nor the good will of the Greek Cypriots to allow delivery of aid. This also meant that physical protection, the service upon which Turkish Cypriot

elites had based their positions prior to 1974, was no longer as salient for their co-ethnics. There was no longer the persistent threat and anxiety of enclaves being overrun, ensured by the protection of ~40,000 Turkish Land Forces troops stationed in Cyprus after 1974. And they were separated from the Greek Cypriots by a 180 kilometer ceasefire line and buffer zone controlled by UNFICYP (UNSC June 1976).

The new Turkish Cypriot entity declared itself to be autonomous from the Greek Cypriot Republic of Cyprus (RoC) as the Turkish Federated State of Cyprus (TFSC) in early 1975, and by 1976 had held its own elections separate from the RoC. Though much had changed for the Turkish Cypriot community after 1974, its leadership remained largely the same as during the Provisional Administration. Rauf Denктаş was elected President of the TFSC, and his National Unity Party (*UBP*) won 30 of the 40 seats in the National Council (parliament) with his ally Nejat Konjuk elected as Prime Minister. Konjuk later split with the *UBP* to form the Democratic People's Party (*DHP*) in 1978 and was replaced as *UBP* head by Osman Örek, the former defense minister and Denктаş's deputy in the Provisional Administration. An important difference, though, was the existence of a political opposition to Denктаş, notably the left-leaning Communal Liberation Party (*TKP*) led by Alpay Durduran and Republican Turkish Party (*CTP*) led by Özker Özgür, who were both critical of Denктаş, believing him to be sabotaging talks with the RoC for personal political gains.<sup>121</sup> The early ideological cleavage in the TFSC was based in part upon the parties' positions towards a settlement, with the right-leaning parties opposing one in favor of increased integration with Turkey, and the left-leaning parties favoring a more cooperative position on a settlement (Bryant & Hatay 2020).<sup>122</sup> Both the *TKP* and *CTP* gained increasing support during this period (Table 5.1).

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<sup>121</sup> Özker Özgür quoted, *The Times* (7 April 1980).

<sup>122</sup> Author interviews, TRNC, 2021.

Table 5.1. TFSC Election Results.

Party	Results: Pct (Seats)	
	1976	1981
<i>National Unity Party (UBP)</i>	53.7 (30)	42.5 (18)
<i>Republican Turkish Party (CTP)</i>	12.9 (2)	15.1 (5)
<i>Communal Liberation Party (TKP)</i>	20.2 (6)	28.5 (13)
<i>Populist Party (HP)</i>	11.7 (2)	--
<i>Democratic People's Party (DHP)</i>	--	8.1 (3)
<i>Turkish Union Party (TBP)</i>	--	5.5 (1)

Increased support of the leftist parties by 1981 was due to the other ideological cleavage during this period, distribution. Without the public need for protection and the *TMT* (renamed *Mühacit* and transformed into a regular military force under Turkish command), Denktaş and the *UBP* built support on the clientelistic distribution of property seized from the ~200,000 Greek Cypriot expelled in 1974. In addition to private property and residences, this included industry, farms, businesses, and a well-developed tourism sector. Settlers arriving from Turkey constituted an additional clientele to whom this property was distributed in exchange for political support by the *UBP* (UNSC June 1976; December 1982). This is not to say the leftist parties opposed seizure and distribution of Greek Cypriot property, but rather that they advocated more equitable distribution to a different clientele, and opposed the arrival of Turkish settlers, while a high number of Turkish Cypriots were unemployed, ~50 percent in 1976.<sup>123</sup>

<sup>123</sup> Opposition to settlers included some rightist factions, including former Cyprus Vice President Fazıl Küçük who became publisher after 1974. Küçük opposed the arrival of many settlers in the TFSC who he regarded as backwards, more religious, more socially conservative, and general troublemakers. See Fazıl Küçük quoted in *The Times* (26 May 1978).



By 1979, though, most of the expropriated Greek Cypriot property had been distributed to *UBP* clients and the *UBP* began to lose support, evident in several defections that left the *UBP* with only a single-seat majority in 1980.<sup>124</sup> This was due in large part to a dispute over distribution of prized assets in the tourism sectors that led to Konjuk splitting with the *UBP*.<sup>125</sup> Distribution then shifted from expropriated property to public sector posts. While this rapidly reduced unemployment from ~50 to ~3 percent, it also created a bloated civil service that included publicly-funded schools, farms, and industry and whose wage bill accounted for more than 50 percent of the TFSC budget (Bozkurt 2014; Sonan 2014). Importantly, the public sector unions became powerful political constituents and contributed to increased support for the *CTP* and *TKP* in 1981.<sup>126</sup>

The ability of the *UBP* to remain in power, with the coalition support of the *DHP* after 1981 was dependent upon the ability to provide and fund public sector posts. This was in turn dependent upon economic aid from Turkey, which funded the majority of the TFSC's budget through loans and development projects. In 1975, Turkey had funded 80 percent of the TFSC budget and by 1980 it still funded 53 percent, the majority of which went to public sector wages (Bozkurt 2014).<sup>127</sup> The *UBP* and Denktaş, though, retained the support of the Turkish government and military, which were avowedly anti-communist and wary of the leftist parties, and favored military stability in Cyprus as a strategic position off of Turkey's southern coast. Both the civilian and military governments in Turkey thus continued to fund *UBP* rule. Ahead of the 1981 elections, when *UBP* support had declined, Ankara funded the creation of an additional ~4,000 civil service posts that the *UBP* distributed, resulting in a spike in party support. It won

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<sup>124</sup> *The Times* (7 April 1980).

<sup>125</sup> On effects of Konjuk defection, *The Times* (4 May 1982).

<sup>126</sup> Author interviews, TRNC, 2021.

<sup>127</sup> *The Times* (25 September 1981, 4 May 1982).

the election and remained in power with the support of the Konjuk's *DHP* and the Turkish Union Party (*TBP*), a party made up of settlers (Sonan 2014).<sup>128</sup>

In sum, aspects of the Turkish Cypriot local regime changed from the pre-1974 Provisional Administration to the post-1974 TFSC. While the elites in power remained largely the same, albeit challenged by left-leaning opposition, the group-based institutions of exchange, available resources, and strategies for remaining power changed. Elites no longer based their positions on the physical protection of individual enclaves, but on distribution to in-group clientele. This started with the distribution of expropriated property, but when that finite resource ran out, the *UBP* transitioned to developing a bloated civil service to distribute posts in, which relied upon Turkish funding to pay wages. Ultimately, this led to both powerful public sector unions and economic instability linked to Turkey, which with high inflation and a weak banking sector contributed to support for the leftist parties.<sup>129</sup>

### ***5.1.3 The Turkish Republic of Northern Cyprus, 1984-2002***

The unilateral declaration of independence as the Turkish Republic of Northern Cyprus (TRNC), passed unanimously by the TFSC National Council in November 1983, had little immediate effect on the Turkish Cypriot local regime. Despite their threats against Denktaş earlier in 1983, Kenan Evren and the *MGK* were out of power and replaced by a civilian government. Denktaş returned to UN-led talks in 1984 where he agreed to a blueprint on federalism. The *UBP* remained in control of the government until 1994. As outlined in the previous chapter (Chapter 4), as this period progressed during the 1990s the TRNC became more reliant upon Turkey for

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<sup>128</sup> Author interviews, TRNC, 2021.

<sup>129</sup> On TFSC economy, *The Times* (5 April 1983).

survival due to external developments. These further polarized domestic politics within the TRNC, with the *CTP* and *TKP* (and later *BDH*) becoming more viable parties.

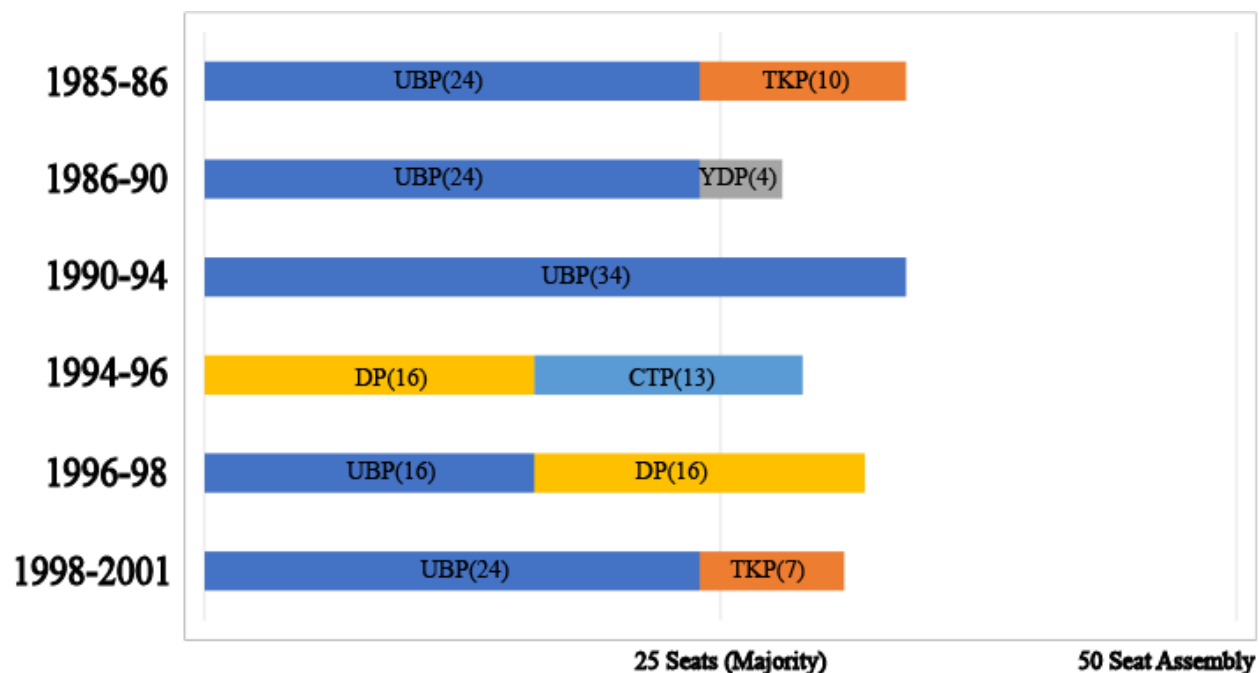


Figure 5.1. TRNC Governments, 1984-2001.

The *UBP* remained the ruling party in the TRNC from 1984 until an internal split in the party in 1992. Following a dispute over election laws and continued support for a federal solution, Rauf Denktaş split from the *UBP*, led by hardliner Derviş Eroğlu who opposed UN-led talks, to form the Democratic Party (*DP*). In 1993, the *DP* merged with the New Dawn Party (*YDP*), a settler party, and entered a coalition with the *CTP* to oust the *UBP* from government for the first time. The *UBP* had won the 1990 elections handily due to patronage distribution, by which it had rearranged the civil service pay schedule so public employees receive an extra paycheck shortly before the election. However, the *UBP*'s ability to maintain support through

distribution had been curbed by its reliance on Turkish aid, which had become conditional on neoliberal economic reforms (Bozkurt 2014; Sonan 2014).

Though it had never been economically self-sufficient since 1974, three exogenous shocks damaged the TRNC's economy during the 1990s. First was the collapse in 1991 of Polly Peck Inc., a British conglomerate owned by Turkish Cypriot businessman Asil Nadir with major interests in TRNC media, agriculture, industry, and tourism. Second was the 1994 ECJ ruling, which effectively barred direct trade for EU member states with the TRNC, which included Britain, the TRNC's primary export market for citrus (Talmon 2001; Kanol & Koprulu 2017). Third was the conclusion of the case *Loizidou v. Turkey* at the ECtHR in 1996, which found Turkey and the TRNC culpable for continued deprivation of human rights by occupying Greek Cypriot property after 1974. This case's precedent damaged the TRNC's tourism sector by holding both proprietors and guests of expropriated property complicit in human rights violations (Risini 2018). These economic shocks were compounded by Turkey's neoliberal reforms under *ANAP* and Turgut Özal, which it began to transfer to the TRNC in 1986 via reform conditions such as austerity and privatization attached to economic aid (Bozkurt 2014). Austerity and economic instability, which ultimately led to a banking sector collapse in 2000, adversely affected the bloated civil service and its public sector unions, lowering wages and privatizing jobs. This in turn affected the strategy of distribution by which the *UBP* had maintained support.

The TRNC's economic decline contributed to the rise of the leftist opposition parties as viable challengers to the *UBP* and *DP*, which after 1996 was led by Rauf Denktaş's son Serdar. The *CTP* in particular, led by Mehmet Ali Talat after 1996, attracted notable support from labor unions, including the public sector unions, for its opposition to austerity and privatization. The *CTP* and Talat organized and joined in protests against austerity and later took up support for

victims of the banking collapse. In contrast to the *UBP* and *DP* which sought to resolve the economic crises by increasing borrowing from Turkey, the *CTP* criticized overreliance on Turkish aid. It cited the poor state of the economy, general strikes, and unpaid sector wages as evidence against increased economic integration with Turkey and the need to end their international isolation.

In addition to the *CTP*'s position on the economy and ending reliance on Turkey, it favored a settlement with the RoC. As Deputy Prime Minister in 1994 Talat had begun meetings with Greek Cypriot parties under the auspices of the Slovakian Embassy to share positions and issue joint statements on talks, and in 1999 Talat invited Greek Cypriot parties to attend the *CTP* party conference. He was joined by *TKP* leader Mustafa Akıncı, who opposed the *UBP* and Denktaş as "rejectionists" and ran on a platform of restarting constructive talks with the RoC. Akıncı had served as mayor of North Nicosia/Lefkoşa from 1976-90, having defeated *UBP* candidates and having worked closely with the Greek Cypriot mayor of the city's southern half. Both Talat and Akıncı supported a settlement and EU membership, and in 1998 they began meetings with EU officials. In the 2000 TRNC Presidential election, both Talat and Akıncı ran on platforms of a settlement with the RoC and EU membership as solutions to the TRNC's persistent economic crises.

These positions on a settlement and EU membership were anathema to the *UBP*, *DP*, and Rauf Denktaş. The *UBP* had taken a harder line on talks under Derviş Eroğlu, who in 1993 rejected the logic of a federal settlement and called for a confederation, citing the collapsing Yugoslavia as evidence that two ethnic communities could not be forced into a common state (Bolukbasi 1995). In 1994, the *UBP* held a vote in the Republican Assembly, supported by the *DP*, overturning the TRNC's formal commitment to a federal settlement. Both the *CTP* and *TKP*

opposed this vote. Similarly, Rauf Denktaş opposed EU membership, which he claimed was an obstacle to a settlement and set the precondition of the RoC retracting its membership application to resume talks. He believed that EU membership would sever ties with Turkey in contravention of the Treaty of Guarantee, and that the RoC's EU membership, in which it would join an organization of which Greece was a member and Turkey was not, was tantamount to *enosis*. The official position published by the TRNC Ministry of Foreign Affairs in 1998, reiterated these beliefs:

“The opening, by the European Union, of accession negotiations with the Greek Cypriot administration in spite of the 1960 Agreements concerning Cyprus constitutes a serious violation of international law. With this approach, the European Union is making a historic mistake by destroying the very basis of the existence of two peoples with equal, political and legal status, on which the independence of the island is based upon. By leading to the virtual integration of South Cyprus with Greece, the European Union will bear the heavy responsibility of a permanent division of the island. The European Union does not have the right to make one-sided decisions and to create obligations regarding the future of the island of Cyprus and to destroy the existing balance between Turkey and Greece in the region. Turkey and the TRNC will not accept the legal, political and economic consequences that may arise for the island of Cyprus as a result of the EU's opening of accession negotiations with the Greek Cypriot administration.”

When the EU granted the RoC candidate status after the Luxembourg Summit in 1997, Denktaş adopted the more hardline *UBP* position, opposing a federal solution for a confederation, and vowed to seek further integration with Turkey.

These disparate positions between the major parties on the issues of a settlement and EU membership, coupled with the viability of the leftist parties due the economic crisis led to conflict between them. The TRNC government, led by the *UBP* from 1996-2001, closed the crossing points on the ceasefire line and banned intercommunal contact, curbing the ability of the *CTP* and *TKP* to continue intercommunal party meetings or meetings with EU officials (UNSC June 1999; November 2001; European Commission 2001). The police, under Ankara's authority, shut down the critical opposition newspaper *Avrupa/Afrika* in 2000, arrested its journalists who were charged with libel against Denktaş and the military, and charged its editors with espionage on behalf of the RoC.

Furthermore, by fitting the *CTP* and *TKP* preferences for a settlement and EU membership into the historical nationalist framing of *enosis*, especially during the period of heightened tensions and nationalism over the RoC's missile purchases (1996-99) these parties became targets of ultra-nationalist groups. Most notable were the Gray Wolves, the militant youth wing of the *MHP*, organized from Turkey and active on university campuses in the TRNC, and the Turkish Revenge Brigade (*TİT*). Leftist parties, trade unions, and civil activists were denounced in media and harassed as "anti-Turk"; "national traitors"; and "Greek terrorists" - often echoing similar rhetoric by the *UBP*, *DP*, and Denktaş himself. *CTP* leaders, trade union leaders, peace activists, and more generally those critical of closer relations with Turkey were targeted in attacks by the Gray Wolves and the *TİT*. Prior to the police crackdown on *Avrupa/Afrika*, the newspaper had been a target of harassment and attacks by the Gray Wolves. In seeking to undermine increasingly viable challengers in the *CTP* and *TKP*, the traditional nationalist power-holders in the TRNC sought to delegitimize them as not true group-members, giving license to ultra-nationalist groups to harass or attack them.

In sum, the period from the declaration of the TRNC's independence to the Annan Plan, 1983-2002, was characterized by economic decline within the TRNC. This was followed by the rise of viable challengers to Denktaş and the *UBP* hold on power, who attracted support from the economically disaffected by equating a settlement with the RoC and EU membership as economic remedies. Conversely, Denktaş, the *UBP*, and the newly-formed *DP* favored increased integration with Turkey, embodied in the creation of the Cooperation Council between the Turkish and TRNC Ministries of Foreign Affairs in 1999.

#### ***5.1.4 The Annan Plan & After,***

The period of negotiations on the Annan Plan and following in which the Annan Plan framework remained on the table, coinciding with *AKP* rule in Turkey, was notable in the TRNC for regular changes to political leadership. While many of the key leaders themselves remained the same as during the 1990s, and before, Rauf Denktaş and the *UBP* lost their hold on communal-level politics that they had maintained since 1964. From 2004-20, control of the TRNC's Republican Assembly changed hands between *CTP*- and *UBP*-led governments six times, and from 2005-2020, the TRNC President was held by three different parties, four times (Table 5). Furthermore a number of new parties emerged during this period, including the Freedom and Reform Party (*ÖRP*) and People's Party (*HP*), which served as key coalition partners and allowed the major parties to maintain parliamentary control at their rivals' expense.



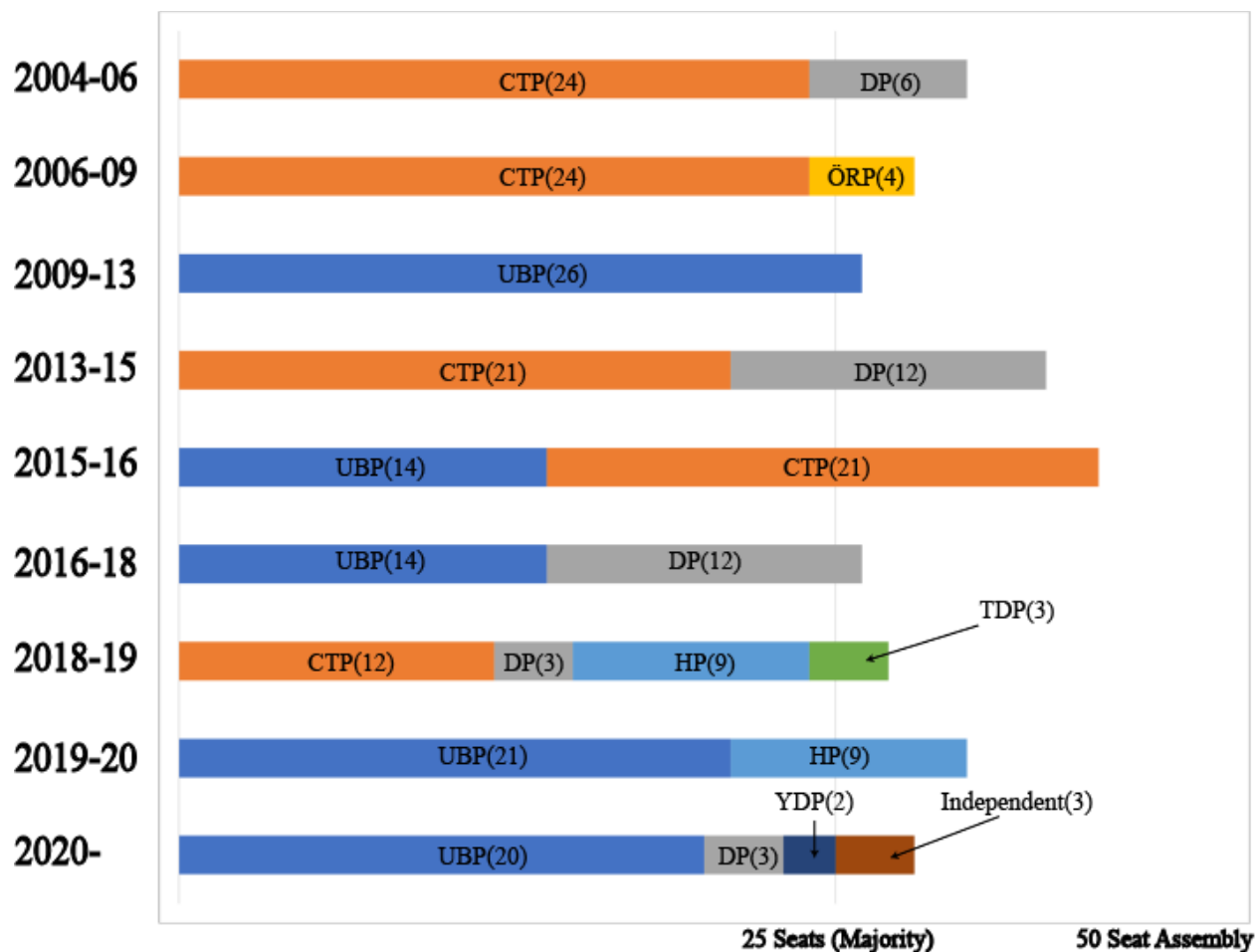


Figure 5.2. TRNC Governments, 2004-21.

After the presentation of the Annan Plan in November 2002, the *CTP* made significant political gains, as did Mustafa Akıncı, who split from the *TKP* to form the Peace and Democracy Movement (*BDH*), which campaigned alongside the *CTP*. Both supported the Annan Plan with the backing of civil society activists and trade unions. The *CTP*'s pro-settlement/pro-EU position and union support won it control of the three major cities Famagusta/Gazimağusa, Kyrenia/Girne, and North Nicosia/Lefkoşa in local elections in 2002, and in December 2002 it held pro-Annan Plan rallies in North Nicosia/Lefkoşa that attracted more than 30,000.<sup>130</sup> The

<sup>130</sup> *CTP* had held Nicosia/Lefkoşa, but won Famagusta/Gazimağusa and Kyrenia/Girne from *UBP* control. Report on local elections, *Associated Press* (1 July 2002); reports on pro-Annan Plan rallies, *Radio Bayrak* [in Turkish] (27 November 2002, 18 December 2002, 26 December 2002); *Turkish Daily News* (28 December 2002).

Annan Plan was the primary issue in the 2003 parliamentary elections, with the *CTP* pledging to accept and remove Rauf Denktaş as negotiator, and Denktaş responding that he would never certify a *CTP*-led government.<sup>131</sup> The *CTP* emerged victorious from the 2003 elections, winning 19 seats compared to the *UBP*'s 18, and entered a coalition with the *DP* which held seven seats, with confidence supplied Akıncı's *BDH* with 6 seats.<sup>132</sup> The *CTP*, which increased its seats after 2004, remained in government until 2009, first in coalition with the *DP* and then the *ÖRP*. The *CTP* Prime Minister Ferdi Sabit Soyer passed a vote in May 2005 reaffirming TRNC commitment to the Annan Plan.

Mehmet Ali Talat was then elected the TRNC's second President in 2005, replacing Rauf Denktaş. His primary aim as president, in contrast to Rauf Denktaş, was to pursue improved foreign relations with European states and the EU. His presidential campaign in 2005 focused on ending the TRNC's international isolation, which fueled the *CTP* parliamentary gains.<sup>133</sup> The general feeling in the TRNC, as in Turkey, was that the Turkish Cypriots had upheld their end of the bargain in the Annan Plan and were subsequently being punished for the Greek Cypriot vote, and it was incumbent on the EU to end the TRNC's international isolation. Talat visited Brussels in 2005 where he called upon the European Commission to re-engage with the Turkish Cypriots; in 2005 and 2007, he won support for the engagement with the TRNC in the European Parliament and in 2007 hosted a European Parliament and EU member state delegation in North Nicosia/Lefkoşa; and from 2006-08 opened dialogue with Council of Europe officials in both Nicosia/Lefkoşa and Strasbourg.<sup>134</sup> Facing the intransigent Tassos Papadopoulos, who refused to

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<sup>131</sup> Mehmet Ali Talat and Rauf Denktaş quoted, *AFP* (7 December 2003).

<sup>132</sup> Election results, *Anadolu Agency* [in Turkish] (23 December 2003, 26 December 2003).

<sup>133</sup> *Radio Bayrak* [in Turkish] (15 February 2005); *AFP* (18 February 2005, 20 February 2005); *Anadolu Agency* [in Turkish] (17 April 2005).

<sup>134</sup> Reports of meetings, *Dunya* [in Turkish] (27 January 2005); *Anadolu Agency* [in Turkish] (5 February 2005, 7 December 2006, 17 March 2007, 16 May 2007, 9 July 2007, 16 June 2008, 30 September 2008, 2 October 2008, 5 March 2009, 1 April 2009); *Associated Press* (1 October 2008).

resume talks until Turkey withdrew its troops and the TRNC renounced its independence, Talat believed direct engagement with the EU would force the RoC back into talks.<sup>135</sup> When Papadopoulos was ousted in February 2008, Talat immediately phoned Demetris Christofias to congratulate him, and by April talks had resumed and by June new crossing points were opened on the ceasefire line and the RoC lifted its embargo on trade with the TRNC.<sup>136</sup>

In contrast to Talat and the *CTP*, the *UBP* had opposed the Annan Plan in 2002-04 and when it failed the Greek Cypriot referendum, it regarded itself as vindicated, that a federal solution was impossible.<sup>137</sup> Prior to the 2004 referendum, the *UBP*-led government, which was ousted in the 2003 elections, had rejected the Annan Plan as a basis for a settlement and in March 2003, a month prior to Rauf Denktaş's rejection of the Annan Plan, had blocked legislation on holding a domestic referendum in the Republican Assembly.<sup>138</sup> Though the *UBP*, and *DP*, supported Talat's initiative to end international isolation, they pursued recognition from non-European states in the Organization of Islamic Cooperation and tourism and trade cooperation with Turkey's close ally Azerbaijan.<sup>139</sup> By the end of the *DP*'s coalition with the *CTP* in 2006, *DP* leader Serdar Denktaş had taken the position that the RoC would never accept a federal settlement and the TRNC should pursue other policies.<sup>140</sup> The *UBP* similarly called for recognition of "the independent reality of the TRNC" when talks resumed in 2008 and opposed Talat's re-commitment to federalism as "surrendering" to the RoC.<sup>141</sup> It was on this platform and general dissatisfaction with Talat's progress in ending isolation that the *UBP* retook control of

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<sup>135</sup> Interview with Mehmet Ali Talat, *Anadolu Agency* [in Turkish] (9 February 2006).

<sup>136</sup> *Anadolu Agency* [in Turkish] (2 April 2008); *Associated Press* (3 June 2008).

<sup>137</sup> *Turkish Daily News* (11 June 2006, 18 June 2006).

<sup>138</sup> *Anadolu Agency* [in Turkish] (1 March 2003); *Associated Press* (7 March 2003).

<sup>139</sup> *Anadolu Agency* [in Turkish] (1 February 2005, 4 April 2005, 30 June 2005, 29 July 2005, 6 October 2005); *Dunya* [in Turkish] (26 May 2005); *Turkish Daily News* (1 September 2005, 18 May 2006).

<sup>140</sup> Interview with Serdar Denktaş, *Turkish Daily News* (11 June 2006, 18 June 2006).

<sup>141</sup> *Turkish Daily News* (5 July 2008, 1 December 2008).

the Republican Assembly in 2009, with support from the *DP*, and on which Derviş Eroğlu won the presidency in 2010.<sup>142</sup>

Though Eroğlu and the *UBP* had campaigned to end talks on federalism and pursue a confederal solution and international recognition in 2009-10, Eroğlu resumed talks with Christofias after his election in 2010.<sup>143</sup> However, it was during this period that relations between the RoC and TRNC worsened. First, Eroğlu ended talks in 2012 in protest of the RoC's assumption of the EU presidency, a move that had been agreed beforehand with Ankara and was not necessarily indicative of Eroğlu's hardline position. Talks between Eroğlu and Christofias' successor, Nikos Anastasiades, did resume again in 2014. More damaging to relations was the escalation of the hydrocarbons dispute during Eroğlu's presidency. It was Eroğlu and the *UBP* government that had, in 2012, disputed the RoC's hydrocarbon exploration and tendering contracts with EU firms, claiming that all natural resources must be shared between communities. It was following this argument that Turkey began its reciprocal exploration and naval deployments in response to the RoC.<sup>144</sup>

*UBP* governance was interrupted after 2013, when the *CTP* retook control of the Republican Assembly, and then in 2015 when Mustafa Akıncı ousted Eroğlu as President. Akıncı had quit the *TKP* in 2003 to form the pro-Annan Plan *BDH*, which then in 2007 merged with the *TKP* to form the Communal Democracy Party (*TDP*). He won the presidency in 2015 with the support of the *CTP* on a platform of reaching a settlement. However he attracted the ire

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<sup>142</sup> *Anadolu Agency* [in Turkish] (25 February 2010); *Cyprus Mail* (1 May 2010).

<sup>143</sup> *Anadolu Agency* [in Turkish] (19 April 2010, 23 June 2010).

<sup>144</sup> *Cihan* [in Turkish] (26 September 2012); *Anadolu Agency* [in Turkish] (30 September 2012).

of the rightist parties and Turkey for his positions on Turkish aid and Turkey's military operations in Syria.<sup>145</sup>

After the failure to reach a settlement at Crans-Montana, the *UBP*'s popularity increased in the TRNC, and more importantly in Turkey, for its position opposing a federal settlement. The *UBP* reclaimed control of the government in 2019 with the help of former negotiator and pro-Ankara official Kudret Özersay's *HP*, which defected from a coalition with the *CTP* to bring down the government (Ekici & Özdemir forthcoming).<sup>146</sup> This was followed, the following year, in 2020 by the election of the *UBP* new hardline leader Ersin Tatar who opposed continued talks with the RoC and ran on a platform of a two-state solution and the unilateral resettlement of Varosha/Maraş by the TRNC, in contravention of the both the 1975 Vienna Agreements and the 1977 Makarios-Denktaş Guidelines. He also vowed to further integrate the TRNC with Turkey, harkening back to the *UBP* position in the 1990s, and to minimize opposition to Turkish policy within the TRNC.<sup>147</sup> It was Tatar, who along with Turkey, proposed a two-state solution to the UN in 2021.<sup>148</sup>

In sum, the period after the Annan Plan was characterized by numerous changes to government in the TRNC, in contrast with the general dominance of Rauf Denktaş and the *UBP* prior to 2003. As would be expected, progress in talks and relations with the RoC were improved under the presidencies of Mehmet Ali Talat and Mustafa Akıncı, two long-time peace activists who had supported the Annan Plan, as compared to *UBP* presidencies. Notably, in keeping with

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<sup>145</sup> *Associated Press* (27 April 2015); *Radikal* [in Turkish] (28 April 2015); *Anadolu Agency* [in Turkish] (23 August 2019).

<sup>146</sup> Author Interview, TRNC, 2021.

<sup>147</sup> *Cyprus Mail* (25 June 2019); *Kıbrıs* [in Turkish] (24 August 2019, 1 October 2019); *Reuters* (18 October 2020); *AFP* (23 October 2020).

<sup>148</sup> *Hürriyet* [in Turkish] (20 July 2021); *Anadolu Agency* [in Turkish] (26 July 2021).

the conclusions of the previous chapter (Chapter 4), these trends in cooperation in talks and relations with the RoC co-moved with Turkey's own preferences for a settlement.

## 5.2 Diagonal Linkage & Policy Change

Having provided an overview of how the Turkish Cypriot local regime developed from a set of blockaded, disparate enclaves to an unrecognized proto-state, the second half of this chapter turns to identifying how Turkey, as a patron state, affected change within the Turkish Cypriot local regime in-line with its own preferences. As identified in preceding chapter (Chapter 4), there were three notable points at which Turkish policy and preferences towards the Cyprus conflict changed: (1) support for confidence-building measures under the Ecevit and Evren governments in 1978 and 1980-83; (2) the Annan Plan under the *AKP*, from 2002-12; and then, (3) the *AKP* preference for a two-state solution, evident after 2017. For context of these changes, early support from Turkey to the Turkish Cypriot local regime, in pursuit of its preferences prior to these changes is also considered.

Table 5.2. Mechanisms of Diagonal Linkage.

Mechanism	Pathway
1. Dictate Preferences	Patron state conveys new preferences to the local regime, whose leaders follow those preferences.
2. National Disassociation	Patron state ends association with local regime group-members; ends participation in the protracted conflict.
3. Resource Transfer	Patron state provides material/monetary resources to local regime for elites to provide services to group-members
4. Leadership Support	Patron state supports one specific set of local regime elites over others.
5. Threats/Loss of Support	Patron state issues threats, levels sanctions, or withholds support from local regime over positions.

In keeping with the theoretical framework outlined in Chapter 3, there are two stages of the patron state affecting policy change within the local regime. First is the patron state's means of affecting the diagonal linkage with the local regime (Table 4), of which there are five theorized mechanisms. Second are the changes this produces within the local regime that changes policies and behaviors towards an institutional settlement (Table 5), of which there are four theorized mechanisms.

Table 5.3. Local Regime Cooperation.

Mechanism	Pathway
<i>a.</i> New Preferences	Local regime elites adopt new, more cooperative preferences for an institutional settlement.
<i>b.</i> New Leadership	New elites emerge that support new positions on a settlement.
<i>c.</i> Resource Access	Resources and material inducements available through shared institutions are used to "buy off" local regime elites.
<i>d.</i> Intra-group Policing	Local regime policies affect inter-group cooperation or group-members crossing ethnic boundaries.

### 5.2.1 *Starting Point: Early Preferences for Cyprus*

Turkey's early positions on Cyprus, beginning prior to independence, and continuing relatively uninterrupted until 1978 and then again after 1983, pursued three interrelated preferences. First was a preference to prevent *enosis*, indicated in Makarios' correct assessment during negotiations of the MacMillan Plan in 1958 that Turkey would never willingly permit the realization of *enosis* (Fisher 2001; Joseph 2009). The second preference was the protection and survival of the Turkish population in Cyprus, which itself was related to preventing *enosis*. And the third preference, evident after 1974 in the military and nationalist parties such as the *MHP*, was to retain control of the territory conquered in July-August 1974. All three of these

preferences were intertwined with aspects of Turkish nationalism, which itself was heavily influenced by historical conflict with Greece. This including maintaining “territorial balance” with Greece, achieved in the 1923 Treaty of Lausanne from which the Republic of Turkey was born; preventing the expulsion of Turks at Greek hands as witnessed in Crete after the Balkan Wars; and, affirming Turkish national sovereignty in the face of predatory external actors who had historically weakened Turkish sovereignty and seized Turkish territory.

Preventing *enosis* and ensuring the survival of the Turks in Cyprus resulted in similar Turkish strategies towards the Turkish Cypriot local regime. At the international-level, these were most obviously manifested in the Treaty of Guarantee, which gave Turkey veto power over internal political changes in Cyprus and the right to intervene unilaterally (Fisher 2001; Ker-Lindsay 2011). Within the diagonal linkage framework, this followed four pathways that facilitated a *non-cooperative* rather than cooperative position within the local regime. The first of such pathways was the dictation of preferences (#1, Table 5.4), or more accurately the formation of joint preferences by İsmet İnönü’s government in Ankara and Turkish Cypriot interlocutor Rauf Denktaş. This was evident in December 1963 and January 1964, when they consulted together on the preference of federalism solution for talks in London, which would then continue into mediation via UN Good Offices.<sup>149</sup> It was at Ankara’s recommendation, and with its support, that Denktaş quit talks mediated by Galo Plaza in 1965 over his recognition of the Greek Cypriots as the legitimate government and condemnation of the Turkish Cypriot position as undermining a UN member state’s sovereignty (UNSC December 1965). This was again evident in August 1974 when Turkish Foreign Minister Turan Güneş proposed a cantonal

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<sup>149</sup> *The Times* (31 December 1963, 8 January 1964, 26 January 1964).



settlement, backed by Denктаş, by which the Turkish Cypriots would receive six autonomous cantons.<sup>150</sup>

Dictating preferences to the Turkish Cypriots, occurred in concert with the second pathway of leadership support (#4, Table 5.4). Notably in early 1964, Ankara supported Rauf Denктаş as interlocutor over Cyprus' Vice President Fazıl Küçük. Küçük had annoyed İsmet İnönü by repeating hardline calls for Turkey to annex Cyprus in response to the 1963-64 violence, and believed that Küçük had built nationalist support in Turkey that was constraining Ankara's options (Jackson 2021c). Rauf Denктаş was supported first as interlocutor, despite his exile from Cyprus after 1964, supported as head of the executive of the Provisional Administration, which was backed by the Turkish Embassy in Cyprus, and then in 1973 Denктаş was "elected" unopposed as Vice President of Cyprus (Mirbagheri 2009; Jackson 2021c).<sup>151</sup> In addition to the highest-level leadership, this included Ankara's support for Denктаş's key allies Osman Örek and Nejat Konjuk, the latter who was a former Turkish government employee, who held key posts first in the Provisional Administration's executive council then in the *UBP*, and both then served as TFSC Prime Ministers.<sup>152</sup> Support for Denктаş was similarly evident after 1974, particularly from the military, which viewed him as a pillar of stability and with whom many senior officers had good relations due to deployments in the TFSC.<sup>153</sup>

The third pathway was then the opposite of national disassociation (#2, Table 5.4), national association in linking the position of the Turkish Cypriots, who had not been ruled from

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<sup>150</sup> *The Times* (12 August 1974).

<sup>151</sup> By the 1960 Constitution, which remained de jure in effect in Cyprus in 1973, though not in practice, the Greek Cypriot community voted for the President and the Turkish Cypriot community voted for the Vice President. Though the Turkish Cypriots were not participating in centralized institutions in 1973, and not voting in Cypriot elections, Rauf Denктаş standing unopposed in 1973 meant he was automatically legally elected Vice President.

<sup>152</sup> *The Times* (29 December 1967); *Bozkurt* [in Turkish] (30 December 1967); TRNC Legislative Archives, Deputy Historical Profiles [in Turkish].

<sup>153</sup> Author interviews, TRNC, 2021.

Turkey (Ottoman Empire) since 1878, with contemporary Turkish nationalism. The Turkish Cypriots were cast as fighting to protect the frontier of the Turkish nation and the “territorial balance” between Turkey and Greece. This was evident in outpourings of support and solidarity for the Turkish Cypriots in the Turkish public and military that ultimately constrained the Turkish government’s positions on Cyprus. This was also readily evident after 1974, when victory in Cyprus, particularly defeating the Greek nationalist aim of *enosis*, constituted the first major military victory of the Republic of Turkey.<sup>154</sup> Subsequently, this was further fit into the nationalist framing of Turanists/Eurasianists in the *MHP* that regarded the Turks as historical victims of external powers and opposed concessions on Cyprus as reaffirming Turkish national sovereignty against foreign “predators” (Yavuz 2002).

Lastly, resource transfers (#3, Table 5.4) were perhaps the most readily evident path of diagonal linkage between Turkey and the Turkish Cypriot local regime after 1963 in pursuit of all three of Turkey’s preferences: preventing *enosis*, protecting Turkish Cypriots, and retaining political control of the TFSC after 1974. During the pre-partition period, 1964-74, this was most evident in Turkish support for the *TMT*, which included providing both weapons and trained fighters. The *TMT* allowed the local regime, later embodied in the Provisional Administration, to maintain the Turkish enclaves as separate de facto jurisdictions and provide physical protection against Greek Cypriot forces. Though less important to these objectives, but also evident during this time period was the transfer of limited humanitarian and financial aid to the enclaves to provide housing and basic goods for displaced Turks, provided through the Turkish embassy (Jackson 2021c). After 1974, this material and financial support was evident in Turkey’s underwriting of the TFSC’s budget and security. Turkey provided the majority of the TFSC’s

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<sup>154</sup> Author interviews, TRNC, 2021.

budget and ensured its security by stationing ~40,000 troops north of the ceasefire line (Ker-Lindsay 2011; Bryant & Hatay 2020).

Table 5.4. Diagonal Linkage, 1963-78.

Mechanism	Evidence
1. Dictate Preferences	Turkish preference for federalism communicated to the Turkish Cypriot local regime; pursued by Denktaş in talks and in practice.
2. National Association	Support for Turkish Cypriots as part of Turkish nationalism; “frontier of Turkish nation”; inclusion in <i>MHP</i> rhetoric.
3. Resource Transfer	Pre-1974 support for <i>TMT</i> and humanitarian aid; post-1974 economic and security aid for TFSC.
4. Leadership Support	Ankara supported Denktaş over Küçük in 1964-74; continued support for Provisional Administration leaders as <i>UBP</i> after 1974.

The outcome of these early diagonal linkage pathways was to affect local regime preferences for cooperation in an institutional settlement. Robust support for Denktaş and the *UBP*, which supported Ankara’s preferences, precluded new cooperative preferences (*a*, Table 5.5) and new leadership (*b*, Table 5.5). New local regime leadership was obstructed by the resource support provided by Turkey. Prior to 1974, the incumbent leaders had full control of the *TMT* and therefore security and movement in enclaves, and after 1974 they controlled distribution of property seized by the Turkish military and civil service posts funded by Turkish aid. This was notable in the 1981 TFSC elections when Turkish monetary aid was used to fund ~4,000 new civil service posts to distribute in exchange for *UBP* support in the election at a time when *UBP*’s popularity was declining (Sonan 2014).<sup>155</sup> Resource transfers from Turkey also reduced the inducement of resource access via a settlement (*c*, Table 5.5). Especially after 1974, the Turkish aid funded the TFSC budget, and Turkish managed infrastructure projects meant that

<sup>155</sup> Author interviews, TRNC, 2021.

not only survival, but economic development for the Turkish Cypriots was not contingent upon an institutional settlement by which they could access RoC resources.

Lastly, especially prior to 1974, Turkish support for the *TMT* facilitated in-group policing that prevented inter-ethnic cooperation and ethnic boundary crossing. On the one hand, the *TMT* served to protect the Turkish Cypriot enclaves from the Greek Cypriot National Guard and its aligned paramilitaries, especially before Makarios implemented de-escalation measures in-keeping with the agreement negotiated by Cyrus Vance (UNSC March 1968; Fisher 2001; Joseph 2009). On the other hand, the *TMT* also prevented movement by Turkish Cypriots outside of enclaves. Following enclave-legislation by the Provisional Administration, Turkish Cypriots were required to attain approval register with the *TMT*, which came to resemble a regular gendarmerie force after 1968, before exiting enclaves. This legislation was appended with fines or imprisonment enforced by the *TMT*, which was also reported to harass and threaten Turkish Cypriots to deter relocation to better-served, government-controlled areas (Jackson 2021c).

Table 5.5. Local Regime, 1963-78.

Mechanism	Evidence
<i>a.</i> New Preferences	Consistent preferences maintained in leadership sponsored by Ankara; cooperation with Greek Cypriots equated to security threat.
<i>b.</i> New Leadership	Material and political support marginalized opposition; Provisional Administration and <i>UBP</i> access to resources from Ankara including protection and patronage to distribute in exchange for political support.
<i>c.</i> Resource Access	Financial support from Turkey undermined appeal of resources from RoC after 1974.
<i>d.</i> Intra-group Policing	<i>TMT</i> prevented inter-group cooperation and relocation to Greek Cypriot areas; later formalized in the UN ceasefire line/buffer zone.

While this period did not demonstrate notable change in Turkish policy or within the Turkish Cypriot local regime, outlining the specific pathways of diagonal linkage and how that

impacted cooperation is useful in two respects. One is to draw direct links between Turkish support for the Turkish Cypriots and a non-cooperative position in the early rounds of mediation. The other is to identify the starting position of mediation and how the identified diagonal linkages were influential. Moving forward in future rounds of mediation it was these specific linkages between patron state and local regime which then had to be affected to reach more cooperative preferences towards a settlement.

### ***5.2.2 US Arms Embargo & Confidence-Building Measures, 1978-83***

The first indication of changed preferences towards Cyprus in Turkey was evident under the *CHP* government of Bülent Ecevit (1978-79) and then the military/*MGK* government led by Kenan Evren (1980-83). Both governments publicly called on Rauf Denктаş, as interlocutor in talks, to accept UN-proposed confidence-building measures. These proposed the reopening under UN control of both the Nicosia/Lefkoşa International Airport and the resort town of Varosha/Maraş outside of Famagusta/Gazimağusa. Support for these measures within Turkey came under the pressure of the US arms embargo on Turkey, running from 1975-80. As noted in the previous chapter, concessions from 1975-78 despite US pressure were obstructed by the nationalist *MHP* and Islamist *MSP* in Süleyman Demirel's *AP*-led government. Demirel instead left all discretion for concessions to Denктаş. It was under US pressure that Ecevit called on Denктаş to accept the confidence-building measures in 1978. And, though the arms embargo had been effectively lifted by the US in 1980, Evren called on Denктаş to accept the confidence-building measures and avoid escalating the conflict. Evren hoped to avoid a return to Turkey's isolation and simultaneously sought to improve its relations with the West and NATO.

The primary means through which both Ecevit and Evren sought to influence Denктаş's decision-making on confidence-building measures was dictating preferences (#1, Table 5.6).

They instructed him to accept these measures in UN talks. While this had the effect of partial embargo relief under Ecevit in 1978, it produced no effect in UN talks under either government.<sup>156</sup> Though Denktaş rhetorically supported making progress on Varosha/Maraş, he considered it to be a costly territorial concession that would require Turkish Cypriots to be evacuated, though it was abandoned, and therefore would take considerable time to prepare a proposal, stalling any direct talks. He set as a precondition in 1978 that resettlement by 30,000-35,000 Greek Cypriots could only be done under Turkish Cypriot authority, outside of the parameters of the confidence-building measures.<sup>157</sup> This was then revised down to only permitting the resettlement of 16,500 Greek Cypriots.<sup>158</sup> Both proposals fell short of the confidence-building proposals and were rejected by the Greek Cypriots, who opposed continued Turkish Cypriot control over Varosha/Maraş and limits on resettlement (December 1982).<sup>159</sup> By 1984 and the end of military government in Turkey, Denktaş had taken Varosha/Maraş off the negotiating table and outright refused its resettlement.<sup>160</sup>

Similarly, in 1983, Evren warned Denktaş against unilaterally declaring the TFSC's independence, fearful again that it would ostracize Turkey. Independence had been proposed in the TFSC and supported by Denktaş since 1975 to force the RoC to accept the status quo as the framework for a federal settlement.<sup>161</sup> In May 1983, Denktaş's position on independence went beyond bargaining rhetoric when a motion to declare independence was backed by the *UBP* in the TFSC assembly. Evren warned Denktaş not to declare independence in May and then in June threatened to not recognize independence and replace Denktaş as head of the TFSC if he

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<sup>156</sup> Report on US embargo, *Washington Post* (25 July 1978); Evren quoted, *New York Times* (23 December 1980); *Christian Science Monitor* (25 August 1981).

<sup>157</sup> Report on negotiations, *The Times* (20 July 1978, 8 April 1980).

<sup>158</sup> *The Times* (24 September 1981).

<sup>159</sup> *Christian Science Monitor* (4 September 1980).

<sup>160</sup> Denktaş quoted, *Financial Times* (13 March 1984).

<sup>161</sup> Denktaş quoted, *The Times* (15 September 1975, 18 November 1983); *Financial Times* (16 November 1983).

declared independence - threatened loss of support (#5, Table 5.6).<sup>162</sup> Denктаş instead waited until the interregnum between military and civilian rule in November 1983 to unilaterally declare independence. Though Evren remained President and was reportedly angered by the decision, subsequently refusing to meet with Denктаş, and the incoming Prime Minister Turgut Özal admitted being surprised, they could not punish Denктаş personally or not recognize the declaration. Both would have required military intervention in the civilian government immediately after the transition and triggered a public backlash.<sup>163</sup>

Table 5.6. Diagonal Linkage, 1978-83.

Mechanism	Evidence
1. Dictate Preferences	Ecevit and Evren both press Denктаş to accept confidence-building measures and be willing to engage on territorial concessions, under pressure from US embargo and preference to improve relations with Europe/US.
5. Threats/Loss of Support	Evren threatens to Denктаş over UDI: threatens not to recognize independent Turkish Cypriot state and to replace Denктаş as leader if he declares independence.

Neither the dictation of preferences on confidence-building measures by Ecevit and Evren nor threats to Denктаş over a declaration of independence in 1983 had an effect of altering local regime preferences. Denктаş stalled on confidence-building measures first, by delaying talks on them as part of larger more delicate territorial adjustments, and then tabled proposals outside of the UN parameters on Varosha/Maraş agreed with the Greek Cypriots, before eventually rejecting the proposed confidence-building measures in 1984. Similarly, Evren's threats over independence did not deter Denктаş from declaring independence as the TRNC in

<sup>162</sup> On TFSC assembly motion for UDI, *Globe and Mail* (19 May 1983); Evren quoted on potential UDI, *The Times* (20 June 1983).

<sup>163</sup> Interview with Rauf Denктаş on timing of UDI, *The Times* (16 November 1983); *Financial Times* (16 November 1983, 13 March 1984).

1983. Denктаş simply waited until the government transition in Turkey when Evren could not follow through on his threats. While this demonstrated Denктаş's and the Turkish Cypriots' own degree of agency to act as spoilers, it also demonstrated that Ankara could not simply convey preferences to the Turkish Cypriots to be enacted.

Importantly, these two pathways of influence, dictating preferences and threats of losing support, were not consistent with Ankara's continued support in both propping up the TFSC and Denктаş. Preferences for stability and staunch anti-communism within the Turkish military and nationalist factions precluded support for viable leftist opposition which favored concessions on confidence-building measures, the *TKP* and *CTP*. Rather, Turkish aid in 1981, used to distribute ~4,000 civil service posts, had ensured the *UBP*'s election victory over these parties. Hence potential new leadership in the local regime was undermined and the existing leadership eschewed more cooperative new preferences on confidence-building measures. The outcome was unchanged policy at the local regime-level, despite changes in Ankara.

Table 5.7. Local Regime, 1978-83.

Mechanism	Evidence
<i>a.</i> New Preferences	New preferences dedicated by Ankara; not accepted by Turkish Cypriots elites; Denктаş spoils talks on confidence-building measures and delays UDI until he can not be punished by <i>MGK</i> /Evren government.
<i>b.</i> New Leadership	Viable opposition in TFSC after 1979 that favored more cooperative/constructive position in talks; viability in 1981 elections undermined by Turkish support for <i>UBP</i> and Denктаş, which retain control of TFSC regime.

### 5.2.3 *Annan Plan, 2002-14*

The more notable change to Turkish policy towards Cyprus came after the proposal of the Annan Plan by the UN in November 2002. As the previous chapter outlined, this changed policy came within a changing regional context and domestic political changes within Turkey. Regionally



after 1999, relations between Turkey and Greece improved markedly and at the Helsinki Summit in December 1999, Greece committed to ending its veto on Turkey EU membership application and EU aid to Turkey. Domestically in Turkey, 2002 was marked by the rise to power of the *AKP*, a reformist-Islamist party led by Recep Tayyip Erdoğan and Abdullah Gül who had split with the conservative-nationalist wing of Necmettin Erbakan's Virtue Party in 2000. The *AKP* supported a pro-EU reform platform and saw EU accession as a means to curb the influence of "militant Kemalism" and the *MGK* in Turkish politics. At the same time, the Turkish military had ended its opposition to EU membership, seeing it as a sustainable remedy to Turkey's persistent problems: economic instability, partisan violence, political Islam, and Kurdish separatism. Accordingly, while the EU's political condition of facilitating a settlement in Cyprus remained the same as when Turkey rejected EU accession in 1989 and 1997, the domestic veto players - the elected government and military - had changed their positions on the EU and viewed the benefits of accession as outweighing the political conditions (Yesilada & Sozen 2002; Aydinli, Özcan, & Akyaz 2006). Importantly, though, as the EU reiterated to Turkey in September 2002 and April 2003, rhetorical support for a settlement was insufficient. Rather Turkey had to take tangible action to facilitate a settlement, which meant inducing the Turkish Cypriots to support a settlement - the Annan Plan (UNSC April 2003).<sup>164</sup>

After the *AKP* came to power in November 2002, Ankara pressed Rauf Denktaş and the TRNC government to accept the Annan Plan, also proposed in November 2002, as the basis for a settlement. Turkish Foreign Minister Yaşer Yakış visited Denktaş at talks in New York and persuaded him not to reject the Annan Plan outright, but to continue talks on it. Yakış further

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<sup>164</sup> *Anadolu Agency* [in Turkish] (15 April 2003).

persuaded Denктаş against rejecting the Annan Plan twice in early 2003.<sup>165</sup> In January 2003, the Turkish Ministry of Foreign Affairs revised its official policy on Cyprus to support the Annan Plan.<sup>166</sup>

This pressure to accept Turkey's new preferences on the Annan Plan - dictating preferences (#1, Table 5.9) - failed to induce change in the Turkish Cypriot local regime. Despite persuasion from Ankara, directly by Yaşer Yakış and later Abdullah Gül, to continue talks on the Annan Plan and not reject it, in 2002-03, Rauf Denктаş rejected the Annan Plan at talks in the Hague in April 2003 and refused further talks on it. He claimed that the proposal was a "trap" to subjugate and annihilate the Turkish Cypriots via Greek Cypriot resettlement.<sup>167</sup> This had been preceded by the *UBP* rejecting the Annan Plan. The *UBP* had staged counter-protests to the *CTP*'s pro-unification rallies in December 2002 and January 2003, supported by nationalist groups, including the Gray Wolves who were believed to also be responsible for bomb attacks on *CTP* officials and activists.<sup>168</sup> In March 2003, the *UBP* blocked a vote on facilitating a domestic referendum on the Annan Plan, something that was under discussion in the UN-led talks.<sup>169</sup> Rauf Denктаş subsequently rejected the idea of separate referendums proposed in talks, claiming that a settlement "could not be entrusted to the public" before his final rejection of the Annan Plan.<sup>170</sup>

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<sup>165</sup> Details on Yakış-Denктаş meetings, *Anadolu Agency* [in Turkish] (16 November 2002, 17 November 2002, 20 November 2002, 24 December 2002, 19 January 2003, 27 January 2003); *Radio Bayrak* [in Turkish] (24 November 2002).

<sup>166</sup> Foreign Ministry press release, *Turkey Today* (9 January 2003).

<sup>167</sup> *Anadolu Agency* [in Turkish] (20 November 2002, 10 December 2002, 8 January 2003, 13 January 2003, 16 February 2003).

<sup>168</sup> Far-right nationalist groups also attacked *CTP*-led rallies and bombed Talat's home the week talks resumed in January 2004. Reports on rallies and violence, *Turkish Radio-Television* [in Turkish] (10 December 2002, 18 January 2003, 20 April 2004); *Radio Bayrak* [in Turkish] (14 January 2003); *Anadolu Agency* [in Turkish] (12 January 2003, 14 January 2003, 19 February 2004, 15 March 2004); *Associated Press* (21 April 2004).

<sup>169</sup> *Anadolu Agency* [in Turkish] (1 March 2003); *Associated Press* (7 March 2003).

<sup>170</sup> Rauf Denктаş quoted on referendum, *Anadolu Agency* [in Turkish] (26 February 2003, 27 February 2003, 8 April 2003, 9 April 2003).

In response to the Rauf Denktaş's rejection of the Annan Plan in April 2003, and the blocking of legislation to facilitate it within the TRNC, the EU reiterated its condition that Turkey "strongly supports efforts to find a comprehensive settlement of the Cyprus problem, building on the initiatives of the United Nations Secretary General, which remain on the table."<sup>171</sup> This was followed a week later by restrictions on movement across the ceasefire line and intercommunal contact, in place in the TRNC since 1999, being lifted at Ankara's behest. Denktaş and the *UBP* opposed this move and attempted to reimpose restrictions on movement after one day, but were blocked from doing so in the TRNC Republican Assembly. Importantly, the military and police, responsible for regulating movement across the ceasefire line, were still under Ankara's authority and ordered not to reimpose crossing restrictions (UNSC May 2003; November 2003).<sup>172</sup> Despite these changes imposed from Ankara, in security where it had direct authority, Rauf Denktaş remained intransigent on resuming talks in 2003.

Table 5.8. TRNC Election Results, December 2003.

	<i>CTP</i>	<i>UBP</i>	<i>DP</i>	<i>BDH</i>
<b>Percentage</b>	35.2	32.9	12.9	13.1
<b>Seats</b>	19	18	7	6

Ankara's more critical intervention came after the TRNC general elections in December 2003. The election results (Table 11) produced two natural ideological coalitions and a hung parliament: the pro-settlement/pro-EU *CTP* and *BDH*, and the nationalist *UBP* and *DP*, both holding 25 seats and no majority. Mehmet Ali Talat, charged with forming a government, set

<sup>171</sup> *Anadolu Agency* [in Turkish] (15 April 2003).

<sup>172</sup> Rauf Denktaş, Serdar Denktaş, and Derviş Eroğlu quoted on lifting restrictions, *Anadolu Agency* [in Turkish] (22 April 2003, 24 April 2003).

endorsement of the Annan Plan as a precondition for a coalition. A coalition with the *BDH*, which endorsed the Annan Plan, did not provide a majority, and the *UBP* and *DP* ruled out a coalition with the *CTP*. The *DP*, led by Rauf Denktaş's son Serdar, opposed any coalition in which the *UBP* did not head the government. Both the *UBP* and *DP* supported fresh elections in 2004 with a *UBP*-led interim government, which would further delay any talks on the Annan Plan until after the RoC had joined the EU on 1 May 2004.<sup>173</sup>

With coalition talks at an impasse in January 2004, Erdoğan summoned Talat and *DP* leader Serdar Denktaş to Ankara where he brokered a coalition agreement between the *CTP* and *DP*, which had been ruled out by Serdar Denktaş in December 2003. The *CTP-DP* government held 26 seats in the Republican Assembly with confidence supplied by the *BDH*'s six seats. The coalition protocol formally included the aim of reaching a settlement with the RoC by 1 May 2004 and gave the governing coalition the power to appoint the Prime Minister (Talat) and Deputy Prime Minister (Serdar Denktaş) as negotiators on the TRNC's behalf if the President (Rauf Denktaş) failed to pursue the government's preferences.<sup>174</sup> In a public congratulatory message to the new government, Erdoğan warned Serdar Denktaş against defecting or spoiling, reminding him that he was to enact the will of the Turkish Cypriot people and that "Turkey would not accept insolubility as a solution."<sup>175</sup>

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<sup>173</sup> Reports on coalition talks, *Anadolu Agency* [in Turkish] (23 December 2003, 26 December 2003).

<sup>174</sup> Details of coalition talks, *Turkey Today* (6 January 2004); *Anadolu Agency* [in Turkish] (8 January 2004, 9 January 2004, 13 January 2004); coalition protocol published, *Anadolu Agency* [in Turkish] (11 January 2004).

<sup>175</sup> Letter of congratulations from Erdoğan published, *Anadolu Agency* [in Turkish] (13 January 2004).

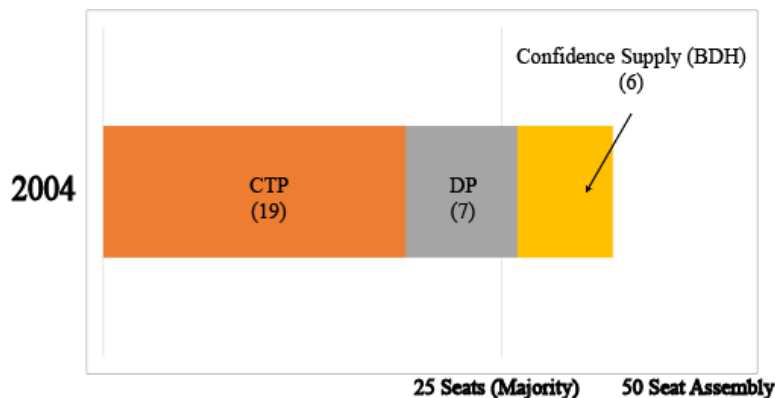


Figure 5.3. TRNC Government, 2004.

The outcome of this coalition engineering in the TRNC by the *AKP* government in Ankara was to address the two points of spoiling in the Annan Plan during 2003. Talks resumed in February 2004, and when Rauf Denктаş rejected it again in March, Talat and Serdar Denктаş assumed the role of negotiators, aided by Turkish Foreign Minister Abdullah Gül, appointed by the Republican Assembly as provided for in the coalition protocol (UNSC May 2004).<sup>176</sup> They agreed to the UN proposal for a referendum, which was accepted by the *CTP-DP* government, unlike the *UBP*-led government which had blocked a referendum the previous year.<sup>177</sup> Accordingly, on 24 April 2004, the TRNC held a referendum on the fifth draft of the Annan Plan, agreed upon by Talat, Serdar Denктаş, and Abdullah Gül in UN led talks. The Turkish Cypriots voted in favor of reunification and EU membership via the Annan Plan by a margin of 64.9-to-35.1 (UNSC May 2004).

In the years following the rejection of the Annan Plan in the RoC, Ankara continued to support it as a framework for a solution, and it continued to strategically engineer governments within the TRNC to support this. There were three notable instances of this from 2006-14. This

<sup>176</sup> *Anadolu Agency* [in Turkish] (23 April 2004).

<sup>177</sup> *AFP* (18 March 2004, 19 March 2004); *Anadolu Agency* [in Turkish] (23 March 2004, 1 April 2004); *NTV* [in Turkish] (19 April 2004).

is not to say that these were the only points at which Turkey influenced regime preferences in the TRNC during this period. As others have noted, this was pursued by Turkey on numerous occasions to support governments in the TRNC that would enact its economic preferences during this period (Kanol 2015; Kanol & Koprulu 2017). Rather these three instances pertained directly to support for a settlement in-line with the Annan Plan.

The first instance was in 2006 when Ankara engineered a government collapse in the TRNC to preserve the *CTP*'s position. In 2005, Mehmet Ali Talat had been elected TRNC President, with Ankara's backing, and the *CTP* had increased its share of seats in the Republican Assembly from 19 to 24 on a platform of ending the TRNC international and economic isolation. The *CTP* remained in coalition with the *DP* after 2005, however, in coalition talks Serdar Denктаş had set a two-year ultimatum for restarting talks with the RoC, after which the *DP* would support alternatives to the Annan Plan. And while as TRNC Foreign Minister, 2005-06, he lobbied for recognition by non-Western states - notably Azerbaijan and Gambia.<sup>178</sup> Talat regarded this as obstructive to restarting talks and believed more generally that the *DP* was pursuing a continuation of the status quo.<sup>179</sup> In September 2006, months before Serdar Denктаş's deadline for ending support for the Annan Plan in early 2007, Ankara intervened to collapse the government and form a new coalition. Four elected deputies from the *DP* and *UBP* quit their parties after a meeting with *AKP* officials organized by an Islamic organization linked to the *AKP*, and formed the Freedom and Reform Party (*ÖRP*).<sup>180</sup> The new *CTP-ÖRP* government

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<sup>178</sup> *Anadolu Agency* [in Turkish] (1 February 2005, 4 April 2005, 30 June 2005, 29 July 2005, 6 October 2005); *Dunya* (26 May 2005); *Turkish Daily News* (1 September 2005, 18 May 2006).

<sup>179</sup> Talat quoted on recognition, *Turkish Daily News* (18 May 2006); Talat on *DP*, *Turkish Daily News* (13 September 2006, 22 September 2006, 24 September 2006).

<sup>180</sup> *Turkish Daily News* (3 October 2006); Author interviews, TRNC, 2021.

protocol supported reunification in the framework of the Annan Plan, and Turkey's bid for EU membership.<sup>181</sup>

The other two instances pertained to the leadership of Derviş Eroğlu, who ousted Mehmet Ali Talat as President in 2010, after being elected Prime Minister in 2009. Ankara had been largely agnostic towards the elections in 2009-10, as it supported the *CTP*'s position on talks, but the *UBP*'s position on aid.<sup>182</sup> Ankara used public pressure and threats against Eroğlu's position (#5, Table 5.9) to prevent him from undermining talks after 2009. Turkish Foreign Minister Ahmet Davutoğlu publicly called for the TRNC government to support Talat's position in talks and warned to "refrain from taking steps that may affect the negotiation process negatively."<sup>183</sup> This was reiterated by Erdoğan, who congratulated the new *UBP* government by warning it would be "very wrong for the new government to end the negotiations or to continue negotiations on a basis different than the one that has been followed" - a reference to the agreed upon UN framework.<sup>184</sup> After Eroğlu's election as President in 2010, Erdoğan issued a similar warning, that he "did not expect the process to develop in any different way," and stalling or protracting talks would not be accepted - a similar warning to that given to Serdar Denktaş in 2003.<sup>185</sup> Consequently, despite having campaigned in 2009-10 on a platform rejecting a federal solution, which he had in the 1990s, Eroğlu agreed to continue talks and began meetings with Demetris Christofias in June 2010.<sup>186</sup>

The third instance then came in 2014 while attempting to restart talks after they had been suspended during the RoC assumption of the rotating EU Presidency. While suspension of talks

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<sup>181</sup> Coalition protocol published, *Radio Bayrak* [in Turkish] (2 October 2006).

<sup>182</sup> To this end, Ankara sent *AKP* activists to advise Talat's 2010 presidential campaign, but refrained from direct interference: Author interviews, TRNC, 2021.

<sup>183</sup> Remarks by Ahmet Davutoğlu quoted, *Anadolu Agency* [in Turkish] (21 April 2009, 6 May 2009).

<sup>184</sup> *Anadolu Agency* [in Turkish] (5 May 2009).

<sup>185</sup> Erdoğan quoted, *AFP* (18 April 2010).

<sup>186</sup> *Anadolu Agency* [in Turkish] (19 April 2010, 23 June 2010).

during the RoC's six-month presidency had been agreed between the TRNC and Turkey and occurred in July 2012, Derviş Eroğlu obstructed their resumption during 2013. He refused to issue a joint statement with RoC President Nikos Anastasiades committing to a solution within the UN framework. In February 2014, Ankara pressed Eroğlu to appoint Kudret Özersay as chief negotiator in talks with the RoC. Özersay had previously served as negotiator in 2012 when he resigned over a dispute with Eroğlu and the *UBP*, and was considered to be “Ankara’s man in the TRNC,” more accountable to Ankara than the TRNC government.<sup>187</sup> Days after Özersay’s appointment, talks resumed after the TRNC officially committed to the UN framework for a settlement.<sup>188</sup> After Özersay’s appointment, Eroğlu’s presence in talks was formality and Özersay was treated as the primary Turkish Cypriot interlocutor.<sup>189</sup> In both instances, Eroğlu’s continued participation in talks within the Annan Plan framework was coerced by Ankara. First by public pressure and threats that warned Eroğlu against ending talks. Second, by bypassing Eroğlu’s authority with an appointed bureaucratic, supported by Ankara, in talks.

Table 5.9. Diagonal Linkage, 2002-14.

Mechanism	Evidence
1. Dictate Preferences	<i>AKP</i> government conveyed new preference in support of Annan Plan to Rauf Denктаş and <i>UBP</i> in 2002-03; not followed, both reject Annan Plan in 2003.
4. Leadership Support	<i>AKP</i> supports <i>CTP</i> position in talks; brokers <i>CTP</i> coalition with the <i>DP</i> to agree to Annan Plan in 2004, and coalition with <i>ÖRP</i> in 2006 to maintain support for restarting talks on Annan Plan; has Kudret Özersay appointed to support position in talks.
5. Threats/Loss of Support	Ankara publicly warning Serdar Denктаş and Eroğlu against upsetting talks in 2004, 2009-10; Ankara marginalizing Eroğlu in talks in favor of Kudret Özersay in 2014.

<sup>187</sup> Profile of Özersay, *Cyprus Mail* (15 October 2019).

<sup>188</sup> *Agence Europe* (13 February 2014).

<sup>189</sup> *Cyprus Mail* (11 February 2014, 25 February 2014, 8 October 2014).



Turkish association with the Turkish Cypriots, as co-ethnics part of a common Turkish nation, did not subside during this period, nor did material or financial support for the TRNC. On the contrary Turkey carried out major infrastructure development initiatives during this period and continued to fund the TRNC budget (Bozkurt 2014; Kanol & Koprulu 2017). Rather what changed between this period and the previous attempt to induce concessions on confidence-building measures was support for a viable opposition in the *CTP*, whose interests in a settlement and EU membership coincided with Ankara's preferences after 2002. While Ankara attempted to press Rauf Denktaş and *UBP* into accepting the Annan Plan in 2002-03, they resisted Ankara's preferences as they had done in 1978-83. They stalled the Annan Plan by blocking a domestic referendum in March 2003 and then ending talks in April 2003. Ankara's intervention to broker a *CTP-DP* coalition in January 2004, despite the latter's opposition to a coalition the prior month, both created a pro-settlement government with support for the Annan Plan in the coalition protocol and a means to marginalize Denktaş in talks. Ankara then maintained support for the Annan Plan within the TRNC government by ousting the *DP* from government in 2006 to prevent it from obstructing talks, by publicly warning Derviş Eroğlu against ending talks, and then by marginalizing Eroğlu in-favor of an appointed bureaucrat to restart talks in 2014.

Table 5.10. Local Regime, 2002-14.

Mechanism	Evidence
<i>a.</i> New Preferences	Not evident - parties maintained same professed preferences towards a settlement as prior to 2002: <i>UBP</i> and <i>DP</i> opposed settlement/concessions; <i>CTP</i> and <i>TKP/BDH/TDP</i> supported settlement/EU accession.
<i>b.</i> New Leadership	New leadership in <i>CTP</i> and Mehmet Ali Talat came to power during this period; ended the dominance of <i>UBP</i> and Rauf Denktaş since 1964; preferences for settlement in the Annan Plan framework and EU accession.
<i>c.</i> Resource Access	<i>CTP</i> and <i>BDH</i> support for economic benefits of settlement and EU membership; wins support of trade unions; banking crisis victims - predated Annan Plan.
<i>d.</i> Intra-group Policing	Restrictions on movement across ceasefire line/intercommunal contact lifted in 2003; new crossing points opened after 2008; Turkish military and police and TRNC government refuse to reimpose restrictions.

Changes to two of the theorized mechanisms for local regime cooperation in a settlement were observed during this period. The other two mechanisms, though they did not change during this period, were important. None of the major parties changed their positions on a settlement (*a*, Table 5.10), except for the *DP* which agreed to support the Annan Plan in a coalition protocol. The *CTP* position in favor of both a settlement and EU membership, which it had officially held since 1999 was a focal point for Ankara inducing support for its preferences. Similarly, it had been the appeal of the economic benefits of a settlement and EU membership (*c*, Table 5.10) by which the *CTP* and *BDH* had gained union support and increased political support in 2003. However, both their preferences and the appeal of resources from a settlement had predated the *AKP*'s preferences (and the *AKP* itself), and these had won the *CTP* notable support in municipal elections in July 2002, prior to the *AKP*'s election in Turkey or any support for a settlement.

The key factor in altering the local regime's position on a settlement, from favoring integration with Turkey in 1998 to supporting the Annan Plan from 2002-14, was new local regime leadership with Turkey's support (*b*, Table 5.10). Strategic interventions from Turkey,

2006-14, then kept the TRNC in support of Turkey's preferences for a settlement within the framework of the Annan Plan. Rather than creating support for new preferences within existing power-holders in the TRNC, Turkey strategically supported actors and parties with existing preferences that aligned with its own new preferences, and strategically undermined actors and parties whose existing preferences conflicted with its own. This was reinforced by the reduction of formal intra-group policing, which prevented intercommunal contact, after 2003 (*d*, Table 5.10).

#### **5.2.4 Two-State Solution, 2017-**

Turkey's preferences for a settlement changed again after the failure of the 2017 Crans-Montana talks to produce an agreement, with Ankara ending its support for a settlement based on UN parameters and supporting a two-state solution instead. TRNC President Mustafa Akıncı had gradually lost Ankara's support for talks since his election in 2015, when he ousted Derviş Eroğlu, and in the lead up to Crans-Montana had been warned by Turkey that it was the last chance to reach a settlement. Just as regional and domestic contexts had contributed to Ankara's support for the Annan Plan after 2002, they also affected its reversal of positions. Regionally, Turkey's relationship with the EU worsened after 2011 when the hydrocarbon dispute in Cyprus escalated. Domestically, the *AKP* had entrenched itself as an autocratic party, abrogating democratic institutions and cracking down on critical media and opposition. After the failed coup attempt in 2016, the *AKP* and Recep Tayyip Erdoğan formed an alliance with the traditionally anti-Western Turanists/Eurasianists, both within a new military officer corps and with the *MHP* in government.

In all, these changes detracted from the prospect of EU accession, which had been linked to a settlement in Cyprus via political conditionality since the 1980s, and contributed to worsening relations with the EU, including EU sanctions against Turkey in 2013 and 2019. EU membership, which had been appealing to the *AKP* and military after 1999, had become both less likely and less appealing as an inducement for the Turkish government. The post-2016 alliance with the *MHP* further reduced support for a settlement in Ankara, as the *MHP* had long opposed concessions on Cyprus. For Ankara, which had spent the prior 15 years facilitating support for the Annan Plan as a settlement, this change after 2017 meant it had to induce change within the TRNC to oppose a settlement rather than accept one.

Talks convened in Crans-Montana, Switzerland in July 2017 aimed to resolve the outstanding issues from the 2016 UN-led Geneva Summit between Anastasiades and Akıncı, namely territorial adjustments and security guarantees.<sup>190</sup> Akıncı, however, was under pressure from Ankara and had been warned ahead of talks that due to the RoC's hydrocarbon plans, this would be the final attempt at a settlement within the UN parameters before Turkey pursued "alternative options."<sup>191</sup> When talks failed due to disagreement over Turkish troop deployments and the TRNC's status, Turkey ended its support for continued talks on a federal solution.<sup>192</sup> Though this preference was communicated to Akıncı after Crans-Montana (#1, Table 5.11), he attempted to restart talks with Anastasiades in September 2017 without Turkey's support (UNSC September 2017; October 2018). Turkish Foreign Minister Mevlüt Çavuşoğlu opposed Akıncı's efforts to continue talks unilaterally and his insistence on adhering to the UN framework. Akıncı

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<sup>190</sup> *AFP* (21 November 2016).

<sup>191</sup> A "Plan B" of a two-state solution was something the RoC had feared in talks since 2005 and used as an objection to concessions. See: *Cyprus Mail* (17 April 2017); *Anadolu Agency* [in Turkish] (26 June 2017); *Associated Press* (29 June 2017).

<sup>192</sup> *AFP* (3 July 2017, 8 July 2017); *Associated Press* (5 July 2017).

had threatened to resign as President rather than negotiate a two-state solution. To reduce Akıncı's influence in talks, Ankara again pressed for Kudret Özersay to be appointed as negotiator in October 2017, who marginalized Akıncı and held talks without his knowledge or consent.<sup>193</sup>

Relations between Ankara and Mustafa Akıncı soured almost immediately after Akıncı's election in 2015. This mirrored developments within Turkey whereby Erdoğan and the *AKP* were cracking down on critical voices and opposition. Akıncı, a long-time peace activist who had won international notoriety as mayor of North Nicosia/Lefkoşa for his cooperation with the Greek Cypriot mayor of the southern half Nicosia, had opposed the TRNC's dependence on Turkey, Turkish aid conditions, and the Cooperation Council formed in 1999. After his election in 2015 Akıncı advocated an independent policy and relations between equals with Turkey to "resemble less a mother and her child and more two brothers." Ankara saw this as a slight and responded by criticizing Akıncı as unrealistic and ungrateful for Turkey's support for the TRNC.<sup>194</sup> In 2019, Akıncı criticized Turkey's military operations in Syria, which drew considerable backlash from Turkey and the *MHP* in particular. *MHP* leader Devlet Bahçeli criticized Akıncı as "unpatriotic" and stated that he was "continuously provoking Turkey's sensitivities and should move to the Greek part of the island" - casting him as not a true Turk.<sup>195</sup> Nationalist parties in the TRNC responded that Akıncı should resign over his criticism of Turkey, or at minimum no longer serve as negotiator in talks, as he could no longer be trusted to

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<sup>193</sup> *Cyprus Mail* (5 October 2018, 9 December 2018, 18 June 2019, 19 February 2020).

<sup>194</sup> *Associated Press* (27 April 2015); *Radikal* [in Turkish] (28 April 2015); *Anadolu Agency* [in Turkish] (23 August 2019).

<sup>195</sup> This followed comments from Akıncı that it would be disastrous for the TRNC to be annexed by Turkey. Devlet Bahçeli quoted, *Cyprus Mail* (9 February 2020); *AFP* (20 February 2020).

represent “Turkish interests.” He received over 6,000 death threats in the four days that followed this dispute.<sup>196</sup>

This had followed an episode in 2017 when after the *Avrupa/Afrika* newspaper published a caricature of Erdoğan and criticized Turkish operations in Syria, its offices were attacked by a nationalist mob at Erdoğan’s urging.<sup>197</sup> As in Turkey after 2013, opposition activists and journalists in the TRNC came under attacks after 2017. Officials from the *TDP* and *CTP*, pro-unification civil society organizations, and journalists critical of Turkey were labeled as “national traitors” and “terrorists” for their pro-reunification positions. Ankara reportedly compiled a list of such actors who were harassed or barred from crossing the ceasefire line to the RoC and harassed or arrested if they traveled to Turkey.<sup>198</sup> Accordingly, following Ankara’s preference to end talks after 2017, it further sought to undermine support for Akıncı and factions pro-settlement by disassociating them from group-membership and building nationalist opposition to them (#2, Table 5.11).

Growing opposition in Ankara to Mustafa Akıncı’s position in talks and pro-reunification factions prompted interventions by Turkey in TRNC politics. In 2019, Turkey triggered a collapse of the governing coalition to oust the *CTP*. Turkey had previously triggered a collapse of the *CTP-UBP* government in 2016 during a dispute over water distribution.<sup>199</sup> In 2019, the TRNC government was controlled by a *CTP-DP-TDP-HP* coalition and the *CTP* refused to

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<sup>196</sup> *AFP* (13 October 2019, 14 October 2019); *Kibris* [in Turkish] (16 October 2019); *Cyprus Mail* (17 October 2019, 27 October 2019).

<sup>197</sup> Erdoğan had called on *AKP* and *MHP* supporters in the TRNC to “take care of *Avrupa/Afrika*” prior to the mob attack on their offices. This was also considered to be sending a warning to Akıncı who was present in the Republican Assembly, across the street from the *Avrupa/Afrika* offices, giving an address during the attack: Author interviews, TRNC, 2021.

<sup>198</sup> Author interviews, TRNC, 2021.

<sup>199</sup> The *CTP* had supported publicly-controlled distribution of water transported via a new pipeline from Turkey constructed in 2016, but Turkey had preferred that distribution be controlled by the firm that built the pipeline, and encourage the *UBP* to resign and form a weak coalition with the *DP* (1 seat majority, Table 3). See: *Cyprus Mail* (18 February 2016); Author interview, TRNC, 2020.

endorse a two-state solution in domestic legislation. In response, Turkey suspended funding to the TRNC, and encouraged Kudret Özersay's *HP*, which held nine seats, to quit the coalition. The government collapsed and a *UBP-HP* coalition came to power, which endorsed a two-state model (Ekici & Özdemir forthcoming).<sup>200</sup> Then in 2020, when Özersay disputed Turkey's and the *UBP*'s plans to unilaterally resettle Varosha/Maraş, three *HP* deputies quit the party, triggering a government collapse. Those three deputies then joined the governing *UBP-DP-YDP* coalition as independents.<sup>201</sup> Turkey had twice, in two years, triggered government collapses and new coalitions directly to support its new preferences: a two-state solution and resettlement of Varosha/Maraş.

The more notable intervention from Turkey came in the 2020 TRNC Presidential elections. Turkey had been agnostic towards the Presidential elections in 2010 and 2015, but favoring stability, the *AKP* had sent campaign advisors to work for the incumbents, Talat in 2010 and Eroğlu in 2015.<sup>202</sup> In 2020, though, Ankara engaged in an unprecedented level of involvement in favor of the *UBP* candidate Ersin Tatar. Akıncı's clash with Ankara over its relationship with the TRNC and its military operations in Syria had lost him support in the *AKP* and *MHP*. Furthermore his attempts to restart talks with Anastasiades and his refusal to negotiate on a two-state solution directly conflicted with Ankara's preferences after Crans-Montana. Ersin Tatar, on the other hand, ran on a platform of a two-state solution, further integration with Turkey, and the unilateral resettlement of Varosha/Maraş under TRNC control. He had further pledged to crackdown on criticism of Turkey and opposition to its policies within the TRNC.<sup>203</sup>

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<sup>200</sup> *Cyprus Mail* (3 March 2019, 9 June 2019); Author interviews, TRNC, 2021.

<sup>201</sup> Author interviews, TRNC, 2021; TRNC Legislative Archives [in Turkish].

<sup>202</sup> Author interviews, TRNC, 2021.

<sup>203</sup> Ersin Tatar quoted on these issues, *Cyprus Mail* (9 September 2018, 25 June 2019); *Kıbrıs* [in Turkish] (24 August 2019, 1 October 2019); *Reuters* (18 October 2020); *AFP* (23 October 2020).

Turkey openly supported Tatar over both Akıncı and Özersay in the 2020 election. In August 2020, Akıncı and Özersay were both polling well and predicted to go to a runoff, if Akıncı did not win an outright majority in the first round.<sup>204</sup> Before the election in 2020, Ankara announced support for Tatar, and the *AKP* hosted him in Ankara where they made a joint statement on increased aid from Turkey on the same night the TRNC presidential debate was scheduled.<sup>205</sup> Tatar's campaign was subsequently run out of the Turkish embassy and supported by the military. Media in the TRNC and Turkey was instructed to only cover Tatar's campaign and threatened against covering Akıncı.<sup>206</sup> Turkey threatened to cut off economic aid to the TRNC if Akıncı was elected, and allegedly threatened Akıncı personally to deter him from running. Representatives from the Turkish embassy mobilized in communities primarily inhabited by settlers and offered payoffs or expedited citizenship in exchange for voting for Tatar. In other cases, elected Turkish officials from the *AKP* and *MHP* visited the TRNC to campaign on Tatar's behalf. Tatar was again hosted in Ankara days before the election where he was endorsed publicly by Erdoğan. While support for Tatar remained relatively low, Turkey was successful in suppressing support for Akıncı, leading to a runoff, won by Tatar.<sup>207</sup>

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<sup>204</sup> *Cyprus Mail* (21 August 2020).

<sup>205</sup> *Cyprus Mail* (4 October 2020); *AFP* (6 October 2020); Author interview, TRNC, 2021.

<sup>206</sup> *Cyprus Mail* (5 October 2020); Author interview, TRNC, 2021.

<sup>207</sup> An overall review of Turkish intervention in the 2020 presidential election, including interviews with election and party officials, can be found in *Gazetada Kıbrıs* [in Turkish] (10 June 2021). Author interviews, TRNC, 2021.



Table 5.11. Diagonal Linkage, 2015-2021.

Mechanism	Evidence
1. Dictate Preferences	Ankara conveys new preferences opposing UN settlement parameters to Akıncı; Akıncı refuses to accept them, and attempts to restart talks.
2. National Disassociation	Ankara labels pro-reunification factions - Akıncı, <i>CTP</i> , <i>TDP</i> - as traitors/not true Turkish Cypriots; encourages nationalist violence against them.
3. Resource Transfer	Ankara conditions economic and material support on who governing elites in TRNC are; cuts off aid to undermine <i>CTP</i> government in 2019; provides increased economic/material aid to support Tatar over Akıncı in 2020.
4. Leadership Support	Ankara supports governments/presidents that align with its preferences; supports <i>UBP</i> and <i>HP</i> over <i>CTP</i> in government after 2018; public support and election campaigning for Tatar over Akıncı in 2020.
5. Threats/Loss of Support	Ankara withholding support for <i>CTP</i> over its opposition to position on settlement/two-state solution; publicly advertised threats that TRNC would lose economic support if Akıncı was elected.

The outcome of this period was a shift back to intransigence in the TRNC, likened to the 1990s, to mirror Ankara's new preferences in opposition to both a UN settlement and EU accession. Dictation of these preferences (#1, Table 5.11) to Akıncı after 2017 had been insufficient, as he'd openly refused to accept them and had popular support in the TRNC. Ankara thus pursued alternative strategies to undermine the positions of Akıncı and the pro-reunification factions in the TRNC, including the *CTP*. The most evident was leadership support, by which Ankara first supported *UBP*-led coalitions that supported its preferences, and then openly supported Akıncı's challenger to the Presidency, Ersin Tatar, whose preferences on a settlement converged with Ankara's. This was complemented by three additional strategies. One was national disassociation (#2, Table 5.11), not of the Turkish Cypriot community as a whole, but of moderate and pro-reunification leaders and activists who were cast as not true members of the group and "anti-Turk." Another was resource transfers (#3, Table 5.11), by which aid from Turkey became conditional on the TRNC's leadership, notably in support of Tatar's campaign in 2020. And lastly, threatened losses of support (#5, Table 5.11) were evident to prevent

opposition to Ankara's preferences, notably to trigger a government collapse and *HP* defection in 2019 by withholding aid from the *CTP*, and in the Turkish pro-Tatar campaign in 2020 that threatened an end to economic aid if Akıncı was elected.

Table 5.12. Local Regime, 2015-21.

Mechanism	Evidence
<i>a.</i> New Preferences	Not evident - TRNC parties maintained same preferences as prior period; <i>CTP</i> and <i>TDP</i> refused to implement new preferences opposing settlement.
<i>b.</i> New Leadership	<i>UBP</i> returned to power in government and presidency and supported Turkish preferences for a two-state solution, resettling Varosha/Maraş, and minimizing dissent.
<i>c.</i> Resource Access	Increased economic and infrastructure integration with Turkey made settlement and integration with RoC and EU membership less appealing to <i>UBP</i> .
<i>d.</i> Intra-group Policing	Crackdown on critical journalists and opposition as traitors; nationalist violence/threats against pro-reunification activists.

At the local regime-level, the outcome after 2019 was then a local regime less supportive of an institutional settlement and uncooperative in attempting to reach one. As in the prior period, the existing elites were unwilling to adopt Turkey's new preferences, so instead new leadership emerged whose preferences closely aligned with Turkey's, including a two-state solution, resettling Varosha/Maraş, and cracking down on dissent. This new leadership, embodied in the *UBP* and Ersin Tatar, bolstered its position through increased aid from Turkey and infrastructural integration with mainland Turkey that made the material benefits of a settlement less appealing. And their position was reinforced by a return of intra-group policing of the ethnic boundary between Greek and Turkish Cypriots. Political opponents and critical journalists were cast as traitors and non-group-members and became targets for nationalist groups, as they had been during the 1990s, discouraging cooperation and providing social sanctions.

### 5.3 Conclusion

The observed change in the Turkish Cypriot position in April 2004, noted in Chapter 1, fit into a larger pattern of influence by Turkey in the political competition of the Turkish Cypriot community after 1963. Influence was exerted on the Turkish Cypriot local regime, so its practices and policies aligned with those held by Ankara. At times this meant providing support for the local regime elites to remain in power and fend off challengers who espoused different preferences or worldviews than those favored by Ankara. At other times this meant supporting challengers to existing local regime elites whose preferences more closely aligned with Ankara's.

Early preferences in Ankara to prevent *enosis*, protect the Turkish Cypriots, and then to maintain the TFSC translated into early support for Rauf Denктаş as interlocutor, support for the *TMT* as an armed resistance to *enosis*, and, post-1974, to resource and economic transfers that unwrote the TFSC's ability to survive. Importantly these resources from Turkey permitted the more hardline *UBP* and Rauf Denктаş to stay in power during the 1970s and early 1980s, by facilitating the creation of a clientelistic system based on distribution of civil service posts. When Ankara's preference for concessions, albeit minimal concessions on confidence-building measures, changed under the pressure of a US arms embargo, it was unable to induce cooperation from the TRNC, whose regime and leadership it continued to entrench through economic transfers. Similarly, when Ankara opposed the Turkish Cypriots' proposal for independence, and threatened to remove its leadership, Denктаş simply waited until the government in Turkey changed to declare independence, without fear of removal.

The rise to power of the *AKP* in Turkey in 2002 brought with it new preferences for Cyprus, namely support for the comprehensive UN settlement proposal, the Annan Plan, driven largely by the *AKP*'s early preference for EU membership. As the EU clearly communicated in April 2003, support for a settlement was not enough for Turkey, it had to produce results. Ankara faced the problem of an entrenched leadership in the TRNC, which opposed the Annan Plan, despite Ankara conveying clear support for it. Ankara then switched its support in 2003-10 to the *CTP* and its leader Mehmet Ali Talat. Talat and the *CTP* had supported reunification and EU accession years before the *AKP* had come to power. Ankara brokered a coalition agreement in 2004 that saw the *CTP* come to power for the first time, and then again in 2006 triggered a government collapse and brokered another coalition to keep the *CTP* with a pro-reunification agenda in power. As the *AKP*'s rule became more autocratic and its relationship with the EU worsened, the leverage of EU accession and support for a UN settlement declined. In contrast to 2003-04, the *AKP* did not face an entrenched local regime elite that opposed a settlement, but one that had spent 15 years supporting reunification in the *CTP* and Mustafa Akıncı, who likewise refused to accept Ankara's new preferences. Accordingly, from 2019-21, Ankara backed the challengers, the *UBP* and Ersin Tatar, whose preferences aligned with its own, while simultaneously undermining support for Akıncı and the *CTP* by providing resources to their challengers, fomenting nationalists against them, and threatening to cut off support for the TRNC if they remained in power.

In concluding the Cyprus case study, there are three noteworthy observations. First, as Ankara's preferences changed either to increase or withdraw support for a settlement, it could not simply dictate these preferences to the Turkish Cypriot local regime to be enacted. Rather Turkish Cypriot elites and political parties could exercise limited agency relative to Ankara,

which when strategically used, could spoil settlement efforts. Instead to enact new preferences, Ankara had to support new leadership in the TRNC. Following this, the second observation is that elites' and parties' preferences towards a settlement, often divided between ideological groupings, existed prior to changes to preferences in Ankara. As such, Ankara shifted its support to elites and parties whose existing preferences for a settlement aligned with its new preferences. Lastly, the third observation is the importance of the various components of the local regime - actors, institutions, resources, and strategies, in inducing changes to preferences. Elites' positions within the local regime were affected by political institutions, particularly coalitions, their ability to provide public services and clientelistic distribution in exchange for support, and their ability to enforce ethnic boundaries or foster intercommunal cooperation. Influence of these specific local regime aspects by Ankara allowed it to induce policy change by affecting local regime support for the elites whose preferences it supported. As such, in the institutionally-developed setting of the TRNC, Turkey pursued preferences by manipulating and affecting competition between established political parties with established preferences for a settlement.

## 6 IDENTITY, WAR, & “DIALOGUE” IN KOSOVO

In October 2006, as United Nations Special Envoy Martti Ahtisaari was concluding talks on Kosovo’s final status, the Government of Serbia adopted a new constitution declaring “the Province of Kosovo and Metohija is an integral part of the territory of Serbia, that it has the status of a substantial autonomy within the sovereign state of Serbia.”<sup>208</sup> Essentially the new constitution, hastily adopted to precede Ahtisaari’s final status proposal for Kosovo, enshrined Serbia’s negotiating preference for Kosovo in domestic constitutional law, which would constrain the possible solutions Serbia could agree to in internationally-led mediation. In addition to nationalist voices in Serbia that opposed any concessions on Kosovo, this move seemingly locked in Serbia’s preference for a solution, ruling out other options as unconstitutional. In keeping with Putnam’s (1988) theory, legal institutions were used domestically to reduce the possible set of agreements an interlocutor could reach. Following Chapters 2 and 4, this chapter traces changes to Serbian preferences towards Kosovo since the beginning of internationally-led talks in 1998. The aim is to identify both how different forms of mediation affected policy preferences and how those preferences were manifested in domestic political competition.

Unlike Cyprus, Kosovo was not an internationally recognized state prior to the conflict, nor was it a republic within the Socialist Federal Republic of Yugoslavia (FRY). Concepts of sovereignty and self-determination had long been contested in Kosovo and were at the heart of the conflict between the Serbian Government and Kosovo’s ethnic-Albanian majority in the 1990s that escalated to the Kosovo War in 1998-99.<sup>209</sup> While Kosovo’s Albanians viewed

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<sup>208</sup> Text of the Constitution of the Republic of Serbia, Preamble

<sup>209</sup> The Kosovo Albanians first declared themselves to be independent in July 1990 as the Republic of Kosova, then again in February 2008 as the Republic of Kosovo. Neither declaration has been recognized by Serbia or the UN Security Council. See: Judah (2000, 2008); Ejodus (2020).

themselves as sovereign, Serbia regards Kosovo as an integral part of the state and of Serbian national identity. Though Serbia has sought to delegitimize its sovereignty, Kosovo has been a separate political entity from Serbia since it was placed under United Nations administration in June 1999 with distinct administrative structures and a “legal personality” to enforce laws and implement agreements. In this context of contested sovereignty, though, talks have been intentionally ambiguous to status and referred to as “dialogue” between two capitals - Belgrade and Prishtina (Bieber 2015). This dialogue has proceeded to address the contested aspects of Kosovo’s external sovereignty as a state and internal sovereignty through its multi-ethnic institutional capacity, both of which Serbia has attempted to undermine. While Serbia has vowed to never recognize Kosovo’s independence (external sovereignty), there have been notable policy changes from the Serbian Government contributing to the development of Kosovo’s institutions and thereby its internal sovereignty achieved through mediation.

This chapter proceeds chronologically over five time periods. The first period provides context of inter-ethnic conflict in Kosovo and the Kosovo War, and identifies early preferences in negotiations. The following four periods then provide an overview of conflict resolution efforts, focusing specifically on mediators and strategies, and Serbia’s preferences and policies. Time periods are determined by changes to the structure and context of mediation at which decisions are made that alter potential future decisions - critical junctures (Capoccia & Kelemen 2007). Each period concludes by relating observations from domestic competition and policy changes to the mechanisms theorized in Chapter 2 (restated in Table 6.1).

Table 6.1. Mechanisms.

Pathway	Outcome
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1.	Facilitation w/ local regime	Local regime engages in dialogue with mediator and other side; alters beliefs about others' intentions	Joins mutual institutions in parent state; conveys preference to patron state
2.	Manipulation w/ local regime	Mediator "buys off" local regime leaders with payoffs or government positions; individual benefits payoffs exceed status quo benefits	Joins mutual institutions in parent state; conveys preference to patron state
3.	Facilitation w/ patron state	Mediator engages in dialogue with patron state; provides assurances about other side; communicates information from other side	Patron state alters beliefs about other sides' intentions or preferences; changes policy to fit new beliefs
4.	Manipulation w/ patron state: sanction	Third-party sender imposes economic sanctions on patron state with condition to alter policy for sanctions to end	Patron implements new policy in-line with conditions for sanctions relief
5.	Manipulation w/ patron state: one-off reward	Third-party offers patron state a one-off benefit such as an aid package in exchange for concessions	Patron state implements new policy in order to receive reward; lasts until reward is dispersed
6.	Manipulation w/ patron state: reward structure	Third-party organization offers patron state membership and long-term rewards in exchange for concessions; membership favored by key constituency in patron state	Patron state changes policy, if supported by key elements of government; credibility of rewards declines over time.

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## 6.1 Centralization & War

Kosovo has a central place in Serbian national identity, and was central in the rise of Serbian nationalism in the 1980s and 1990s. According to Serbian narratives, it was in Kosovo in 1389 that the Serb Prince Lazar united the weakened Serbian kingdom to fight the invading Ottomans, and though defeated, achieved a "heavenly kingdom" for the Serbs through his martyrdom. This narrative of the "Kosovo Myth" became a central pillar in the rise of Serbian national identity in the 19th century, as Serbs reckoned with the subjugation of their "earthly kingdom" to Ottoman Dominion for the previous five centuries. Epic poetry glorifying the martyrdom of Lazar and others became central to narratives of victimhood and injustice, while simultaneously casting Albanians as nefarious Ottoman collaborators sent to settle Serbian lands in Kosovo. It was then in Kosovo in 1988, the poorest region of Yugoslavia, plagued by inter-ethnic tensions between



Serbs and Albanians and persistent protests, that Slobodan Milošević kicked off his nationalist ascent to the Serbian presidency (Judah 1997; Ejodus 2020).

During the Second World War, Albanian nationalists, pursuing a unified Albanian nation-state (referred to as the nationalist project of “Greater Albania”), had sided with Yugoslavia’s German and Italian occupiers to administer the territories of Kosovo and Sandžak in Serbia. Albanian nationalist forces - the Balli Kombëtar and Vulnetari - had brutalized non-Albanians, moderates, and communists in these regions. With the victory of the communist partisans in 1945 and the constitution of the FRY, Kosovo was placed under the direct control of the Ministry of the Interior (*MUP*), led by Aleksandar Ranković, who opposed federal decentralization and favored centralized rule and a particularly oppressive rule in Kosovo, where the Albanian population was viewed as overly nationalist and potentially seditious.<sup>210</sup> Kosovo was administered under a police state of emergency by Ranković until 1960, before being granted autonomous status within Serbia in 1974 constitutional reforms (Judah 1997, 2000). Autonomy for Kosovo within Serbia coupled with the opening of the University of Pristina as the center of Albanian education contributed to rising Albanian nationalism within Yugoslavia, and resentment among Serbs in Kosovo and nationalists in Belgrade who called for a return to centralized rule and feared a lack of protection from Albanian nationalists (Judah 1997; Clark 2000; Hehir 2010; Bećirević 2014).

It was from this disenchanted Serb population in Kosovo that Slobodan Milošević gained his early support with pledges to protect anxious Serbs and for “Serbia to return to Kosovo.” Milošević accused the Albanian provincial authorities of having abused their power and persecuted Serbs, while nationalists claimed Albanians were purposefully “out-breeding” Serbs

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<sup>210</sup> Ethnic-Albanians were believed to have greater affinity with Enver Hoxha’s Stalinist regime in Albania, which was problematic after the 1948 Yugoslav-Soviet Split.

to replace them in Kosovo (Judah 1997). During his ascendancy to the Serbian presidency in 1988-89, Milošević implemented the Anti-Bureaucratic Revolution. With the support of his loyal Kosovo Serb base, he undermined the autonomous governments of Kosovo, Montenegro, and Vojvodina, revoking Kosovo and Vojvodina's autonomous status.<sup>211</sup> Kosovo's provincial assembly officially voted to revoke their own autonomy, in a vote taken under the coercion of Serbian security forces in Prishtina and paramilitary police in the assembly itself. With the revocation of autonomy in March 1989 and the dissolution of the assembly in June 1990, ethnic-Albanians were replaced in public administration and the economy by Milošević loyalists. Following hunger strikes at Kosovo's Trepča/Trepçë mining complex in 1989 in protest of the revocation of autonomy, Serbia declared a state of emergency in Kosovo and *MUP* deployed large numbers of paramilitary police. By 1991, Milošević had returned centralized control of Kosovo, which coupled with an oppressive police presence was reminiscent of Ranković's rule (Judah 1997; OSCE 1999; Clark 2000).

The return of centralized control in 1989-90 forced Kosovo's Albanian population out of public life and led to the creation of a parallel state. Albanians were forced out of employment in the provincial administration and public enterprises including media, stripped of language and education rights, and barred from military conscription. Without access to the public sector or Albanian-language education, a "parallel" administration was formed under the Democratic League of Kosovo (*LDK*) and its leader Ibrahim Rugova, an advocate of nonviolent resistance. In July 1990, Rugova's parallel state declared itself independent from Serbia as the Republic of Kosova, rejected by Serbia and ignored by the international community. The Albanian

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<sup>211</sup> Both Kosovo and Vojvodina in northern Serbia had been granted the status of autonomous provinces within Serbia by the 1974 Yugoslav constitution, which provided for the establishment of a provincial assembly with substantial authority over internal matters and representation nationally. Serb nationalists had claimed this was a deliberate move by Tito to weaken Serbia within Yugoslavia.

population boycotted participation in the Serbian state, boycotting elections and the census and collecting their own taxes from within Kosovo and the diaspora community. While this parallel state challenged centralized authority, the nonviolent nature of resistance and the dominant position of Serbs meant Milošević tolerated it, especially with wars in Croatia and Bosnia & Herzegovina (BiH) ongoing (Judah 2000; Krieger 2001).

Armed resistance to Serbian authority gained momentum after 1996 in response to three developments: (1) Kosovo had not been addressed in the Dayton Accords as Rugova had hoped; (2) Rugova lost support from key advisors who he had ostracized and rural clan leaders, disenchanted with nonviolent resistance; and (3) in 1997, neighboring Albania's government collapsed and its president, Sali Berisha, had opened up the country's armories hoping his supporters would take up arms to defend him. Instead they looted military stores and sold the arms to a nascent insurgent group in Kosovo, the Kosovo Liberation Army (*UÇK*). Now with the means to wage an armed struggle, the *UÇK* began a guerilla campaign targeting Serbian police in particular. Serbia responded by intensifying its security presence in Kosovo, including the army's Priština Corps, special police units (including the infamous *JSO*), and paramilitary volunteers organized by the security services (OSCE 1999).<sup>212</sup> Fighting escalated from sporadic acts of terrorism to an insurgent conflict after March 1998 when an attempt to capture *UÇK* leaders Hamëz and Adem Jashari resulted in the killing of 58 members of their family in the village of Prekaz by paramilitary police (Judah 2000)

Foreign involvement in the escalating war began in mid-1998, but was hampered by competing tensions between state sovereignty and the protection of human rights. Serbian

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<sup>212</sup> Due in part to Milošević's own domestic security worries, the special police units were better equipped and trained than the regular military and included special paramilitary units that had fought in Croatia and BiH. The most notorious paramilitary force in Kosovo was the *JSO*, known as the Red Berets or "Frankies" recruited and supplied by the State Security Service.

government representatives had refused to entertain talks on Kosovo under the auspices of the Dayton Accords and the BiH Office of the High Representative, regarding it as a strictly internal matter. Western states, and the US and EU in particular, feared a repeat of BiH and regarded the escalating conflict as a threat to regional security. Following the attack on the Jasharis in Prekaz in March 1998, US Secretary of State Madeleine Albright declared that the US no longer considered conflict in Kosovo to be a Serbian internal affair and began lobbying for action in the UN. UN Security Council Resolution 1199, passed in 1998, called for:

- An end to actions by security forces against the civilian population of Kosovo;
- The presence of international monitors with guaranteed safety;
- The return of refugees displaced by fighting; and,
- Progress towards a diplomatic political solution.

Though UN-authorized force was obstructed by a Russian veto in the Security Council, US Ambassador to the UN Richard Holbrooke persuaded Serbia to comply with UNSCR 1199 under the threat of unilateral force, having received assurances from Russia that it would not intervene on Serbia's side (Weller 1999; Judah 2000). Milošević agreed to reduce Serbian forces in Kosovo to pre-conflict levels and remove heavy weapons, and accepted the deployment of OSCE monitors, the Kosovo Verification Mission (KVM). With the KVM deployed in Kosovo and a NATO force in neighboring Macedonia, US Ambassador to Macedonia Christopher Hill proposed a three-tiered solution for decentralization in Kosovo. By Hill's proposal principal authority would rest with municipal units, secondary authority with national communities, and tertiary authority with a weak provincial government. This was rejected in December 1998. The Albanians saw it as insufficient, but Serbia opposed it for reducing formal centralized authority over Kosovo (Weller 1999; Judah 2000).

The diplomatic push for a solution in Kosovo intensified in January 1999 culminating in the Rambouillet talks in February-March 1999. The killing of 45 Albanians by Serbian police in the village of Račak/Reçak in January 1999 attracted international media attention and condemnation from NATO officials who declared that conflict in Kosovo was a direct threat to international peace and security. Though the Serbian government had initially touted the success of its special police operation in Račak/Reçak, it backtracked to claim that the KVM had staged the massacre and declared KVM head William Walker persona non grata. Only under the threat of NATO force and Russian diplomatic pressure did Serbia agree to the Rambouillet talks convened by the “Contact Group” - the US, EU, and Russia. The settlement proposed at Rambouillet included:

- The end of hostilities in Kosovo and the return of prisoners;
- Democratic self-governance in Kosovo, including a directly elected assembly with representation of all national communities;
- A president of Kosovo;
- An autonomous government and judiciary, not subject to decisions taken by Serbian or federal authorities including a ban on the imposition of martial law in Kosovo;
- International implementation of the agreement by the UNHCR, OSCE, and a NATO-led security force (KFOR).<sup>213</sup>

The Serbian/FRY delegation was described as “not serious” and “lacking political will for a settlement” at the Rambouillet talks, while it perceived the US, Britain, and France as biased towards the Albanian side. This lack of will to negotiate was evident in the conclusion of talks in Paris in March 1999 when the Albanian side, represented by both Rugova and UÇK leader

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<sup>213</sup> KFOR had originally been proposed as a part of Holbrooke’s talks with Milošević in October 1998.

Hashim Thaçi, accepted the draft settlement, but Serbian President Milan Milutinović rejected it and refused further talks. Milutinović submitted a counter-proposal which instead of making revisions, omitted all the provisions negotiated at Rambouillet and removed restrictions on centralized authority in Kosovo. This counter-proposal reduced the competencies of the provincial assembly, replaced the presidency with a centrally-appointed council, subjugated the judicial system to central authority, and removed provisions for implementation including KFOR and the UNHCR. Serbia refused to continue talks unless its proposal was accepted (Weller 1999; Judah 2000).<sup>214</sup>

After the collapse of the Rambouillet talks, US diplomats Holbrooke and Hill gave Milošević a final warning that NATO would use force if he did not return to talks. Milošević, though, believed that Russia would come to Serbia's aid if attacked and refused further talks while ordering an escalation of police operations in Kosovo. Russia had blocked the authorization of use of force in the UN Security Council in 1998 and sided with the Serbian delegation at Rambouillet, but had also assured Holbrooke that it would not enter a military conflict on Serbia's side. The FRY Chief of Staff Momčilo Perišić recognized this and opposed escalation believing it would result in the loss of Kosovo and that Russia would not aid Serbia against a US attack. Instead of heeding this warning, nationalist *SPS-SRS* government in power in Belgrade fired Perišić and replaced him with the more pliant Dragoljub Ojdanić who supported increased security operations in Kosovo. On 20 March 1999 the KVM withdrew to Macedonia and on 24 March 1999 NATO began airstrikes against Serbian forces in Kosovo and Serbia-proper. Simultaneously Serbian forces escalated their ethnic-cleansing campaign in Kosovo, labeled as "Operation Horseshoe" which aimed to displace or eliminate the Albanian

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<sup>214</sup> The Russian mediator at Rambouillet, Ambassador Mayorski, had refused to attend the signing of the agreement by the Albanian side, not wanting to convey legitimacy to an agreement only signed by one side.

population from Kosovo (OSCE 1999, 2001; Petersen 2011).<sup>215</sup> Prior to the start of NATO's bombing campaign, an estimated ~270,000 people had been displaced by fighting, but by June 1999, an estimated ~860,000 were displaced, the vast majority of whom were Albanians (UNHCR February 2000).

NATO airstrikes ended on 10 June 1999 with the Kumanovo Agreement signed by the Yugoslav General Nebojša Pavković and British General Sir Mike Jackson. The Kumanovo Agreement provided for:

- The cessation of hostilities;
- The 11-day phased withdrawal of FRY/Serbian security forces and military assets from Kosovo;
- The deployment of international civilian and security forces in Kosovo in accordance with a draft UN Security Council Resolution; and,
- Authorization to use force to create a secure environment.

The third point, a draft UN Security Council Resolution, was in reference to UNSCR 1244, passed the same day, which formally endorsed the presence of a NATO-led peacekeeping force (KFOR) in Kosovo and the withdrawal of Serbian/FRY forces.<sup>216</sup> More importantly, UNSCR 1244 provided for a UN-led civilian interim administration in Kosovo (UNMIK) headed by a Special Representative (UNSR) appointed by the Secretary General with executive authority. Kosovo's status, though, was indeterminate and it would legally remain a part of the territory of the Republic of Serbia, until a status solution was agreed. UNMIK was charged with the

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<sup>215</sup> Locally-recruited paramilitaries were given weapons and uniforms by the government, but operated on a booty system whereby they were paid in whatever they could steal from Albanians.

<sup>216</sup> To secure Russian approval, KFOR was to be a "NATO-led" multinational force with non-NATO contributing states, including Russia. Despite this agreement there was a standoff between Russian and British forces at the Prishtina Airport in June 1999 when Russian peacekeepers from BiH took control of the airport and refused to vacate it or hand control to NATO.

development of local governance institutions, including the conduct of democratic elections to be embodied in “provisional institutions of democratic and autonomous self-governance” to which the UNSR would have the authority to transfer powers (UNSCR 1244, 1999). Serbia, especially under the *DSS* would contest this latter point as ambiguous and equated institution-building with independence. While provision “11d” authorized the transfer of administrative responsibility to provisional institutions, provision “11e” stated that political authority could only be transferred upon conclusion of Kosovo’s political status. Accordingly, by subsequently refusing to make concessions on Kosovo’s status, Serbia regarded any institution-building within Kosovo as illegitimate and undermining its own sovereignty.

Table 6.2. Timeline of Negotiations/Intervention, -1999

Year	Mediator/Actor		Outcome
Nov. 1995	US	Dayton Peace Accords	End of war in Bosnia & Herzegovina, Kosovo omitted
Sept. 1998	UN	UN Security Council Resolution 1199: ceasefire and authorizes OSCE KVM	Violated by November 1998
Oct. 1998	US: Richard Holbrooke	US-led talks with Milošević: Clinton authorizes use of military force	Withdrawal of heavy weapons from Kosovo
Dec. 1998	US: Christopher Hill	Hill proposal: decentralization and restoration of pre-1990 status	Rejected by both sides
Feb. 1999	Contact Group	Rambouillet Talks: enhanced autonomy, restoration of democracy, interim status	Accepted by Albanians, rejected by Serbia
Mar. 1999	US/NATO	NATO begins airstrikes against Kosovo/Serbia after Milošević turns down compromise	
June 1999	NATO: Mike Jackson	Kumanovo Agreement	Serbia/FRY withdrawal from Kosovo
June 1999	UN	UN Security Council Resolution 1244	UNMIK, UN administration of Kosovo



### *6.1.1 Serbian Preferences for Kosovo*

Serbian policy towards Kosovo following the Anti-Bureaucratic Revolution aimed to re-establish and maintain centralized political control. The re-establishment of centralized control had been one of the primary mechanisms of Milošević's nationalist rise to power in 1988. This reduced pluralistic decision-making in federal structures by curbing the autonomous power of Kosovo, Vojvodina, and Montenegro. And this policy of centralized authority and a repressive police presence to enforce it after the 1989 Trepča/Trepçë strikes, dovetailed with the preferences of the Serb population in Kosovo which had grown increasingly wary of Albanian nationalism since the end of emergency rule by Aleksandar Ranković and the granting of autonomy in 1974. The Kosovo Serbs provided a loyal nationalist support base for Milošević's *SPS* and the ultra-nationalist *SRS*.

In the broader context of resurgent Serbian nationalism, re-establishing centralized political control over Kosovo after 15 years of autonomy was cast as Serbia's "return" to the heart of its national identity. As Ejodus (2020) details, growing Serbian discourse on Kosovo had been dismissed by the communist leadership in the 1980s as "dangerous nationalism" counter to Yugoslavia's "brotherhood and unity" mantra. However by the late 1980s, it was central in Serbian discourse as "Old Serbia" and labeled by nationalists as "Serbia's Jerusalem." Milošević's rise with the rhetoric of "returning to Kosovo" and protecting the Serbs of Kosovo from "replacement" by Albanians evoked a national resurgence which had been curbed under communist rule. The "return to Kosovo" was regarded as reclaiming something central to Serbs' collective identity. As Ejodus (2020) notes, the celebration of the 600th anniversary of the Battle of Kosovo (1389) was rife with analogies of Serbia reclaiming its "heart" or "soul" or an "amputated limb" - something integral to national being that had been stripped from it in 1974.

Milošević himself, in his address commemorating the anniversary referred to Kosovo as the “pure center of the Serbian nation” (quoted in Judah 1997). Hence while centralization and the police state of emergency satisfied Serb nationalists in Kosovo for a return to the Ranković-era status quo, it also satisfied nationalists more broadly, sympathetic to Ranković’s position that decentralization had weakened Serbia’s position within Yugoslavia (Bećirević 2014).

The centrality of Kosovo to Serbian nationalism during the 1980s and 1990s precluded concessions on centralized control of Kosovo during internationally-led talks. The Serbian government from 1997-2000 was led by a *SPS-SRS* coalition, which drew support from nationalist supporters for whom Kosovo was central. Furthermore, through its centralized rule, Kosovo had become a source of both patronage and fraud for both parties. Posts in Kosovo’s institutions and public enterprises were distributed as patronage to key allies including paramilitary and criminal elites (Judah 2000), and vote rigging in Kosovo had been used to boost *SPS* margins in the 1990s. For example in 1997, *SPS* candidates claimed to receive 300,000 votes from Kosovo Albanians despite their well-publicized boycott of Serbian elections and widespread opposition to *SPS* rule.<sup>217</sup> Accordingly, while it was indisputable that Kosovo was a central component of Serbian nationalism, or an “ontic space” in Serbian identity (Judah 1997, 2000; Ejodus 2020), the more specific policy of centralized political control over Kosovo was critical to nationalist parties in Belgrade as a manifestation of nationalism in practice.

Resistance to not only conceding Kosovo but limiting centralized control of Kosovo was evident in efforts to negotiate a settlement prior to NATO intervention in March 1999. Christopher Hill’s proposal for decentralization, which granted increased political importance to national communities, was rejected by Belgrade specifically for displacing centralized control

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<sup>217</sup> *Beta* [in Serbian] (28 August 2000, 5 September 2000).

and granting Albanians increased authority in Kosovo (Judah 2000). Similarly the proposed settlement at Rambouillet was rejected on the grounds of returning Kosovo's autonomy relative to Belgrade: creating a provincial presidency, democratic self-governance, autonomous administrative and judicial structures not accountable to Belgrade, and a ban on martial law (Weller 1999; Judah 2000). These provisions reversed the specific provisions for centralization imposed on Kosovo after the Anti-Bureaucratic Revolution and Trepča/Trepçë strikes. Tellingly, Serbia's counter-proposal that effectively ended the Rambouillet talks struck all of the provisions that weakened centralization.

External mediators during this period, officially the Contact Group but with the US acting as primary interlocutor (Weller 1999; Judah 2000), did not diplomatically affect policy change in Serbia. The Serbian government was subjected to two primary strategies: facilitation and manipulation: sanctions. Facilitation was most evident at the Rambouillet talks, in which Serbian President Milan Milutinović engaged in talks with Albanian leaders Ibrahim Rugova and Hashim Thaçi, mediated by the Contact Group. However, even the Rambouillet talks were conducted under the threat of military force from NATO, deployed in neighboring Macedonia, which had been authorized ahead of talks between Holbrooke and Milošević in October 1998. The threat of force from NATO did not leverage concessions from Belgrade, with Milutinović rejecting the Rambouillet proposal, and Belgrade ordering an escalation of operations in Kosovo prior to NATO bombing. When the military Chief of Staff Perišić protested this escalation to the government, he was removed from his post (Judah 2000).

What the conclusion of the Kumanovo Agreement and then the passing of UNSCR 1244 meant was that Serbia lost its centralized control over Kosovo by force. Having rejected multiple diplomatic proposals that weakened centralized control, an outcome was then forced upon Serbia

which completely removed its administrative and security institutions from Kosovo. UNSCR 1244 essentially imposed upon Serbia the key provisions proposed at Rambouillet, which it explicitly referenced as the basis for a future settlement, namely autonomous interim authority vested in democratic institutions, implemented by KFOR, the OSCE, and the UN. By the provisions of UNSCR 1244, Kosovo remained legally within the boundaries of Serbia, but administrative authority rested solely with UNMIK, which had the ability to implement or nullify laws to be enforced by KFOR and an UNMIK police contingent (UNSCR 1244 Annex 1 1999; UNSC July 1999). Though de jure still a part of Serbian territory, Kosovo de facto ceased to be a part of the Serbian state after June 1999, physically separated by a NATO-enforced air and ground safety zone, and institutionally separated by the removal of Belgrade's administrative and security structures, the two components of centralization, and replaced by UNMIK. Remaining in Kosovo, though, was the ethnic-Serb minority, which had originally supported centralization. A challenge for UNMIK would then be the Serbs' incorporation in administration and public life, which would determine UNMIK's credibility in building multi-ethnic institutions (OSCE February 2000).

## **6.2 International Administration & Beginnings of Dialogue**

In addition to its authority to build and administer institutions in Kosovo, UNSCR 1244 gave UNMIK and the UNSR authority to facilitate "a political process designed to determine Kosovo's future state, taking into account the Rambouillet accords." Initiating talks after June 1999 faced four obstacles. One was Serbia's general intransigence towards Kosovo's status that had been evident prior to NATO intervention, persisted after June 1999, and after the ousting of Milošević in October 2000. As scholars of Serbian politics note, nationalism, and particularly chauvinistic views towards Kosovo, were not distinguishable by a left-right ideological divide

but evident across the whole domestic political spectrum (Gordy 2003; Pribićević 2004), and political anxiety over “losing” Kosovo precluded concessions (Ejdus 2020). A second obstacle was political instability within Serbia that accompanied Milošević’s ousting, an ethnic-Albanian insurgency in southern Serbia in 2000-01, and the assassination of reformist Prime Minister Zoran Đinđić in 2003. Thirdly, talks were obstructed by an unstable security situation in Kosovo characterized by persistent inter-ethnic violence and reprisals against the remaining Serb and Roma population (Petersen 2011). And lastly, compromises were obstructed by unresolved questions of status and sovereignty that prevented agreements on supposedly “technical” matters aimed to improve everyday life in Kosovo.

In the first 18 months of UNMIK’s deployment there was limited engagement with Milošević’s government in Belgrade. Zoran Anđelković, an *SPS* official considered to be Milošević’s “governor” in Kosovo, was charged with facilitating relations with UNMIK. His position, though, was undermined by ongoing violence, poor relations with local Serbs, and his own antagonism towards UNMIK.<sup>218</sup> Anđelković was believed to be attempting to secure privileged access to UNMIK for the *SPS*, while *SPS* officials lobbied UNMIK to close Kosovo’s borders to prevent Albanian refugees returning from Albania and Macedonia, facilitated by UNHCR. Simultaneously, the *SPS* sought to undermine UNMIK, calling for its removal after a month, for the return of Serbian forces to protect Serbs, and denouncing it as part of a Western plot to “Albanize” Kosovo. Anđelković and fellow *SPS* functionary Živorad Igić claimed UNMIK was intentionally altering demographics in Kosovo and that more Albanians were living

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<sup>218</sup> *Tanjug* [in Serbian] (8 July 1999, 10 July 1999).

in Kosovo after UNMIK's deployment than ever before, centering UNMIK in Serbia's "replacement" claims after 1999.<sup>219</sup>

While Milošević and the *SPS-SRS* government remained in power, UNMIK engaged more constructively with local Serb political groups, most notably the Serb National Council of Kosovo and Metohija (*SNV-KiM*). Based in the Serb enclave of Gračanica/Gračanicë, near Prishtina, the *SNV-KiM* was led by Serbian Orthodox Church officials Bishop Artemije and Prior Sava Janjić, and former administrator of Kosovo of the Serbian Renewal Movement (*SPO*), Momčilo Trajković. Dialogue with the *SNV-KiM* began in July 1999 and was formalized in the Kosovo Transitional Council (KTC) a consultative body that the *SNV-KiM* intermittently participated on in 1999-2000.<sup>220</sup> UNMIK's aim was to negotiate participation of the Serb community in mutual institutions, however the *SNV-KiM* believed solutions to the security situation in Kosovo were necessary first and proposed both the creation of distinct Serb cantons and a "Serb protection corps." When UNMIK rejected these proposals, Trajković proposed them to EU and US diplomats, including Holbrooke, who also rejected them, believing cantons and ethnically-distinct security structures would come to resemble Republika Srpska in BiH.<sup>221</sup> The Serb population in northern Kosovo, north of the Ibar/Ibër River, however, was less inclined to

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<sup>219</sup> Quoted in *Tanjug* [in Serbian] (20 July 1999, 21 July 1999, 23 July 1999, 14 August 1999, 26 August 1999, 5 September 1999, 23 April 2000, 5 June 2000); *Beta* [in Serbian] (17 September 1999).

<sup>220</sup> Artemije and Momčilo Trajković joined the KTC on a provisional basis in August 1999, but withdrew in September 1999 after the creation of the Kosovo Protection Corps, which they protested as a "Kosovo army." They returned to the KTC and continued dialogue with both UNMIK and Kosovo Albanians after Bulgarian mediation in spring 2000. See: *SRNA* [in Serbian] (25 October 1999); *B92* [in Serbian] (8 January 2000); *Reuters* (25 February 2000); *BTA* [in Bulgarian] (19 March 2000).

<sup>221</sup> Interviews with Momčilo Trajković on Cantons, *SRNA* [in Serbian] (7 August 1999, 29 August 1999, 23 September 1999); *Beta* [in Serbian] (21 August 1999, 22 August 1999, 24 August 1999, 20 April 2000); *Radio Pančevo* [in Serbian] (21 August 1999); *Reuters* (24 August 1999).

cooperate with UNMIK, resisted international peacekeepers, and called for UNMIK to be removed.

The ousting of Milošević's government in October–December 2000 by the Democratic Opposition of Serbia (*DOS*) increased optimism for cooperation from Belgrade.<sup>222</sup> *DOS* deputy Nebojša Čović was appointed by Belgrade to oversee matters related to both Kosovo and southern Serbia. Until May 2001, though, Čović was primarily focused on resolving the *UÇPMB* insurgency in southern Serbia, which ended in the “Čović Plan” negotiated with NATO (Jackson 2021a).<sup>223</sup> He was then appointed as head of the newly formed Coordination Centre for Kosovo and Metohija and charged with a mandate to act as interlocutor between the Serbian Government, the Serbs in Kosovo, and UNMIK.<sup>224</sup> While this formalized engagement with UNMIK and provided a regular channel of communication, Serbia's position changed little, as it opposed UNMIK's institution-building as undermining Serbia's sovereignty and petitioned the UN to dismiss the UNSR for prejudging Kosovo's status. The Serbian government opposed the creation of the Provisional Institutions of Self-Government (PISGs) in Kosovo as precursors to independence.<sup>225</sup>

The primary diplomatic issue between UNMIK and Belgrade from 2000-03 was the participation of Serbs in Kosovo in UNMIK-run institutions and elections, regarded by

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<sup>222</sup> KFOR commandant quoted, *Reuters* (26 December 2000).

<sup>223</sup> The ethnic Albanian militants in the southern Serbian Pčinja District launched an insurgency against Serbia in 2000-01. The insurgency was led by Liberation Army of Preševo, Medveđa and Bujanovac (*UÇPMB*), which was seeking unification with Kosovo and used the demilitarized Ground Safety Zone on the boundary between eastern Kosovo and Serbia as a safe haven. The insurgency targeted primarily Serbian police and security forces relocated from Kosovo after 1999 and was believed to be supported by the remnants of the KLA. Serbia accused UNMIK and KFOR of fostering the *UÇPMB*, claiming it was linked to the Kosovo Protection Corps. The Čović Plan to resolve the southern Serbia insurgency was brokered between Serbia and the *UÇPMB* and it included the reduction of Serbian forces in the region and increased political rights, in exchange for being permitted to reoccupy the Ground Safety Zone with a special police force - the Gendarmerie (*Žandarmerija*).

<sup>224</sup> *AFP* (3 February 2001, 9 February 2001, 26 February 2001).

<sup>225</sup> Nebojša Čović quoted, *Beta* [in Serbian] (5 March 2001, 3 May 2001); *Reuters* (3 May 2001, 15 May 2001).

international stakeholders as a potential indicator of UNMIK's success. The Kosovo Serbs boycotted the first UNMIK-run elections in October 2000 in protest of security conditions and limited returns of displaced Serbs. Consecutive UNSRs Bernard Kouchner and Hans Hækkerup sought Belgrade's support for Serb participation in Kosovo's elections. Belgrade did support participation in the PISG assembly elections in 2001. Serbian Prime Minister Zoran Đinđić verbally supported Serb participation in March 2001.<sup>226</sup> The Coordination Centre then endorsed participation in August 2001 but backtracked and called for "non-participation" in October 2001 in protest of violence against Kosovo Serbs and Albanian parties' use of independence rhetoric in campaigning.<sup>227</sup> Belgrade did support Serb participation in elections in November 2001 following talks between UNSR Hans Hækkerup and FRY President Vojislav Koštunica, in which Hækkerup negotiated increased security for Serb villages and gave a formal guarantee against a declaration of independence by the PISG assembly after elections.<sup>228</sup>

The following year, Belgrade endorsed participation in Kosovo's local elections after negotiations with Hækkerup's successor, Michael Steiner. In talks between Koštunica and Steiner in October 2002, Steiner provided guarantees that UNMIK would begin administrative decentralization by 2003.<sup>229</sup> Decentralization became the focus of talks after the 2002 elections. While Belgrade had resisted decentralization prior to 1999 as weakening centralized control, after 2000 it was regarded as crucial to Kosovo Serbs' security and their autonomy from Kosovo Albanian governance. The first notable proposal was Momčilo Trajković's proposal for cantons made to UNMIK in August 1999, which was then adopted by the *DOS* government in Belgrade

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<sup>226</sup> Zoran Đinđić quoted, *AFP* (16 March 2001).

<sup>227</sup> *AFP* (4 August 2001); *Beta* [in Serbian] (21 August 2001); *Tanjug* (28 September 2001); *B92* (11 October 2001).

<sup>228</sup> Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (27 October 2001); *AFP* (2 November 2001, 3 November 2001, 5 November 2001).

<sup>229</sup> Interview with Sanda Rašković-Ivić, *FoNet* [in Serbian] (15 October 2002); Interview with Nebojša Čović, *FoNet* [in Serbian] (25 October 2002); *Beta* [in Serbian] (16 October 2002); *Tanjug* (22 October 2002).



after 2000, when Trajković was recruited by the Coordination Centre.<sup>230</sup> The Coordination Centre then proposed the ethnic partition of Kosovo into distinct Serb and Albanian zones.<sup>231</sup> Though UNMIK rejected both proposals, the Serbian parliament adopted an official position on Serb local self-governance in Kosovo in 2002 before adopting ethnic partition as its “priority policy” in March 2004.<sup>232</sup>

In 2002, UNMIK refocused talks with Belgrade on “technical matters.” Agreements in 2002 provided for the composition of the Kosovo Police Service (KPS) and judiciary to reflect the ethnic composition of municipalities where they were based, regarded as a precursor to decentralization. In 2003, UNMIK proposed seven further areas for technical cooperation: energy, trade, transportation, vehicle registration, personal documents, and cadastral records. Čović accepted the invitation to technical talks but attached preconditions of administrative decentralization and guarantees against independence - inserting political criteria into a technical agenda.<sup>233</sup> The Serbian Government then withdrew from talks after the UNSR transferred administrative competencies to the PISGs, per UNSCR 1244. In protest of what it claimed were political violations of sovereignty, the Coordination Centre formally suspended relations with UNMIK in May 2003 and refused to resume talks while Michael Steiner remained UNSR.<sup>234</sup>

Talks between Belgrade and Prishtina were again convened in October 2003 with the aim of establishing “standards for Kosovo.” The intention professed by the UNSR was to establish a set of mutually acceptable standards for governance to be achieved before Kosovo’s final status

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<sup>230</sup> *Beta* [in Serbian] (20 April 2000); *B92* (28 April 2002); *Tanjug* (30 March 2003).

<sup>231</sup> *Tanjug* (21 May 2001, 23 February 2003); *Blic* [in Serbian] (9 January 2003).

<sup>232</sup> Serbia reportedly proposed this solution at Rambouillet where it was rejected by the mediators seeking to avoid an ethnic division as in BiH. See: *Reuters* (24 August 1999); *AFP* (19 May 2001); *B92* [in Serbian] (28 April 2002); *Beta* [in Serbian] (4 March 2004); *Glas Javnosti* [in Serbian] (14 March 2004).

<sup>233</sup> *AFP* (3 March 2003, 5 March 2003); *Tanjug* [in Serbian] (4 March 2003).

<sup>234</sup> *FoNet* [in Serbian] (11 March 2003, 16 April 2003); *Tanjug* [in Serbian] (12 March 2003, 25 March 2003, 12 April 2003, 30 December 2003); *Beta* [in Serbian] (4 April 2003, 6 April 2003, 23 April 2003); *Associated Press* (21 June 2003).

was considered - labeled “standards before status.” The UN agenda for these talks, held in Vienna, had intended to focus on “practical matters of mutual interest,” but was undermined by irreconcilable visions for future status that detracted from intermediate standards. The Serbian position refused anything more than broad autonomy within the Serbian state, akin to Kosovo’s status from 1974-89, which Belgrade labeled “more than autonomy, less than independence.”<sup>235</sup> Prishtina’s delegation labeled this as a “chauvinistic attempt to reimpose central authority in Kosovo” through weak guarantees and demanded that Belgrade remove all obstacles to independence.<sup>236</sup> Talks were unproductive with both interlocutors, Čović and Edita Tahiri, disrupting technical talks to make demands about status.<sup>237</sup> While bringing the sides together for talks was an achievement in itself, it failed to produce an agreement and the Serbian Government rejected the UNSR’s “Standards for Kosovo” proposal (UNSC January 2004), which included:

- Consociational governance institutions elected in common elections;
- Multi-ethnic rule of law institutions;
- Enhanced minority rights including freedom of movement and language use;
- Sustainable returns and protection of cultural heritage;
- Sustained dialogue between Belgrade and Prishtina; and,
- Provision for the Kosovo Protection Corps (UNSC December 2003).

Belgrade claimed that these provisions violated UNSCR 1244, illustrating its opposition to any institution-building in Kosovo as violating its interpretation of political authority in UNSCR 1244, and therefore its claims to sovereignty (UNSC January 2004).

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<sup>235</sup> *Beta* [in Serbian] (22 July 2003); *Associated Press* (23 July 2003, 27 August 2003); *RTS Radio Belgrade* [in Serbian] (30 July 2003, 12 August 2003); *FoNet* [in Serbian] (4 August 2003, 7 August 2003).

<sup>236</sup> *RTS Radio Belgrade* [in Serbian] (30 July 2003); *Koha Ditore* [in Albanian] (8 August 2003).

<sup>237</sup> *AFP* (14 October 2003); *Beta* [in Serbian] (15 October 2003); *RTS Radio Belgrade* [in Serbian] (4 November 2003); *Reuters* (7 November 2003).

The limited progress that UNMIK had made integrating Serbs into the PISGs after the 2001-02 elections was undone by ethnic riots in Kosovo on 17 March 2004. The reported drowning of a group of Albanian boys in Mitrovica triggered coordinated anti-Serb riots across Kosovo that destroyed 730 Serb homes and 35 Orthodox sites, and displaced more than 4,000 Serbs.<sup>238</sup> In the short-term, the March 2004 riots further isolated the Serbs in Kosovo and destroyed their limited trust in the PISGs and UNMIK. Serbs in the KPS and other UNMIK-run institutions quit en masse, and Serbs elected in 2001-02 boycotted further participation (UNSC May 2004; Dahlman & Williams 2010).

The longer-term effect, though, was to signal the status quo as untenable. The UN commissioned Norwegian diplomat Kai Eide to review conditions in Kosovo, which concluded the need for a status settlement and devolution of administrative authority to reformed municipal units. For Belgrade, this hardened its preferences for administrative autonomy in cantons and resulted in a boycott of UNMIK-run institutions for the following nine years. Belgrade furthermore recouped its influence in Kosovo Serb municipalities, implementing more robust parallel institutions run from Serbia, in contravention of UNSCR 1244 (UNSC July 2004; November 2004; Dahlman & Williams 2010).

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<sup>238</sup> Different tellings of events posit both that the Albanian boys drowned while fleeing from attempting to rob a Serb store in North Mitrovica, or that the boys were hounded into the Ibar/Ibër River where they drowned by a Serb gang. Kosovo Albanian officials initially declined to condemn the riots and only did so under pressure from the UNMIK. Serbia declared the 2004 riots to be an “anti-Serb pogrom.” See: Jackson (2015).

Table 6.3. Timeline of Negotiations, 1999-2004.

Year	Mediator		Outcome
July 1999	UNMIK	Interethnic talks begin Kosovo Transition Council	Irregular participation by SNV KiM, boycotted Sept.-Feb.
July 2000	US	SNV-KiM joins inter-ethnic talks held in US	Airlie Declaration against violence
May 2001	NATO	Serbian government negotiations with UÇPMB	Covic Plan accepted
Oct. 2001	UNMIK	Negotiation of Serb participation in Kosovo election: Belgrade demands security guarantees	Accepted in Nov. 2001, Serbs participate as <i>KP</i>
March 2002	US	Cooperation with ICTY and transfers political prisoners to Kosovo in exchange for US aid	Accepted
May 2002	UNMIK	Serb participation in Kosovo Police Service	Agreed
July 2002	UNMIK	Participation of Serb judges in PISG judiciary	Agreed
Oct. 2002	UNMIK	Negotiation of Serb participation in Kosovo local elections	Accepted
June 2003	EU	EU-Western Balkans Summit	Serbia promised future EU membership path
Oct. 2003	UNMIK	Vienna Talks	Fail to reach agreement
July 2004	UN	Kai Eide review of conditions in Kosovo	Concludes need for decentralization and status review
Sept. 2004	UNMIK	Negotiations for Serb participation in Kosovo elections	Election boycott

### 6.2.1 Serbian Preferences

Belgrade's position on Kosovo during the period from 1999-2004 was affected by two domestic political contests. The first was between Milošević's *SPS-SRS* government and the *DOS*, an amalgam of 17 parties led by the Democratic Party (*DS*) and Democratic Party of Serbia (*DSS*), ahead of the 2000 elections in Serbia. These parties had attempted to oust Milošević in 1997

elections, but were unsuccessful due in part to the *DSS* support for nationalist policies in Kosovo and a less active role of civil society (Bieber 2003). Though, as Bieber (2003) argues, Kosovo did not feature centrally in the *DOS*'s platform, the effects of the Kosovo War were detrimental to Milošević's position. Namely he lost the support of the Serbian Orthodox Church, with Patriarch Pavle calling for Milošević's resignation and Bishop of Raska-Prizren Artemije, who headed the *SNV-KiM* in Kosovo, joining and campaigning for the *DOS*.

While both the *SPS* and *DOS* opposed the notion of Kosovo's secession, the *SPS* opposed the deployment of UNMIK and issued repeated calls for its removal and the return of Serbian security forces to "protect" the Serbs in Kosovo. This position was also held by the *SRS* and supported by predominantly *SRS* constituents in southern Serbia and Kosovo who cheered the idea of Serbia again "returning to Kosovo" however unrealistic it was (Gordy 2003; Stefanović 2008).<sup>239</sup> The *DOS* likewise opposed Kosovo's independence, including in its election platform in 2000 "retaining Kosovo in the borders of the Serbian motherland" and after coming to power reiterated it would "never give up Kosovo."<sup>240</sup> Both the *SPS-SRS* government and the *DOS* supported boycotting the UNMIK-run elections in 2000. The distinction between the political factions regarding Kosovo, though, was that the *DOS* accepted the reality that Kosovo could not return to its 1989-99 status as centrally administered by Belgrade. Hence, the *DOS* governments after 2000 were willing to negotiate with UNMIK on Serb participation and negotiate for enhanced autonomy of the Kosovo Serbs, as compared to Milošević's government, which campaigned on a "return to Kosovo" (Stefanović 2008).<sup>241</sup>

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<sup>239</sup> Also: Interviews with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (30 September 2002); *BKTV* [in Serbian] (16 November 2003).

<sup>240</sup> *Beta* [in Serbian] (18 August 1999, 3 November 1999, 19 January 2000); *AFP* (28 August 1999, 21 May 2001).

<sup>241</sup> The *SPS* and *SRS* campaigned in 2000 on claims that the *DOS* willingness to negotiate with UNMIK was evidence that they were planning to sacrifice Kosovo to NATO. See: Vojislav Šešelj quoted, *Tanjug* [in Serbian] (11 August 2000); *AFP* (14 September 2000).

The second political contest was within the *DOS*, between its two largest constituent parties, the liberal-reformist *DS* led by Zoran Đinđić, who served as Prime Minister from 2001-03, and the conservative *DSS* led by Vojislav Koštunica, who served as FRY President from 2000-03. The *DS* and *DSS* differed in their approaches to reforms and international cooperation. While the *DS* favored more rapid reforms with the professed aim of EU accession by 2010, the *DSS* advocated more gradual reforms to avoid alienating nationalists and its own conservative base. The relationship between the two party leaders, Đinđić and Koštunica, was strained after the *DOS* came to power and they ended cooperation within one another in March 2002 in a dispute over cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY).<sup>242</sup> In March 2002, Koštunica opposed domestic legislation on cooperation with the ICTY, while Đinđić supported both cooperation with the ICTY and the return of Albanian political prisoners to Kosovo in exchange for the US unfreezing \$120 million in aid to Serbia.<sup>243</sup> A central objective of the *DOS* had, after all, been ending Serbia's economic collapse and international isolation. They remained in coalition, though, throughout 2002-03 specifically to keep the *SRS* out of power, and in the 2002 elections Đinđić supported Koštunica's candidacy for President to oppose *SRS* candidate Vojislav Šešelj. Similarly in 2004, Koštunica supported *DS* leader Boris Tadić's candidacy against *SRS* candidate Tomislav Nikolić (Gordy 2003; Stefanović 2008).

The *DS* under Đinđić generally took a more cooperative position towards Kosovo, in keeping with Đinđić's preference for improved relations with European institutions. While this did not translate directly into concessions on Kosovo, with Đinđić himself acknowledging that

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<sup>242</sup> *AFP* (1 April 2002).

<sup>243</sup> *Associated Press* (23 January 2002, 23 March 2002, 29 March 2002); *AFP* (26 March 2002, 27 March 2002, 1 April 2002, 9 April 2002).

Serbia could not be expected to sacrifice Kosovo for EU membership, he did support more constructive participation in talks.<sup>244</sup> He had negotiated the formation of the State Union of Serbia and Montenegro, brokered by the EU, to avoid a conflict over Montenegro's independence (Tocci 2007). And he believed that a solution to Kosovo would be facilitated by EU membership, with the EU as a guarantor of any settlement.<sup>245</sup> It was Đinđić who first endorsed Serb participation in UNMIK-run elections in 2001, and Đinđić who supported exchange of political prisoners in 2002, which Koštunica opposed.

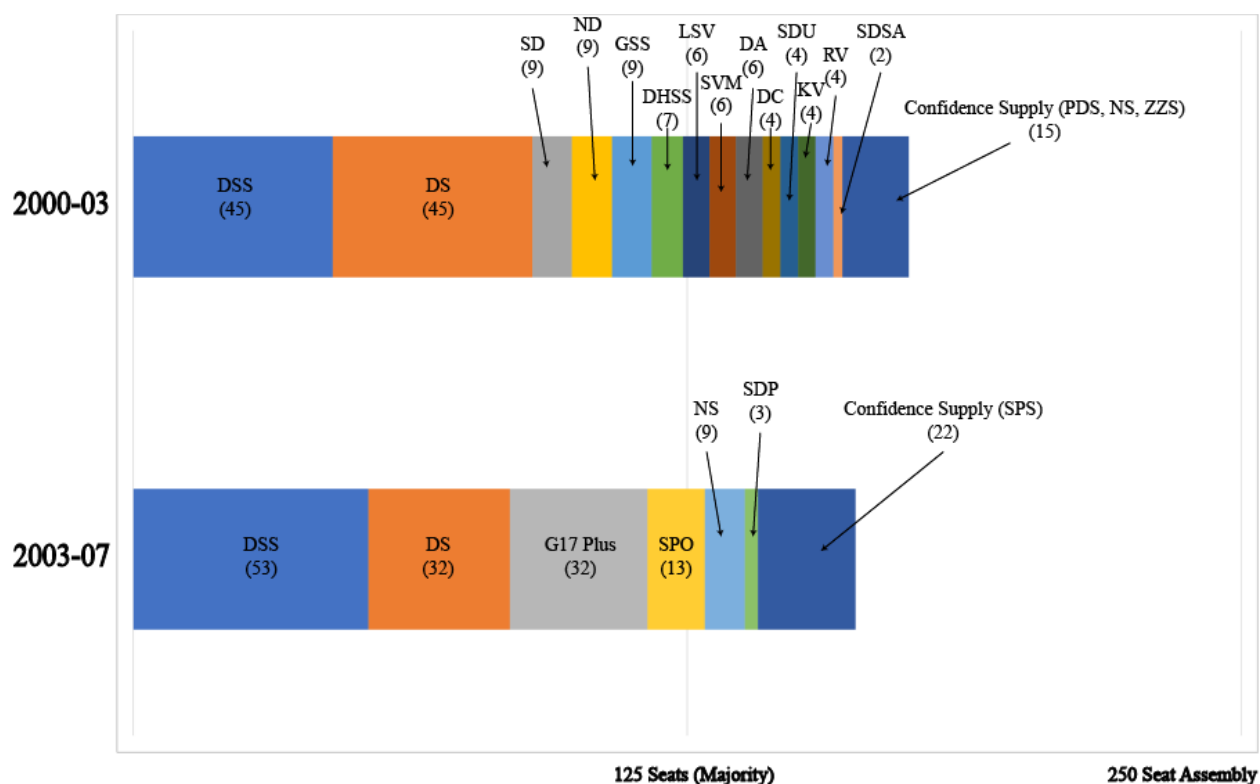


Figure 6.1. Serbian Government Coalitions, 2001-07.

Following Đinđić's assassination in March 2003 by former-paramilitary police, the *DS* lost influence relative to the *DSS* in parliament (Figure 6.1) and the Serbian Government's

<sup>244</sup> *AFP* (28 August 1999, 21 May 2001).

<sup>245</sup> Interview with Đinđić, *Reuters* (6 November 2002); *Beta* [in Serbian] (6 November 2002).

position in talks became less cooperative and more resistant to UNMIK's institution-building (UNSC January 2004). Beginning in April 2003, the Serbian Government protested power transfers to the PISGs as opposition to institution-building in Kosovo and cut off relations with UNMIK while Steiner remained UNSR. Serbia then rejected the "Standards for Kosovo" document in November 2003 and in December 2003 again suspended talks over UNMIK transferring administrative authority to the PISGs (UNSC January 2004). In September 2003 UNMIK reported an increased functioning of Serbian-run parallel institutions in Serb enclaves in Kosovo and threats issued by the Coordination Centre against Kosovo Serbs, such as loss of social benefits or pensions, to deter participation in UNMIK-run institutions (OSCE October 2003; UNSC January 2004). In February 2004, the month before the riots, the Serbian Government ordered all Serb education and healthcare employees in Kosovo to reject UNMIK contracts.<sup>246</sup> The *DSS* had also, shortly before the 2004 riots, officially endorsed ethnic partition in Kosovo and after the riots proposed the creation of autonomous Serb cantons.<sup>247</sup> When UNMIK rejected the cantonal proposal, the Coordination Centre called for a boycott of the 2004 elections, and Koštunica set the condition of UNMIK accepting partition into cantons for lifting the boycott.<sup>248</sup> The division between the *DS* and *DSS* on Kosovo was observable ahead of the 2004 Kosovo elections, when Koštunica, elected Prime Minister in 2003, called for a Serb boycott, and *DS* leader Boris Tadić, elected President of Serbia in 2004, and vowing to continue the European path set by Đinđić, endorsed participation in elections (UNSC November 2004).

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<sup>246</sup> *B92* [in Serbian] (2 February 2004).

<sup>247</sup> *B92* (4 March 2004); *Beta* [in Serbian] (4 March 2004); *Glas Javnosti* [in Serbian] (14 March 2004); *Tanjug* [in Serbian] (30 April 2004).

<sup>248</sup> Letter from Nebojša Čović to UNSG, *FoNet* [in Serbian] (5 August 2004); Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (30 September 2004, 2 October 2004)



### 6.2.2 *Observed Mechanisms*

The first period of UNMIK mediation was characterized by political turmoil within Serbia that obstructed a consistent policy towards a settlement in Kosovo. During the first 18 months of UNMIK's deployment (1999-2000), constructive talks were obstructed by Milošević's *SPS-SRS* government in Belgrade that both opposed UNMIK's presence in Kosovo and pandered to nationalist supporters with claims that Serbia would again "return to Kosovo" to "protect Serbs." That had, after all, been the same claim Milošević had risen to power on, and the preference that precluded a negotiated settlement prior to March 1999. While the ousting of Milošević's government by the *DOS* in 2000 meant a government more amenable to negotiations with UNMIK, a clear policy towards Kosovo was contested within the *DOS* by its two largest constituent members, the *DS* and *DSS*. The balance between the pro-EU reformist *DS* and the conservative *DSS* from 2001-03 resulted in gradual progress towards Serb integration in UNMIK-run institutions. However after Zoran Đinđić's assassination in 2003 and subsequent political gains for the *DSS*, Serbian Government policy became less conducive to cooperation in Kosovo and more focused on opposing UNMIK's institution-building. Even before Belgrade's boycott policy that followed the 2004 riots, the *DSS*-led government had ended talks twice over UNMIK's transfers of power to the PISGs and incentivized Serbs to not participate in UNMIK institutions or take UNMIK contracts.

Table 6.4. Observed Mechanisms, 1999-2004.

Mechanism	Observations	Outcome
1. Facilitation w/ local regime	Interethnic dialogue within Kosovo facilitated by UNMIK in the KTC; participation from the <i>SNV-KiM</i> .	<i>SNV-KiM</i> officials joined <i>DOS</i> , conveyed policy positions.
3. Facilitation w/ patron state	Regular dialogue facilitated by UNSR. 4 notable instances: 2001 elections, 2002 elections, 2003 Vienna Talks, 2004 elections.	Participation in 2001 and 2002 elections by Serbs; rejection of 2003 Standards for Kosovo; boycott of 2004 election.
4. Manipulation w/ patron state: sanction	Sanctions relief offered by US in exchange for return of Albanian political prisoners to Kosovo.	Accepted as part of bill on cooperation with ICTY.

Three mechanisms, theorized in Chapter 2, were observable during this period, however with only limited effect on policy. The first mechanism observed in Kosovo was facilitation with the local regime (#1, Table 6.4). During the first months of UNMIK's deployment, it faced an intransigent government in Belgrade and engaged directly with the *SNV-KiM*, a local Serb political faction that claimed to be filling the role the Serbian state left after June 1999.<sup>249</sup> The *SNV-KiM* attended inter-ethnic talks facilitated by UNMIK, and direct talks with UNMIK and Western diplomats throughout 1999-2000 seeking to solve practical problems for the Serbs remaining in Kosovo, chief among which was security.<sup>250</sup> While the *SNV-KiM* leaders joined the *DOS* and campaigned for it in Kosovo, its preferences for a settlement had limited impact. Its initial proposal, for a cantonal settlement and an ethnic-Serb "protection corps" were rejected by UNMIK. And though Belgrade adopted these proposals in its official policies between 2001-04,

<sup>249</sup> *AFP* (18 June 1999); *Tanjug* [in Serbian] (18 June 1999); *SRNA* [in Serbian] (25 June 1999, 4 July 1999, 28 September 1999).

<sup>250</sup> The *SNV-KiM* leadership met with Kosovo Albanian representatives of the KLA and Rugova's LDK in June-July 1999 and attended talks with them in the US in March and July 2000. Trajković specifically called on Rugova to take on a larger role as a "moderate" in dialogue. See: *Associated Press* (2 July 1999), *Beta* [in Serbian] (2 July 1999, 7 July 1999, 25 July 1999, 12 October 1999, 6 February 2000, 6 March 2000).

UNMIK continued to reject them, even after Koštunica conditioned election participation on the creation of cantons.

The second observed mechanism was facilitation with the patron state (#3, Table 6.4). This was most evident in the UNSR's direct talks with Belgrade seeking Serb participation in elections. While this had an effect in 2001 and 2002, this cooperative position was not institutionalized and dependent upon the preferences of the Serbian Government. The combination of the *DSS*'s position in 2003 and the 2004 ethnic riots in Kosovo undermined Serbian Government support for Serb participation and ahead of 2004 elections it called for a boycott. The third observed mechanism was manipulation: sanctions (#4, Table 6.4) evident in March 2002 when the unfreezing of US aid to Serbia was partially conditioned on the transfer of Albanian prisoners to Kosovo. Easing of economic sanctions and improved foreign relations had been a core aim of the *DOS*, and the *DS* in particular, and this mechanism effectively resulted in cooperation, albeit a limited one on transfer of prisoners.

### **6.3 Status Talks & Irreconcilable Positions, 2005-09**

The conclusion of Kai Eide's 2004 evaluation of conditions in Kosovo shifted the focus of talks to settlement of Kosovo's status, to be mediated to UN envoy Martti Ahtisaari. As ahead of the "Standards for Kosovo" talks in 2003, the sides' positions on status were irreconcilable. Prishtina would accept nothing short of full independence, and Belgrade would accept only autonomy within the Republic of Serbia, precluding independence (UNSC November 2006). Each side took unilateral action during this period to bolster their respective positions. For Belgrade, the new Serbian constitution, adopted in October 2006, enshrined Kosovo as an autonomous, but integral part of the Republic of Serbia, constraining its negotiating position and making any future

settlement that conferred independence unconstitutional to accept. For Prishtina, a Russian veto in the Security Council in 2007 prevented Ahtisaari's proposal for "supervised independence" being accepted, and in February 2008 Prishtina unilaterally declared independence from Serbia with the Ahtisaari Plan as the basis for its constitution.

UN-led talks resumed in March 2005, a year after they had stalled following the 2004 riots. Technical working groups on issues of missing persons and energy reconvened and met throughout 2005 (UNSC May 2006; June 2006). Ministerial-level talks on decentralization and local-governance, Belgrade's priority areas that converged with the conclusions of Kai Eide's report, were then convened in September 2005.<sup>251</sup> The sides did agree on a protocol for returns of displaced persons, but decentralization was obstructed by questions of political status. As Eide's report had noted, practical implementation of the "Standards for Kosovo" and administrative decentralization were undermined by uncertain status (UNSC January 2006).<sup>252</sup>

After October 2005 the question of final status became the focus of talks following a decision by the UN Security Council to appoint Martti Ahtisaari as special envoy to conduct a review of Kosovo's final status (UNSC January 2006). In February-May 2006, Ahtisaari convened four rounds of talks in Vienna for the sides to share preferences on what he categorized as "practical matters," while simultaneously holding parallel discussions with the Contact Group. In May-August 2006, talks then focused specifically on decentralization and community rights, while in parallel leadership-level talks in July 2006 the delegations from Belgrade and Prishtina shared proposals for final status. Ahtisaari reported no convergence of preferences between the sides. Belgrade refused to make concessions beyond "substantial autonomy" for Kosovo, in

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<sup>251</sup> Interview with Nebojša Čović, *FoNet* [in Serbian] (17 March 2005); Interview with Sanda Rašković-Ivić, *FoNet* [in Serbian] (9 December 2005).

<sup>252</sup> Also: Interview with Edita Tahiri, *Koha Ditore* [in Albanian] (31 October 2005).

which Prishtina would have executive authority over Kosovo, but remain a part of the Republic of Serbia and the Kosovo Serbs would have autonomy within Kosovo for a minimum 20 years. Prishtina, though, rejected autonomy as a solution and would accept nothing short of independence (UNSC June 2006; September 2006).<sup>253</sup>

Between the conclusion of Ahtisaari's consultations in Vienna in September 2006 and his final recommendation to the UN Secretary General, Serbia adopted its new constitution identifying Kosovo as an integral part of Serbia and precluding independence. Its preamble stated: "that the Province of Kosovo and Metohija is an integral part of the territory of Serbia, that it has the status of a substantial autonomy within the sovereign state of Serbia and that from such status of the Province of Kosovo and Metohija follow constitutional obligations of all state bodies to uphold and protect the state interests of Serbia in Kosovo and Metohija in all internal and foreign political relations" (Constitution of the Republic of Serbia, Preamble). This enshrined Serbia's negotiating preference, autonomy within the Republic of Serbia, in domestic constitutional law, constraining the possible settlements the Serbian Government could agree to and ratify.<sup>254</sup> Ahtisaari believed this was hastily done to pre-date his final proposal, which was scheduled to be reviewed by the Secretary General in early 2007 (UNSC November 2006).

Ahtisaari's proposal for Kosovo's final status was presented at the UN on 2 February 2007, and included 15 articles and 12 annexes, developed during seven months of consultations with Belgrade, Prishtina, and the Contact Group. Its provisions included:

- A multi-ethnic democracy in Kosovo;
- International status with the right to negotiate, conclude agreements, and seek membership in international organizations;

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<sup>253</sup> Interview with Sanda Rašković-Ivić, *RTS Radio Belgrade* [in Serbian] (22 September 2005, 15 February 2006).

<sup>254</sup> *Kontakt Plus* [in Serbian] (30 October 2006).

- A list of enhanced rights for ethnic communities;
- Administrative decentralization in which six new Serb-majority municipalities were to be created with enhanced authority in education and healthcare, fiscal autonomy, and right to receive transparent funding from Belgrade;
- Unified multi-ethnic police and judicial systems;
- Protection for cultural and religious heritage; and,
- A multi-ethnic Kosovo Security Force.

Implementation would be done during a period of “supervised independence” during which an International Civilian Representative (ICR) as a representative of the EU would have authority and an EU mission would assist in rule of law development and oversee the multi-ethnic police and judiciary in place of UNMIK. The Ahtisaari Plan would then serve as the basis of Kosovo’s constitution (UN Office of the Special Envoy for Kosovo UNOSEK February 2007; UNSC March 2007; June 2007; Judah 2008; Weller 2008).

The Serbian Government rejected the Ahtisaari Plan outright in February 2007 and refused further talks with Ahtisaari whom it declared to be biased. Supervised independence, even with certain provisions for Serbia to support Kosovo Serbs, conflicted with the preferences that Belgrade had held since 1998, its specific demands for guarantees against independence from UNMIK from 2001-04, and most recently its constitution.<sup>255</sup> UN Secretary General Ban Ki-moon recommended endorsement of the Ahtisaari Plan and supervised independence to the Security Council, but Security Council endorsement was obstructed by the prospect of Chinese and Russian vetoes. Consultations with the Contact Group on the Ahtisaari Plan in fall 2007 failed to change either side’s preferences. Unable to restart talks and facing a Russian veto, the

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<sup>255</sup> *Associated Press* (2 February 2007); *RTS Radio Belgrade* [in Serbian] (3 March 2007); *B92* (30 March 2007).

proposed Security Council resolution endorsing supervised independence was withdrawn in December 2007 (UNSC September 2007; January 2008).

Failure of the Security Council to endorse the Ahtisaari Plan in 2007 led to Kosovo's unilateral declaration of independence from Serbia on 17 February 2008 with the Ahtisaari Plan unilaterally adopted as the basis for its constitution (Judah 2008). Independence was rejected by Serbia as an illegal act of secession and civil unrest in Serbia targeted Western embassies and Muslim communities.<sup>256</sup> Importantly, though, UNMIK and UNSR did not veto independence, taken in the Kosovo Assembly, which until that point was an UNMIK-run PISG over which the UNSR had veto power. Unilateral implementation of the Ahtisaari Plan meant UNMIK was drastically scaled back, officially deployed but without executive authority, and replaced by the International Civilian Office (ICO), headed by the dual-appointed ICR/EU Special Representative Peter Feith to “supervise” independence. Additionally the EU Rule of Law Mission (EULEX) was deployed in-line with the Ahtisaari Plan, with executive authority in rule of law matters and a mandate to develop a multi-ethnic police service and judiciary (UNSC June 2008; Radin 2014; Jackson 2020).

Belgrade rejected all aspects of Kosovo’s unilateral declaration of independence, including unilateral adoption of the Ahtisaari Plan and petitioned the International Court of Justice (ICJ) to review the legality of Kosovo’s independence under international law. This included Serbian opposition to the authority of the ICO and EULEX, with both institutions regarded as tacit recognition of independence by the EU. Belgrade’s official position was to only recognize the authority of UNMIK under UNSCR 1244 in Kosovo. Accordingly, the deployment and functioning of EULEX was hampered throughout 2008 as an institution supporting Kosovo’s

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<sup>256</sup> *FoNet* [in Serbian] (21 February 2008).

independence in Belgrade's view. Though Belgrade had been pushing for decentralization since 2002, it rejected Prishtina's proposal for the creation of nine Serb-majority municipalities in Kosovo specifically for their institutional basis in the Ahtisaari Plan.<sup>257</sup>

Table 6.5. Timeline of Negotiations, 2005-09.

Year	Mediator		Outcome
Mar. 2005	UNMIK	Talks resume with working groups on technical matters	Working groups on missing persons and energy meet
Sept. 2005	UNMIK	Ministerial-level talks: decentralization, local governance	Agreement on returns protocol; no agreement on decentralization
Nov. 2005	UNSC	UN Security Council authorizes final status review	Martti Ahtisaari appointed envoy for status review
Feb. 2006	UN: Martti Ahtisaari	Talks on technical issues convened Feb.-May	
May 2006	UN: Martti Ahtisaari	Talks on decentralization convened May-Aug.	No agreement, Serbia wants 16 Serb municipalities, 5 proposed
July 2006	UN: Martti Ahtisaari	Leadership-level talks: sides present positions on final status	No agreement: Serbia proposed autonomy, Kosovo proposes independence
Feb. 2007	UN	Proposal for supervised independence sent to UN Secretary General	Kosovo accepts, Serbia rejects, UNSC divided
Aug. 2007	Contact Group	EU, Russia, US conduct 120 day consultations with Serbia and Kosovo	Unable to endorse Ahtisaari Plan: Russian opposition
Feb. 2008		Kosovo unilateral declaration of independence	Serbia rejects
Sept. 2008	EU	Negotiations with Serbia for deployment of EULEX	Serbia accepts on condition EULEX not implement Ahtisaari Plan
Oct. 2008	ICJ	Serbia petitions ICJ to review legality of Kosovo UDI	ICJ advisory opinion: UDI not in contravention of international law, July 2010

<sup>257</sup> *Beta* [in Serbian] (10 November 2008); *FoNet* [in Serbian] (11 June 2009); *Glas Javnosti* [in Serbian] (17 September 2009).



### 6.3.1 Serbian Preferences

During the period from 2005-09, Belgrade simultaneously pursued policies seeking an autonomy solution for Kosovo and a blanket boycott of UNMIK-run institutions in Kosovo following the 2004 riots. The preference for Kosovo's autonomy took into account the reality that Kosovo would not return to its pre-1999 status, accepted by the *DOS* after 2000, and instead more closely resembled its 1974-89 status within Serbia. This was in contrast to the position taken by the *SRS*, which had won the largest share of seats in the Serbian government in 2003 and 2007 and was kept out of government only by a *DSS-DS* coalition. The *SRS* had proclaimed Kosovo to be a "foreign occupied territory" in Serbia, and drew significant support in elections from nationalists in southern Serbia and Kosovo with calls for the security forces to return to Kosovo (Stefanović 2008).<sup>258</sup> The *DSS*-led government (2003-07) was labeled by the UNSR as "opposing meaningful engagement" due its intransigent position in talks on decentralization and its boycott policy towards the PISGs (UNSC January 2006).

The boycott policy was enforced by a combination of strengthening parallel institutions of governance, public services, and security in Kosovo, funded by Belgrade, and by the threat of sanctions against Serbs in Kosovo who participated in PISGs. In addition to funds from line ministries which continued to pay Kosovo Serb salaries for those employed in state institutions or who had lost their jobs after 1999, the Serbian state employment service provided grants and microloans to Serb groups in Kosovo (UNSC February 2005). An estimated ~28,000 Kosovo Serbs received regular salaries or unemployment compensation from Belgrade during this period.<sup>259</sup> In December 2005, Belgrade instituted a policy by which Serbs in Kosovo could not simultaneously hold positions with the Serbian government and UNMIK, and employment with

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<sup>258</sup> B92 (31 July 2006).

<sup>259</sup> B92 (21 September 2005); *Glas Javnosti* [in Serbian] (10 February 2009); *Danas* [in Serbian] (10 April 2009).

UNMIK would result in loss of accrued social benefits and pensions from Serbia - a formalization of policy in 2003-04 to discourage Serbs from taking UNMIK contracts.<sup>260</sup> This policy resulted in 70 percent of Serb UNMIK employees (~3250) quitting their UNMIK posts in 2006 (UNSC June 2006; September 2006; November 2006). Ahead of Kosovo's 2009 elections, Belgrade explicitly threatened to terminate the contracts and welfare benefits of any Serbs who voted and called on private employers to do the same.<sup>261</sup>

The effect of these policies was ultimately to strip the Kosovo Serbs of input in talks, especially on matters of decentralization. This was notable in the failed decentralization talks in 2005 in which Kosovo Serb representatives agreed with UNMIK to participate in working groups, but were ordered to discontinue in August 2005 to end discussions on two proposed "pilot projects" that Belgrade opposed.<sup>262</sup> Belgrade had proposed the formation of 16 autonomous Serb municipalities in response to the five proposed by Prishtina. It was moderate Kosovo Serb leader Oliver Ivanović who proposed a compromise solution of nine Serb municipalities in addition to the creation of North Mitrovica town as an administrative division, in a meeting with Martti Ahtisaari. This would become the model of decentralization implemented under the Ahtisaari Plan in Kosovo in 2009-10. However, Ivanović was reprimanded by Belgrade for subverting the Serbian Government's authority in talks.<sup>263</sup>

The dispute between the *DSS* and *DS* in the Serbian Government continued to be evident in policy on Kosovo during this period. Despite the falling out between Koštunica and Zoran Đinđić in 2002 and the end of the *DOS* in 2003, the *DSS* and *DS* remained in coalition together

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<sup>260</sup> *Kontakt Plus* [in Serbian] (21 December 2005).

<sup>261</sup> *B92* (12 November 2009); *Večernje Novosti* [in Serbian] (12 November 2009).

<sup>262</sup> *Kontakt Plus* [in Serbian] (8 April 2005, 9 August 2005); *FoNet* [in Serbian] (10 April 2005, 13 August 2005).

<sup>263</sup> *FoNet* [in Serbian] (23 August 2006); *RTS Radio Belgrade* [in Serbian] (25 August 2006); *Politika* [in Serbian] (26 August 2006).

after the 2003 and 2007 elections specifically to keep the *SRS* out of power, albeit in a weak coalition reliant on confidence supply after 2007. While neither party supported concessions on Kosovo's independence or on ending the boycott policy, their positions were distinguished by their relations to the EU.<sup>264</sup> Koštunica believed that EU membership would lead to Serbia having to give up Kosovo (Subotić 2010) and advocated a “no recognition” policy ahead of the Ahtisaari Plan in 2007, whereby the Serbian Government would not recognize the authority of institutions within Kosovo, and also end diplomatic relations with any state recognizing Kosovo's independence. Conversely, Tadić and the *DS* advocated a “Kosovo AND the EU” policy, and believed that EU membership was Serbia's best opportunity to retain Kosovo by eliminating questions of borders and precluding future secession.<sup>265</sup>

Kosovo's unilateral declaration of independence and adoption of the Ahtisaari Plan in February 2008 brought the *DSS* and *DS* into direct conflict due to their orientations towards the EU, collapsing the Serbian Government in March 2008. The Ahtisaari Plan required the deployment of two EU institutions in Kosovo, the ICO/ICR and EULEX, to supervise independence. By Serbian reckoning this supported Kosovo's independence, and in accordance with Koštunica's preferences necessitated ending diplomatic relations with the EU and those member states recognizing Kosovo. The collapse of the *DSS-DS* government in 2008 was not directly brought about by Kosovo's declaration of independence, but by Tadić's signing the Stability and Association Agreement (SAA) with the EU. Koštunica and the *DSS* opposed this and accused the *DS* of “treason” and “selling Kosovo for EU membership” and ended

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<sup>264</sup> The only parties in the parliament that supported Kosovo's independence were the ethnic-Albanian Party for Democratic Action (*PVD/PDD*) from southern Serbia and Čedomir Jovanović's Liberal Democratic Party (*LDP*).

<sup>265</sup> *B92* (19 April 2005); *Glas Javnosti* [in Serbian] (20 October 2005); *Danas* [in Serbian] (31 July 2006); *Associated Press* (31 January 2007); *Dnevnik* [in Serbian] (28 January 2008); *Reuters* (25 March 2008); *FoNet* [in Serbian] (16 January 2008).

cooperation with it, collapsing the coalition government.<sup>266</sup> Koštunica's successor as *DSS* leader, Sanda Rašković-Ivić later stated that the EU's position on Kosovo in 2008 shifted the *DSS*'s Western-oriented centrist position to a staunchly anti-EU party (Subotić 2010; Antonić 2012).<sup>267</sup>

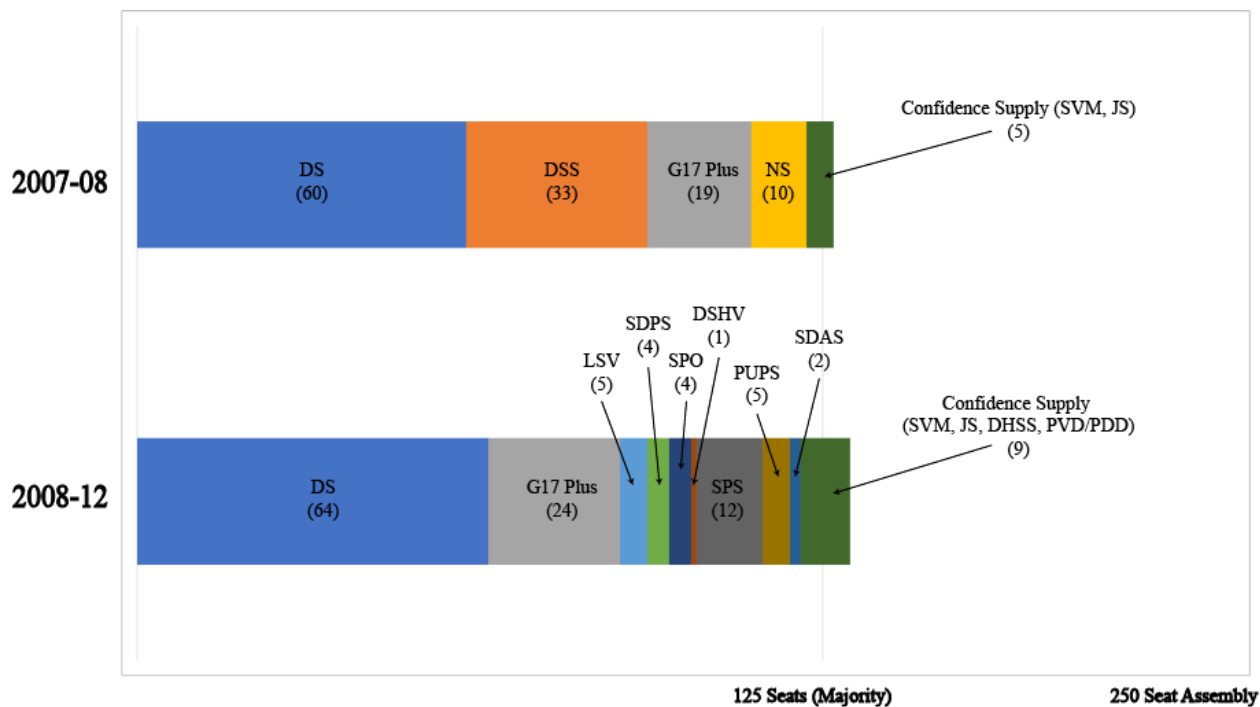


Figure 6.2. Serbian Government Coalitions, 2008-12.

The *DS*, which had made considerable electoral gains in 2007 to lead the coalition with the *DSS*, won snap elections in 2008 and formed another weak coalition government dependent on confidence supplied by four minor parties (Figure 6.2). The *DSS* joined the *SRS*-led opposition bloc and during talks in September-October 2008 attempted to block Tadić reaching an agreement with the EU on EULEX. It submitted a joint petition with the *SRS* to the Serbian Supreme Court to review the constitutionality of the SAA and EULEX's deployment, which was

<sup>266</sup> Reuters (7 March 2008); *AFP* (9 March 2008); *B92* [in Serbian] (15 April 2008).

<sup>267</sup> Interview with Sanda Rašković-Ivić, *KoSSev* [in Serbian] (21 October 2014).

based on the Ahtisaari Plan.<sup>268</sup> Tadić, however, negotiated EULEX's deployment on the conditions that it be supported by a UN Security Council Resolution, be status neutral, and not implement the Ahtisaari Plan, which whether or not those could be realized in practice, headed off the *DSS-SRS* petition that he was recognizing Kosovo's independence in contravention of the constitution and allowed the *DS* to claim it was not recognizing the Ahtisaari Plan.

While there was little change in Belgrade's policies towards Kosovo under the *DS*-led government from 2008-09, namely the boycott policy was continued, it was less capable of enforcing policies within Kosovo. From 2005-08 the primary interlocutors for the Serbian Government with Serbs in Kosovo were *DSS* functionaries - Sanda Rašković-Ivić as head of the Coordination Centre from 2005-07, and Slobodan Samardžić as Minister for Kosovo and Metohija from 2007-08. *DSS* supporters in Kosovo opposed the *DS* and had burned photos of Tadić ahead of the 2008 elections, accusing him of treason.<sup>269</sup> Though the *DS* appointed Kosovo Serb leaders Goran Bogdanović and Oliver Ivanović to head the Ministry for Kosovo and Metohija, they had poor existing relationships with Serb leaders in northern Kosovo (Chapter 7).<sup>270</sup> Following decentralization by Prishtina in 2009, a number of moderate Kosovo Serb parties, namely the Independent Liberal Party (*SLS*) ran in Kosovo's 2009-10 elections and began participation in Kosovo's central and municipal governments (Jackson 2021a). It was in direct response to high Serb turnout in the 2009 Kosovo elections that Oliver Ivanović declared that it was necessary for Serbia to review and reform its existing policy towards Kosovo.<sup>271</sup>

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<sup>268</sup> *Vecernje Novosti* [in Serbian] (16 July 2008); *Beta* [in Serbian] (17 July 2008, 8 September 2008); *Politika* [in Serbian] (22 July 2008); *RTS Radio Belgrade* [in Serbia] (3 October 2008); *Glas Javnosti* [in Serbian] (18 September 2009).

<sup>269</sup> *B92* [in Serbian] (15 April 2008); *Politika* [in Serbian] (9 September 2008); *FoNet* [in Serbian] (30 April 2008, 23 June 2008, 30 June 2008); *Dnevnik* [in Serbian] (19 May 2008); *Beta* [in Serbian] (19 February 2009, 1 July 2009); *Koha Ditore* [in Albanian] (31 July 2009).

<sup>270</sup> *FoNet* [in Serbian] (16 July 2007, 8 July 2008, 17 July 2008); *B92* (20 June 2009).

<sup>271</sup> Interview with Oliver Ivanović, *FoNet* [in Serbian] (18 November 2009).

### 6.3.2 *Observed Mechanisms*

The period from 2005-09 was dominated by discussions of Kosovo's final status following Kai Eide's evaluation of conditions in Kosovo that followed the March 2004 riots. The Serbian Government's position during this period was characterized by a dual policy of opposing Kosovo's independence in favor of autonomy and boycotting Serb participation in UNMIK-run institutions in Kosovo, thereby denying its internal sovereignty. Belgrade's proposal of autonomy for Kosovo within the Republic of Serbia was irreconcilable with Prishtina's demand for independence. Irreconcilable positions on status resulted in neither side willing to make concessions and both taking unilateral actions in pursuit of their preferences, most notably Kosovo's unilateral declaration of independence in February 2008. A secondary outcome of this was Prishtina's unilateral adoption of the Ahtisaari Plan, which Serbia had rejected outright in 2007. While this was to serve as the basis of Kosovo's constitution, it also meant that Prishtina would unilaterally pursue administrative decentralization and minority rights, topics of talks since 2003, on which Serbia had opposed concessions.

Table 6.6. Observed Mechanisms, 2005-09.

	<b>Mechanism</b>	<b>Observations</b>	<b>Outcome</b>
1.	Facilitation w/ local regime	Talks with moderate Serb leaders in 2005-06 on issues of decentralization.	Rejected by Belgrade as undermining authority.
2.	Manipulation w/ local regime	Benefits of decentralization: funds, posts, public works available after 2009.	Moderate Serb parties participated in Kosovo's 2009 elections; signaled need for new policy to Belgrade.
3.	Facilitation w/ patron state	UN-led mediation in 2005 and Ahtisaari-led talks in 2006-07.	No change of position.

Three mechanisms theorized in Chapter 2 were observable during this period (2005-09), but with only limited impact on Belgrade's preferences and policies. The first was facilitation

with the local regime (#1, Table 6.6), whereby UNMIK and later Martti Ahtisaari engaged directly with moderate Serb leaders in Kosovo on the issue of decentralization. This was most notable in July-August 2006 when Ahtisaari held consultations with Oliver Ivanović during which Ivanović proposed the creation of nine Serb-majority municipalities and North Mitrovica town as a new administrative unit, which would ultimately be included in the Ahtisaari Plan and pursued by Prishtina in policy in 2009-10. This, however, did not impact Belgrade's position, which favored 16 Serb municipalities and Ivanović was reprimanded by Belgrade and the Coordination Centre for undermining talks.

The second observed mechanism, which would have impact on policy in the years to follow, was manipulation with the local regime (#2, Table 6.6). Administrative decentralization, pursued unilaterally by Prishtina in-line with the Ahtisaari Plan in 2009-10, created 10 Serb-majority municipalities in Kosovo, which were distinct electoral districts Serbs were able win in local elections rather than through minority appointments to larger municipal governments. Decentralization and the creation of new municipalities in Gračanica/Graçanicë, Klokot/Klllokot, Novo Brdo/Novobërda, Parteš/Partesh, and Ranilug/Ranillug, in addition to the existing Serb-majority municipality in Štrpce/Shtërpca, and the three northern municipalities of Leposavić/Leposaviq, Zubin Potok, and Zvečan/Zveçan, meant that Serbs elected in Kosovo's elections would gain control of municipal administrations, and have access to funds, public works, and municipal civil service posts available from Prishtina. While Serbs in northern Kosovo continued to boycott the 2009-10 elections, Serbs in the other enclaves turned out to vote in large numbers, openly defying Belgrade's boycott, and elected local Serb-run administrations, despite being only a year after Kosovo's declaration of independence (Jackson, 2021a). These moderate Serb groups in Kosovo accepted participation in mutual institutions in-keeping with the

Ahtisaari Plan. While Belgrade opposed this participation in elections and attempted to delegitimize those who were elected, it also recognized the insufficiency of current policies towards Kosovo and a need to reform them.

Lastly, the third mechanism observed during this period was facilitation with the patron state (#3, Table 6.6). This was most evident during the Ahtisaari-led talks in 2006-07, during which Martti Ahtisaari brought the sides' interlocutors and political leaders together for consultations on specific aspects of a settlement, which he then used to formulate his final proposal - the Ahtisaari Plan. This failed to alter Belgrade's preferences or policies towards Kosovo. Belgrade refused to compromise on the issue of decentralization, notably rejecting Oliver Ivanović's compromise proposal in 2006. Belgrade refused to consider any solution beyond autonomy, which it institutionalized in the new constitution in October 2006. Belgrade then rejected the Ahtisaari Plan on its delivery in February 2007 as unconstitutional and refused further consultations, confident that Russia would veto supervised independence in the Security Council. In sum, aside from recognizing the insufficiency of its status quo policies after Kosovo's 2009 elections, Belgrade's preferences did not change during this period. Its dual policies of autonomy for Kosovo and boycotting institutions remained intact despite changes in the balance of power between the *DS* and *DSS* after 2006, including the latter's ousting.

#### **6.4 The EU-Facilitated Dialogue, 2010-13**

Talks between Belgrade and Prishtina resumed in 2011, mediated by the EU External Action Service. The Serbian Government had declined to return to talks after 2008, until its petition to the ICJ seeking an opinion on the legality of Kosovo's declaration of independence under



international law was concluded.<sup>272</sup> After the ICJ issued an advisory opinion that Kosovo's declaration of independence did not violate international law in July 2010, Serbia submitted a resolution jointly with the EU to the UN Security Council supporting a new mediated dialogue with Prishtina. The Security Council subsequently granted the EU authority to mediate a dialogue between Belgrade and Prishtina (Jackson 2020). Belgrade favored the EU as a mediator and believed it to be neutral due to five EU member states not recognizing Kosovo's independence.<sup>273</sup> Importantly, though, for the pro-EU *DS-G17 Plus*-led Serbian Government, which had applied for EU membership in December 2009, initiation of a mediated dialogue with Prishtina was appended to Serbia's accession.<sup>274</sup>

The dialogue with Prishtina was initiated under EU mediation on 8 March 2011, following a delay due to a government collapse in Prishtina (Jackson 2020). The first phase, labeled "technical dialogue," aimed at finding cooperation in specific areas to improve living conditions in Kosovo including telecommunications, public records, travel, and missing persons, while avoiding issues of status and political institutions. EU mediator Robert Cooper outlined in his "Principles for Technical Dialogue," that talks would be structured according to both sides' EU integration in accordance with the EU *Acquis Communautaire*; without prejudice of final status; technical areas agreed upon in full ("nothing agreed until everything is agreed"); the EU mediator would have responsibility to set the agenda of talks; and, a common approach to briefing media would be followed by all parties.<sup>275</sup> The principles and structure of talks were aimed at avoiding past obstacles to dialogue under UN mediation, in which technical aspects had

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<sup>272</sup> Interview with Serbian Foreign Minister Vuk Jeremić, *Večernje Novosti* [in Serbian] (20 December 2009).

<sup>273</sup> The five EU member states not recognizing Kosovo were those with ongoing separatist movements of their own: Cyprus, Greece, Romania, Slovakia, and Spain.

<sup>274</sup> Interview with Serbian negotiator Borko Stefanović, *Danas* [in Serbian] (27 February 2011).

<sup>275</sup> The EU *Acquis Communautaire* denotes the body of laws, political structures, and international agreements that all EU member states are party to, and which all candidate states must accept before accession. See: Cooper's principles published in *AFP* (8 March 2011).

been undermined by questions of final status. Cooper strictly adhered to these principles throughout 2011. For example, when violent unrest broke out in northern Kosovo in 2011, he forbade talks over the status of northern Kosovo as it was not on the agenda, and he believed it would inevitably lead to the question of Kosovo's final status. Instead, parallel talks were pursued under the initiative of Swedish Foreign Minister Carl Bildt, which ultimately led to a technical agreement on integrated border/boundary management within the technical dialogue.<sup>276</sup>

The "Technical Dialogue" demonstrated initial success with the sides reaching agreements by the second round of talks. An agreement on travel across the Kosovo-Serbia border/boundary was reached in July 2011, but simultaneous talks on public records and education credentials stalled over disputed authenticity. Belgrade believed that falsified property records would be used to strip Serbs of property in Kosovo and accepting education credentials from the University of Prishtina would be tantamount to recognition of independence.<sup>277</sup> Following a postponement in September-October 2011 due to the unrest in northern Kosovo, agreement was reached on sharing civil registries and education records in which the EU would act as an intermediary for evaluation.<sup>278</sup> The final technical issue to be negotiated in 2012 was Kosovo's representation in regional organizations, a problematic area permeated by questions of status. Belgrade opposed Kosovar officials claiming to represent a sovereign state in

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<sup>276</sup> The use of the terms border/boundary is indicative of problems of status in technical talks. Serbia refused to use the term "border" as it denoted Kosovo's independence from Serbia and instead used "boundary," while Prishtina was the opposite. See: *Koha Ditore* [in Albanian] (20 September 2011); *AFP* (10 October 2011); *B92* (15 November 2011).

<sup>277</sup> After 1999, the Serbian-run University of Priština officially relocated to North Mitrovica and continued to function as part of the Serbian higher education system while the University of Prishtina was reopened in Prishtina under Kosovo's authority. The question of education credential was especially problematic for ethnic-Albanians in Serbia, many of whom were educated at the University of Prishtina but barred from public posts because Serbia refused to recognize their education. See: Interview with Serbian negotiator Borko Stefanović, *Blic* [in Serbian] (4 July 2011); Jackson (2021a).

<sup>278</sup> *Agence Europe* (23 November 2011); *AFP* (30 November 2011, 26 December 2011).

international forums. This was resolved in the so-called “footnote agreement” in February 2012 by which Kosovo could be represented in regional organizations, but not the UN, and sign agreements on its own accord, a provision of the Ahtisaari Plan, with a footnote attached to its name defining its status under UNSCR 1244. By the conclusion of the ninth round of technical talks in March 2012, agreements had been reached, though not fully implemented, on name usage, regional representation, civil registries, freedom of movement, education credentials, cadastral records, customs stamps, and border/boundary management.<sup>279</sup>

The remaining problematic area, which the EU identified in 2011 prior to the start of the technical dialogue, was the influence of Serbian parallel institutions in Kosovo and the distribution of official Serbian documents to Kosovo Serbs. Since 1999 the Serbian Government had maintained certain administrative and security institutions in Kosovo Serb areas, in contravention of UNSCR 1244 and the Kumanovo Agreement. While certain public services, such as healthcare, education, and the post were tolerated as providing basic services to Kosovo Serbs, other functions such as parallel policing and civil protection, parallel courts, and parallel administrative institutions including public records maintained by the Serbian *MUP* were regarded as contributing to instability, especially in northern Kosovo. The EU, and Germany in particular whose embassy had been attacked in 2008 and whose KFOR peacekeepers were attacked in 2011, demanded that Serbia dismantle these parallel administrative institutions in Kosovo.<sup>280</sup> Serbia, though, claimed the issue of parallel institutions and the status of northern

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<sup>279</sup> Under the agreement on Kosovo’s name and usage in regional representation, the footnote would read: “This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.” See: *RFERL* (22 February 2012); *Agence France-Presse* (24 February 2012).

<sup>280</sup> *Politika* [in Serbian] (29 January 2011); *RTS* [in Serbian] (8 August 2011, 18 March 2013); *Danas* [in Serbian] (23 August 2011); *Agence France-Presse* (24 August 2011, 7 October 2011); *Reuters* (28 November 2011).

Kosovo could not be addressed via technical talks and would require a leadership-level political dialogue.<sup>281</sup>

Initiation of political dialogue was delayed until 2013 following general elections in Serbia in 2012 that saw the *DS* ousted from government and replaced by a more conservative coalition of the Serbian Progressive Party (*SNS*) and the *SPS*. The political dialogue, mediated by EU High Representative Catherine Ashton convened talks between the sides' political leaders with the intention of, above all else, finding a solution to Serb-dominated northern Kosovo that had been a flashpoint of unrest since 1999.<sup>282</sup> Belgrade's initial proposal for northern Kosovo, drafted in 2012, approximated previous proposals submitted during UN-led mediation: dual autonomy in which Kosovo would be autonomous within Serbia and northern Kosovo autonomous within Kosovo. This was rejected by both Prishtina and the EU.<sup>283</sup> A second draft proposal from Belgrade, also rejected by Prishtina, proposed the division of Kosovo into six regions with the northern region having its own autonomous institutions run by Belgrade.<sup>284</sup>

When the "Political Dialogue" commenced in February 2013, Belgrade's primary preference was for the Kosovo Serbs to retain "enhanced autonomy" within Kosovo, but the question of parallel institutions remained. In-line with its prior proposal on regions, accepted in the National Assembly as the official government position on Kosovo in January 2013, Belgrade proposed that the parallel institutions remain in place and Prishtina recognize them as autonomous. After this was rejected, in March 2013 Belgrade agreed that Serbia would

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<sup>281</sup> Interview with Serbian negotiator Borko Stefanović, *Danas* [in Serbian] (19 January 2012); *Blic* [in Serbian] (16 February 2013).

<sup>282</sup> Northern Kosovo referred to the three officially designated municipalities north of the Ibar/Ibër River - Leposavić/Leposaviq, Zubin Potok, and Zvečan/Zveçan - as well as the northern half of Mitrovica town, which were all inhabited by a Serb majority. See: *B92* (1 July 2012, 12 August 2012).

<sup>283</sup> Draft proposal published, *Večernje Novosti* [in Serbian] (18 December 2012); *Politika* [in Serbian] (19 December 2012); interview with Edita Tahiri, *Radio-Television Kosovo* [in Albanian] (25 December 2012).

<sup>284</sup> *Večernje Novosti* [in Serbian] (10 January 2013, 14 January 2013); *Koha Ditore* [in Albanian] (14 January 2013).

dismantle parallel institutions in exchange for enhanced Serb autonomy.<sup>285</sup> Belgrade then rejected proposals in March and April 2013 that it believed conferred insufficient autonomy, especially in matters of local governance, policing, and spatial planning.<sup>286</sup> Then on 19 April 2013, the sides agreed to the First Agreement of Principles Governing the Normalisation of Relations, the “Brussels Agreement,” provisions of which included:

- The creation of an Association/Community of Serb-majority municipalities, with membership open to any municipality if members are in agreement;
- Dissolution of the Association/Community can only be done through decision by participating members;
- Structures of the Association/Community will be on the same basis as existing Kosovo municipalities (president, vice president, assembly, council);
- Municipalities will be entitled to exercise powers collectively and will have full overview of economic development, education, health, urban and rural planning, with additional competences delegated by central authorities;
- One police force in Kosovo, and all police in northern Kosovo will be integrated into the single chain of command with salaries paid only by the Kosovo Police Service;
- Members of Serbian structures will be offered positions in equivalent Kosovo structures;
- There shall be a Police Regional Commander for the four northern Serb-majority municipalities, appointed by the Ministry of Internal Affairs from a list of nominees provided by the four mayors of these municipalities on behalf of the

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<sup>285</sup> *Politika* [in Serbian] (14 March 2013); *Blic* [in Serbian] (10 April 2013).

<sup>286</sup> *Večernje Novosti* [in Serbian] (27 March 2013, 5 April 2013); *Politika* [in Serbian] (28 March 2013); *The Economist* (3 April 2013); *Associated Press* (8 April 2013).

Association/Community, and composition of the Kosovo Police in these municipalities will reflect their ethnic demography;

- Judicial authorities will be integrated and operate solely within the Kosovo legal framework; and,
- Municipal elections organized in the northern municipalities in 2013 in accordance with Kosovo law and facilitated by the OSCE.

Further points provided for the Brussels Agreement's implementation in practice, including EULEX oversight of integration of Serb police and judicial personnel.<sup>287</sup> And, for both sides the Association/Community of Serb-majority municipalities (*ZSO*) was to be structured in accordance with regulations on local self-governance within the EU *Acquis*. Essentially, the Brussels Agreement ended the parallel governance of Serb-majority municipalities in Kosovo and committed the Kosovo Serbs to a single institutional organization in Kosovo, albeit a decentralized one - accordingly accepting the reality of the post-conflict state organization (see Call 2008; Ishiyama & Widmeier 2013). Implementation, however, was more problematic. In the short-term, many Kosovo Serb groups had spent the prior 14 years opposing the authority of Kosovo's institutions with Belgrade's support. In the longer-term, implementation would be plagued by Prishtina's resistance to formation of the *ZSO* and Belgrade's reluctance to end parallel structures of healthcare and education.

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<sup>287</sup> Text of Agreement of Principles Governing the Normalisation of Relations, 2013.

Table 6.7. Timeline of Negotiations, 2010-13.

Year	Mediator		Outcome
July 2010	ICJ	Advisory opinion on legality of Kosovo's UDI under international law	Ruled not illegal by 10-4 decision
Sept. 2010	UN/EU	UN confers authority to mediate between Prishtina and Belgrade to EU	
Mar. 2011	EEAS: Robert Cooper	Technical dialogue begins on issues of regional representation, civil registries, freedom of movement, education credentials, cadastral records, and customs stamps	9 rounds of talks: agreements in all areas by Feb. 2012
Nov. 2011	Sweden: Carl Bildt	Parallel dialogue on boundary management and unrest in north	Both sides agree to IBM
Dec. 2011	EU	European Council Berlin Summit	Serbia denied EU candidacy status
Feb. 2012	EEAS: Robert Cooper	Negotiations on Kosovo's name and use/representation in regional organizations	"Footnote Agreement"
March 2013	EEAS: Catherine Ashton	Leadership-level political dialogue begins	Brussels Agreement in April 2013
April 2013	EEAS: Catherine Ashton	First Agreement of Principles Governing the Normalisation of Relations - "Brussels Agreement"	Accepted by both sides
Sept. 2013	EU	EU-Serbia Stabilisation and Association Agreement	SAA ratified, enters into force
Jan. 2014	EU	EU-Serbia Intergovernmental Conference	Official start of accession negotiations

#### 6.4.1 Serbian Preferences

Serbia's preferences and policies on Kosovo changed markedly during this period of EU-led mediation following the ICJ's opinion on Kosovo's declaration of independence. While this did not include recognition of Kosovo's independence (external sovereignty), it did begin to acknowledge Kosovo as a separate political entity from Serbia's institutional structure and did accept certain aspects of the Ahtisaari Plan. This was evident first in "technical agreements"

reached on customs, records, and Kosovo's regional representation in 2011-12 - all points which had been disputed over links to status in previous talks. The more notable outcome was in the 2013 Brussels Agreement by which the Serbian Government ended its boycott policy, standing since 2004, and agreed to Kosovo Serb participation in Kosovo's institutions, including the 2013 elections (internal sovereignty). These changes to policy were facilitated by a combination of linking Serbia's EU membership prospect to dialogue with Prishtina, and importantly, consecutive Serbian Governments led by nominally pro-EU parties that had campaigned on a platform of "Kosovo AND the EU." This contrasted with the position taken by the *DSS* which viewed EU membership as coming at the cost of Kosovo, ultimately transforming it into an anti-EU party.

The decision to initiate EU-led dialogue after the ICJ's advisory opinion in 2010 was taken by the *DS*-led government in the interest of EU membership, applied for in 2009. The *DS* had identified the goal of EU membership by the end of 2010 early in its tenure in government and it had been *DS* President Boris Tadić's signing of the SAA with the EU in 2008 that ended its alliance with the *DSS*. After agreeing to restart talks in 2010, the European Parliament amended the SAA with Serbia, yet to be ratified, to explicitly link Serbia's membership progress to the initiation and progress of a mediated dialogue with Prishtina.<sup>288</sup> This was complicated by Serbia's rejection of the Ahtisaari Plan in 2007-08 which meant it did not recognize the authority of either independent Kosovo's institutions or the ICO, an office held by an EU representative.<sup>289</sup> The *DS*-led government was stuck in an uncertain position on Kosovo, by which it opposed recognition of Kosovo's institutions and sought to curb future recognition, but was required to

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<sup>288</sup> *Politika* [in Serbian] (29 January 2011); Interview with Serbian negotiator Borko Stefanović, *Danas* [in Serbian] (27 February 2011).

<sup>289</sup> Interview with Serbian Minister for Kosovo Goran Bogdanović, *Danas* [in Serbian] (3 May 2011).



engage in direct dialogue with those institutions and make concessions in order to progress Serbia's application for EU membership.<sup>290</sup> And this included demands from the EU and Germany issued in 2010, ahead of elections in Kosovo, that Serbia end its boycott policy and dismantle its parallel institutions on the territory of Kosovo.<sup>291</sup>

The EU's demands in 2010 failed to end Belgrade's boycott policy, but in 2011-12 the issue of membership was used to keep Serbia at the negotiating table and leverage specific concessions in technical talks, despite domestic opposition chiefly from the *DSS*. When talks stalled in September-October 2011 due to unrest in northern Kosovo, the EU warned Belgrade that its membership was in jeopardy and persuaded its delegation to return to talks in November.<sup>292</sup> In December 2011, the EU rejected Serbia's candidacy specifically over the issue of unrest in Kosovo and failure to implement the agreement on border/boundary management.<sup>293</sup> This triggered a split within the *DS* between factions that believed Kosovo was a lost cause, undermining Serbia's EU membership and a more hawkish faction led by Foreign Minister Vuk Jeremić that believed the EU was requiring Serbia to relinquish Kosovo.<sup>294</sup> When the Technical Dialogue was concluded in March 2012, the EU accepted Serbia's membership application and granted candidate status.<sup>295</sup> Serbian negotiator, and *DS* deputy, Borko Stefanović stated that conclusion of the technical dialogue meant the *DS* had passed the "Kosovo test" with the EU. It

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<sup>290</sup> Interview with Serbian Foreign Minister Vuk Jeremić, *Večernje Novosti* [in Serbian] (30 December 2009).

<sup>291</sup> *Kontakt Plus* [in Serbian] (20 October 2010); *Danas* [in Serbian] (23 October 2010, 10 November 2010); *Politika* [in Serbian] (14 November 2010).

<sup>292</sup> *Europolitics* (30 September 2011); *Blic* [in Serbian] (6 October 2011); *AFP* (15 November 2011).

<sup>293</sup> *AFP* (11 December 2011).

<sup>294</sup> This dispute had surfaced early in talks between Serbia's negotiator Borko Stefanović and Vuk Jeremić, with Jeremić opposing concessions in talks and attempting to undermine Stefanović. Tadić was caught in the middle of this dispute. See: *RFERL* (15 December 2011).

<sup>295</sup> *Agence Europe* (29 March 2011); *Europolitics* (30 March 2012).

had been granted EU candidacy without crossing any red lines, namely avoiding recognition of Kosovo's independence as enshrined in the 2006 constitution.<sup>296</sup>

Stefanović's position was not universally held, even within the *DS* which suffered from an internal dispute over Kosovo after EU candidacy was withheld in December 2011 that ultimately contributed to its ousting in the 2012 elections. Other parties, namely the *SRS* and *DSS*, opposed concessions during technical talks, especially on border/boundary management and regional representation as de facto recognition of Kosovo's independence and the terms of the Ahtisaari Plan.<sup>297</sup> The *DSS* and *SRS* opposed EU membership, and EU-led talks as undermining Serbian sovereignty. *SRS* members openly threatened Stefanović and Tadić over talks. The *DSS* threatened to file treason charges against Stefanović over the first round technical agreements in 2011, then in 2012-13 filed petitions against the government in Serbia's Supreme Court, seeking to overturn agreements, including the Brussels Agreement.<sup>298</sup>

The *SNS*, which came to power with the *SPS* in elections in May 2012, had backed the *DS* in the Technical Dialogue in 2011 on the condition that it did not recognize Kosovo. However, it became critical of the *DS* after the EU withheld candidacy in December 2011 and opposed subsequent concessions on border/boundary management and regional recognition as tacit acceptance of the Ahtisaari Plan to appease the EU. Like the *DS*, the *SNS* campaigned in 2012 on a platform of "the EU and Kosovo." Its officials, though, came from an originally anti-EU position, having split from the *SRS* in 2008 after a dispute with its hardline wing.<sup>299</sup> Both it

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<sup>296</sup> Interview with Borko Stefanović, *Večernje Novosti* [in Serbian] (13 March 2012).

<sup>297</sup> Interview with Slobodan Samardžić on "footnote agreement," *Večernje Novosti* [in Serbian] (14 November 2012).

<sup>298</sup> Interview with Slobodan Samardžić, *RTS* [in Serbian] (14 July 2011); *Danas* [in Serbian] (4 July 2011); *Politika* [in Serbian] (26 September 2012); *Večernje Novosti* [in Serbian] (28 April 2013).

<sup>299</sup> AFP (14 June 2012); *Politika* [in Serbian] (29 June 2012, 17 October 2012); *Blic* [in Serbian] (1 October 2012).

and the *SPS*, which had likewise previously been eurosceptic, opposed dismantling parallel institutions in Kosovo.<sup>300</sup>

After the 2012 elections there was both hope from nationalist factions in Serbia and concern in Brussels that the *SNS*-led government would renege on the technical agreements. *SPS* Prime Minister Ivica Dačić had been especially critical of the *DS* and the Technical Dialogue, but conceded that the new government could not simply ignore them or renege on them.<sup>301</sup> Similarly, *SNS* leaders Aleksandar Vučić and Tomislav Nikolić publicly assured the EU that they would not renege on previous agreements after the EU warned that ignoring the agreements reached in the Technical Dialogue would be detrimental to EU membership prospects and “only increase international isolation for Serbia.”<sup>302</sup> The EU subsequently praised the willingness of the *SNS*-led government to implement agreements and agree to political talks in early 2013, stating that it engaged more productively in talks in six months than the *DS* had in four years, while nationalists condemned the *SNS*.<sup>303</sup>

Political talks in March-April 2013 were complicated by differing preferences held by Ivica Dačić, Aleksandar Vučić, and Tomislav Nikolić. While Dačić had agreed to dismantle parallel institutions in exchange for autonomy in March 2013, both he and Nikolić, who had drafted the dual autonomy proposal, rejected the degree of autonomy proposed in Brussels as insufficient, seeking a Republika Srpska-like arrangement for northern Kosovo.<sup>304</sup> Vučić, on the other hand, viewed a political agreement as paramount to starting Serbia’s EU membership talks, and his inclusion in the negotiating delegation, despite his role as Deputy Prime Minister, was

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<sup>300</sup> *Blic* [in Serbian] (2 January 2012).

<sup>301</sup> Interviews with Ivica Dačić, *Večernje Novosti* [in Serbian] (11 July 2012, 29 September 2012).

<sup>302</sup> Interview with European Parliament Rapporteur for Serbia Jelko Kacin, *RTS* [in Serbian] (28 August 2012, 30 August 2013); *Blic* (16 February 2013).

<sup>303</sup> Jelko Kacin quoted, *Agence Europe* (25 January 2013).

<sup>304</sup> *B92* (26 March 2013); *Večernje Novosti* [in Serbian] (27 March 2013, 5 April 2013); *Politika* [in Serbian] (28 March 2013); *The Economist* (3 April 2013); *Associated Press* (8 April 2013).

regarded as a pragmatic decision to keep talks on track.<sup>305</sup> In early April, following the impasse on Kosovo Serb autonomy, the EU issued an ultimatum that Serbia accept the proposal formulated by its mediator by 24 April 2013 to keep its path to accession negotiations open.<sup>306</sup> Facing opposition from Dačić, Vučić threatened to collapse the government and call snap elections, in which he believed the *SNS* would increase its margins and oust the *SPS*, and in turn Dačić as Prime Minister.<sup>307</sup> Under pressure from the EU and crucially Vučić, Dačić accepted the proposed Brussels Agreement on 19 April 2013, which the EU welcomed as opening Serbia's path to membership.<sup>308</sup> The EU subsequently ratified Serbia's SAA in September 2013 and began accession talks in January 2014.

The problem for the *SNS*-led government following the Brussels Agreement was then implementation and notable opposition from Serb leaders in Kosovo. Following the stalled Technical Dialogue and withholding of candidacy in 2011, Catherine Ashton had explicitly conveyed to Belgrade that agreement in principle was not sufficient, and it was Belgrade's responsibility to "exert maximum pressure on those in Kosovo preventing agreements from being implemented."<sup>309</sup> The same Kosovo Serb leaders who had opposed the Technical Dialogue, similarly opposed the Brussels Agreement and organized protests against it, drawing 10,000 people in northern Kosovo.<sup>310</sup> On the one hand dismantling parallel bureaucracy in Kosovo, per the Brussels Agreement, such as demobilizing 800 *MUP* personnel, could be done by government orders from Belgrade (Jackson 2021b).<sup>311</sup> In most cases, parallel bureaucrats were offered increased pensions from the Serbian system, paid immediately, in exchange for

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<sup>305</sup> *Blic* [in Serbian] (19 March 2013, 20 March 2013).

<sup>306</sup> *The Economist* (3 April 2013).

<sup>307</sup> *Blic* [in Serbian] (4 April 2013, 10 April 2013).

<sup>308</sup> *Agence Europe* (23 April 2013).

<sup>309</sup> Catherine Ashton quoted, *AFP* (11 December 2011).

<sup>310</sup> *AFP* (19 April 2013, 22 April 2013).

<sup>311</sup> Also: *Politika* [in Serbian] (12 June 2013, 14 June 2013).

accepting positions in Kosovo's system.<sup>312</sup> On the other hand, securing participation in the 2013 Kosovo elections required both marginalizing the existing power-holders, especially in northern Kosovo, and supporting an electoral list. Belgrade first appointed interim administrators for northern Kosovo, all of whom were members of parties in Serbia's governing coalition - two from the *SNS*, one from the *SPS*, and one from New Serbia (*NS*). It then organized and supported a single electoral list, the Serb List (*SL*) to run in 2013. It was only after this participation in the 2013 elections that the EU opened Serbia's membership talks.

#### **6.4.2 Observed Mechanisms**

The period of EU-facilitated mediation between Belgrade and Prishtina demonstrated profound shifts in the Serbian Government's position towards Kosovo. In prior periods since 2000, even purported pro-Western liberal parties had taken intransigent positions towards Kosovo, evident in facilitated mediation between 2003-07 and Belgrade's boycott policy that escalated after 2004 to undermine UNMIK's institution-building in Kosovo and thereby Kosovo's internal sovereignty. However, during EU mediation after 2010, consecutive Serbian Governments made concessions on contentious issues, culminating in the 2011-12 technical agreements and the landmark 2013 Brussels Agreement, which amongst other things recognized Kosovo's ability to independently enter into international agreements, conferring "legal personality," and ended the boycott policy, explicitly endorsing Serbs participation in Kosovo's institutions.

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<sup>312</sup> Author interview, Mitrovica North, 2022.

Table 6.8. Observed Mechanisms, 2010-13.

Mechanism	Observations	Outcome
6. Manipulation w/ patron state: reward structure	EU linking initiation and progress of a dialogue between Belgrade and Prishtina to Serbia's EU membership application.	Technical agreements and Brussel Agreement reached using leverage of membership bid: used in 2011-13 to leverage concessions on border/boundary, regional representation, autonomy.

The most evident mechanism observed during this period was manipulation with the patron state: reward structure (#6, Table 6.8), whereby Serbia's application for EU membership was directly linked to initiating and making progress in a mediated dialogue with Prishtina. The European Parliament appended this Serbia's unratified SAA, agreed with Boris Tadić in 2008. This was subsequently used by the EU to bring Belgrade back into talks and leverage concessions in contentious areas. In November 2011, the EU used the threat of blocking Serbia's membership to restart talks after unrest in northern Kosovo. In December 2011, the EU withheld candidacy from Serbia specifically for its failure to implement the agreement on border/boundary management. It was only after completion of the Technical Dialogue that the EU granted Serbia candidacy in 2012. After the election of the *SNS* in 2012, the EU used the threat of blocking membership and "isolation" to commit the new government to talks. During the Political Dialogue in April 2013, the EU issued an ultimatum to Belgrade that its membership negotiations would be blocked if it did not accept the Brussels Agreement. And its membership negotiations were only begun after Serb participation in the 2013 elections (UNSC April 2014). For the potential benefits of EU candidacy and future membership to leverage concessions on contentious issues, it was important that key veto players not only support EU accession, but regard the benefits of EU accession as outweighing the costs of nationalist backlash. The *DSS*, for example, had held a pro-EU position prior to 2008, however its perception that membership

was linked to relinquishing Kosovo shifted it to an anti-EU position and triggered its split with the *DS* as a partner. When the *DS* made concessions on Kosovo in the Technical Dialogue, but failed to attain EU candidacy, it suffered an internal split, which damaged its position with potential coalition partners during the 2012 elections. Conversely, when the *SNS-SPS* government was reluctant to make concessions during the Political Dialogue, Vučić used the threat of toppling the government, and ousting the *SPS*'s Dačić to minimize opposition. Accordingly, intra-coalition politics relative to EU accession were an important factor in Serbian concessions during the Technical and Political Dialogues.

### **6.5 Post-Brussels Agreement, 2015-21**

The period following the Brussels Agreement passed through three phases of negotiation. In the four years after 2013 which ostensibly ended Serbian parallel governance in Kosovo and endorsed Serb participation in Kosovo's institution, EU mediation focused primarily on further agreements for implementation of the Brussels Agreement. This was followed by a stalling of talks over issues of implementation and declining relations between Belgrade and Prishtina, during which both sides' interlocutors began discussions of potential territorial exchanges. This was then followed by a resumption of talks on areas of economic cooperation under US leadership in 2019-20 before a renewed EU effort to restart political dialogue in 2020-21. Within Serbia, this period was characterized by the autocratic consolidation of power by the *SNS*, which retained control of both the government and presidency after 2014. Its Kosovo policies were non-explicit and janus-faced to appease both the EU through maintaining participation in Kosovo's institutions and talks, and nationalist constituents through opposition to Kosovo's sovereignty.

EU-mediated dialogue resumed in February 2015, following the Kosovo Serbs' participation in both the 2013 Kosovo local elections and 2014 general election. Talks focused on two primary areas of implementation: dismantling remaining Serbian institutions and the formation of the ZSO.<sup>313</sup> The Serbian *MUP* in Kosovo had been demobilized and integrated into corresponding Kosovo institutions following the Brussels Agreement. In addition to police personnel who were integrated into the KPS under EULEX supervision, this included administrative personnel in fields such as public records and official documentation who were integrated into corresponding institutions (Jackson 2021b). Outstanding Serbian institutions in Kosovo after 2013 included education, healthcare, judiciary, and civil protection.<sup>314</sup> The latter two fields were of particular concern to the EU as they undermined Kosovo's institutional organization and authority in Serb-inhabited areas. Parallel courts continued to function in northern Kosovo with judges and prosecutors paid by Belgrade implementing Serbian law, and the civil protection corps remained active in Kosovo Serb areas. Civil protection was a supposed emergency response organization, but regarded by Prishtina and KFOR as a Serb paramilitary organization responsible for civil unrest and roadblocks, and was regarded by Kosovo Serbs as a primary security provider (Aktiv September 2015).

In February 2015, Belgrade and Prishtina reached an agreement on a unified judiciary for northern Kosovo, to be led by a Serb court president and staffed with nine Albanian and nine Serb prosecutors (UNSC April 2015).<sup>315</sup> However, it was not implemented until October 2017, when Serb judges still refused to be sworn into Kosovo's judicial system until persuaded by Belgrade which privately guaranteed Serb judges social benefits, and immediately paid out

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<sup>313</sup> *Balkan Insight* (9 February 2015).

<sup>314</sup> *Balkan Insight* (24 March 2015).

<sup>315</sup> *Balkan Insight* (10 February 2015).



pensions from Serbia, in exchange for signing contracts with Prishtina (UNSC October 2017; July 2018).<sup>316</sup> Agreements on disbanding the civil protection corps were more readily implemented after their negotiation in March 2015, with members integrated into Kosovo's Emergency Management Agency and Corrections Service (Jackson 2021a, 2021b).<sup>317</sup> International stakeholders in Kosovo regarded the negotiation and implementation of the agreement on disbanding civil protection to be a landmark accomplishment in which ~400 Kosovo Serbs were efficiently integrated into Kosovo's institutions (UNSC April 2016).<sup>318</sup>

A solution to the other contentious aspect of the Brussels Agreement, creation of the *ZSO* was more difficult. Autonomy for the Serb community in Kosovo had been a preference for Belgrade since talks in 2003 under Koštunica's government. It had been in exchange for autonomy that Ivica Dačić had agreed to dismantle parallel institutions in 2013. However as Bieber (2015) notes, the Brussels Agreement had been intentionally ambiguous to allow the Serbian Government to cast it as non-independence domestically and the Kosovo Government to cast it not undermining sovereignty domestically. This ambiguity obstructed implementation.<sup>319</sup> Belgrade favored a more autonomous form of governance for the *ZSO* as a distinct political entity within Kosovo with executive powers and authority over public enterprises and services.<sup>320</sup> Prishtina opposed this position as undermining Kosovo's sovereignty by creating a unique ethnically-defined political institution, and particularly opposed Serbia's preference for the *ZSO*'s executive authority in areas of public services and spatial planning which it believed could be used to obstruct infrastructure development.<sup>321</sup>

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<sup>316</sup> *Balkan Insight* (22 September 2017, 17 October 2017); Author interview, Prishtina, 2020; author interview, Mitrovica North, 2022.

<sup>317</sup> *Balkan Insight* (30 March 2015).

<sup>318</sup> Author Interviews, Belgrade, Prishtina, 2020.

<sup>319</sup> *Balkan Insight* (24 June 2015); author interview, Prishtina, 2020.

<sup>320</sup> *Balkan Insight* (8 July 2015, 25 August 2015).

<sup>321</sup> Author interview, Mitrovica South, 2020.

The sides did reach an agreement in August 2015 on the structure of the *ZSO* by which it would have “enhanced municipal authority” to contribute to development, the same institutional structure as a municipality (president, vice president, assembly, and emblem), and Serbia would have the ability to finance healthcare, education, and development untaxed. At the same time, an agreement on telecommunications granted Kosovo its own country code and permitted a subsidiary of Serbian telecoms to operate in Kosovo.<sup>322</sup> Implementation, though, was stalled by domestic opposition in Kosovo, primarily from the Self-Determination Movement (*Lëvizja Vetëvendosje*), which had opposed the dialogue as a whole and the *ZSO* in particular. Though Kosovo’s constitutional court approved the formation of the *ZSO* under the August 2015 agreement, *Vetëvendosje* continued public protests and obstructed an assembly vote on it, notably by setting off smoke bombs in the assembly. The constitutional court then reversed its decision on the *ZSO*, declaring it an unconstitutional “ethnically-defined political structure” in December 2015 (UNSC February 2016; April 2016).<sup>323</sup> Belgrade continued to press for the *ZSO* throughout 2017-18, accusing Prishtina of reneging on the Brussels Agreement, and after Prishtina imposed a 100 percent tariff on trade with Serbia, Belgrade pronounced the EU mediated dialogue to be “killed” in March 2019 (UNSC July 2016; February 2017; November 2018).<sup>324</sup>

With talks effectively stalled Serbian President Vučić, elected in 2017, and Kosovo President Hashim Thaçi proposed territorial adjustment of borders between Kosovo and Serbia, labeled “delimitation” (UNSC November 2018). In addition to the continued dispute over the *ZSO*, relations had declined over Kosovo’s arrest of Serbian officials in 2017, and the imposition

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<sup>322</sup> Serbian PM Aleksandar Vučić and Kosovo PM Isa Mustafa quoted, report on talks, *Balkan Insight* (26 August 2015, 13 November 2016).

<sup>323</sup> *Balkan Insight* (29 October 2015, 9 February 2016, 10 February 2016).

<sup>324</sup> Vučić quoted, *Balkan Insight* (8 March 2019).

of tariffs on goods from Serbia in response to Serbia's derecognition campaign and blocking of Kosovo's membership in international organizations. Kosovo's government demanded Serbian recognition of independence in order to lift the tariffs, which Belgrade refused (UNSC February 2019).<sup>325</sup> It was in this context that Vučić and Thaçi began discussions of delimitation, by which Vučić envisioned Serbia's annexation of northern Kosovo with a hard border on the Ibar/Ibër River, which he described as "saving the good parts of Kosovo" (UNSC November 2018).<sup>326</sup> The prospect of delimitation was rejected by the EU and US as destabilizing to the region, and opposed by Kosovo's government and Kosovo Serb groups, including the Serbian Orthodox Church which viewed delimitation as sacrificing Kosovo.<sup>327</sup> The notable Orthodox sites in Kosovo - the Peć/Peja Patriarchy, the Gračanica/Gračanicë Monastery, and the Visoki Dečani Monastery - were all south of the Ibar/Ibër River.<sup>328</sup>

The United States intervened in talks in 2020, with an aim of fostering increased economic cooperation to break the deadlock between Belgrade and Prishtina. Talks initiated by US envoy Richard Grenell in early 2020 focused on "de-politicized" areas of trade and infrastructure links starting with direct flights from Belgrade to Prishtina and discussion of new rail and road links.<sup>329</sup> By US reckoning, cooperation in these areas was to be parallel to political talks facilitated by the EU.<sup>330</sup> Economic cooperation, however, required resolution to one of the contentious issues that had stalled the political dialogue in 2018 - Kosovo's tariffs on Serbian imports in response to its diplomatic campaign to have states "derecognize" Kosovo's independence. The US pressed Kosovo's government, led by Albin Kurti and *Lëvizja*

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<sup>325</sup> Report on Berlin talks, *Balkan Insight* (30 April 2019).

<sup>326</sup> Transcript of Vučić speech in National Assembly, *KoSSev* [in Serbian] (28 May 2019).

<sup>327</sup> *KoSSev* [in Serbian] (26 March 2020).

<sup>328</sup> *Balkan Insight* (19 August 2018; 5 September 2018, 21 September 2018, 29 May 2019); *KoSSev* [in Serbian] (8 November 2018).

<sup>329</sup> *KoSSev* [in Serbian] (21 January 2020).

<sup>330</sup> *Balkan Insight* (13 February 2020; 29 June 2020).

*Vetëvendosje* to lift tariffs on raw materials in March 2020 before supporting a no-confidence vote against Kurti that led to his ousting and a new government. Though tariffs had been imposed by the government of Ramush Haradinaj (2017-2020), Kurti supported a “reciprocation” policy against Serbia, whereby Prishtina would impose reciprocal measures for Serbian policy and diplomatic initiatives targeting Kosovo.<sup>331</sup>

With a new *LDK*-led government in Prishtina, labeled the “government of dialogue,” Kosovo lifted tariffs in April 2020 and continued US-led talks with Belgrade.<sup>332</sup> In September 2020, Belgrade and Prishtina agreed to the so-called “Washington Agreement” brokered by Grenell. Though touted by the US Trump administration as “historic,” the “Washington Agreement” contained a number of puzzling and indeterminate provisions, including: Israeli recognition of Kosovo, Serbia moving its embassy in Israel from Tel Aviv to Jerusalem, a ban on purchasing Chinese telecoms systems, recognition of Hezbollah as a terrorist organization, and a feasibility study of Gazivoda/Ujëmani Lake in northern Kosovo. The Washington Agreement did provide for a one-year moratorium on Serbia’s diplomatic derecognition campaign and Kosovo seeking membership in international organizations, and commitment to the “mini-Schengen” trade area, intended to preclude further tariffs. What was notable was the sides did not sign a bilateral agreement with one another, but each signed a different bilateral agreement with the US.<sup>333</sup>

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<sup>331</sup> *KoSSev* [in Serbian] (9 March 2020, 25 March 2020).

<sup>332</sup> *KoSSev* [in Serbian] (1 April 2020, 3 June 2020)

<sup>333</sup> Agreement provisions published, *Prishtina Insight* (4 September 2020).

Table 6.9. Timeline of Negotiations, 2015-

Year	Mediator		Outcome
Feb. 2015	EEAS: Federica Mogherini	EU-led Political Dialogue resumes	Agreements on judiciary and civil protection
Aug. 2015	EEAS: Federica Mogherini	Political Dialogue on <i>ZSO</i> , telecoms, energy	Agreement in principle; implementation stalled by Kosovo domestic politics
Oct. 2017	EEAS: Federica Mogherini	Judicial agreement implementation	Low number of Serb judges to join Kosovo judiciary after uncertainty over benefits
Aug. 2018		Vučić and Thaçi parallel discussions of territorial adjustments/ “delimitation”	Ruled out by EU and US as creating instability
Jan. 2020	US: Richard Grenell	US begins mediation on economic cooperation areas	Belgrade-Prishtina flight agreed; commitments for future infrastructure links
Sept. 2020	US: Richard Grenell	Washington Agreement	Sides sign parallel bilateral agreements with the US; Serbia agrees to moratorium on “derecognition”
Oct. 2020	EEAS: Miroslav Lajčák	EU-led Political Dialogue resumes between Vučić and Hoti	No agreement; talks focus on <i>ZSO</i>
Mar. 2021		Albin Kurti and Lëvizja Vetëvendosje return to Kosovo Government	Support “reciprocal measures” against Serbia
June 2021	EEAS: Miroslav Lajčák	Kurti presents platform for dialogue: <i>ZSO</i> in exchange for Serbian recognition of independence	Serbia rejects
Sept. 2021		Moratorium on “derecognition” ends	

While reactions to the Washington Agreement ranged from praise as “historic” from US and Serbian officials to the EU questioning its results as negligible and irrelevant, to uncertainty over its terms, it did unblock the sides unwillingness to return to talks and reinvigorated EU

attempts to restart political dialogue.<sup>334</sup> In the context of US-led talks in June 2020, EU envoy Miroslav Lajčák convened parallel consultations with Vučić and Kosovo Prime Minister Avdullah Hoti, and in October 2020, EU-led mediation resumed, intended to focus on formation of the ZSO. The sides met six times for talks on the ZSO in 2020, but in early 2021, Hoti was ousted in Prishtina and replaced by a *Lëvizja Vetëvendosje* government.<sup>335</sup> Back in power, Kurti continued talks with Vučić, but set recognition of Kosovo’s independence as a precondition for the ZSO, which Vučić immediately rejected.<sup>336</sup> The one-year moratorium on derecognition and reciprocal measures ended in September 2021 without notable progress in the EU-led dialogue, and Prishtina almost immediately instituted reciprocal restrictions on Serbian license plates, and then in 2022 Kosovo applied for membership in the Council of Europe and Serbia responded by resuming its derecognition campaign.<sup>337</sup>

### 6.5.1 Serbian Preferences

Politically within Serbia, the SNS consolidated autocratic political control, holding the presidency and an outright majority in the National Assembly from 2014-21, as well as dominating municipal assemblies. SNS supporters controlled the major media outlets in Serbia, party functionaries “captured” state resources, critical voices were censored, and public employment was linked to party support or membership. In all, this contributed to Serbia’s transitioning into a non-competitive electoral context heavily favoring the SNS and its allies (Castaldo 2020; Lavric & Bieber 2020). In-keeping with the SNS and Vučić’s strategies of

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<sup>334</sup> *KoSSev* [in Serbian] (5 September 2020, 11 October 2020); *Balkan Insight* (6 September 2020); *The Washington Post* (7 September 2020).

<sup>335</sup> *KoSSev* [in Serbian] (11 October 2020, 15 October 2020, 10 December 2020).

<sup>336</sup> *Balkan Insight* (15 June 2021, 19 July 2021).

<sup>337</sup> *Balkan Insight* (3 September 2021, 30 September 2021, 4 October 2021, 21 April 2022, 13 May 2022)

appeasing both nationalist constituents and the EU as an external backer (Bieber 2020), the Serbian Government's preferences for Kosovo were largely inconsistent and janus-faced. On the one hand, Serbia continued its strategy of seeking to delegitimize or undermine Kosovo's sovereignty, reflected in Vučić and his allies' rhetoric on Kosovo. On the other hand, Vučić sought to present himself to the EU, and later the US, as a pillar of regional stability and a reliable partner, continuing to engage in talks and avoiding unilateral regressive steps regarding existing commitments (Bieber 2018, 2020).

Serbia's most overt manifestation in policy of its preference to deny Kosovo's sovereignty was its diplomatic "derecognition" campaign. Launched in earnest in 2017, the Serbian Government campaigned for states, generally smaller Caribbean and African states, to withdraw recognition of Kosovo's independence. Sao Tome and Principe was the first to withdraw recognition of Kosovo in 2013, while Suriname became the first in 2017 following a concerted effort from Belgrade. In some cases, such as the Central African Republic, Serbia offered development aid to "buy off" or "rent" derecognition, and in others, such as Suriname, Burundi, Dominica, Grenada, Madagascar and Palau, Russia and Serbia included withdrawal of Kosovo's recognition in bilateral agreements (Visoka 2019). While the effect of derecognition by smaller states is likely negligible compared to those, such as the US, UK, and Turkey supporting Kosovo's independence, it was regarded by Serbian officials as a "just moral victory" (Foley 2021). What was notable about the 18 cases of derecognition by the conclusion of the Washington Agreement, was that all purported Kosovo's independence to be "illegal" under international law, thus giving credence to Belgrade's convictions against Kosovo's sovereignty.<sup>338</sup>

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<sup>338</sup> *Prishtina Insight* (5 March 2020).

More nuanced rejections of Kosovo's sovereignty were evident in its opposition to specific aspects of statehood and sovereign actions taken by Prishtina. This was perhaps most evident in Belgrade's opposition to the Kosovo Security Force, the successor of the Kosovo Protection Corps, an ostensibly "emergency response" formation designed to demobilize the *UÇK*, being transformed into a regular army. While the proposed Kosovo Army constituted little security threat to Serbia, it instead threatened Serbia's claims to continued sovereignty over Kosovo, which Belgrade claimed violated UNSCR 1244. Belgrade thus sought to prevent the formation of the Kosovo Army by calling for a *SL* boycott of the Kosovo Assembly, to scupper constitutional amendments, and through harassing or pressuring Serb and Bosniak members of the Kosovo Security Force to quit.<sup>339</sup> Belgrade similarly opposed policy decisions affecting the Kosovo Serbs taken by Prishtina, including the sacking of a Kosovo Serb minister for hate speech in 2015 and 2019, efforts to privatize the Trepča/Trepçë mining complex in northern Kosovo that Belgrade claimed ownership of in 2016, and special police operations in northern Kosovo in 2017-18 and 2021 (Jackson 2020, 2021a).<sup>340</sup>

On the one hand, Serbian political elites led by Vučić were vociferous, and at times conspiracy-mongering, in their opposition to these sovereign policy decisions taken by Prishtina. For example, Belgrade claimed that special police operations in northern Kosovo were in fact clandestine *UÇK* fighters remobilized and disguised as police to ethnically cleanse Serbs, and that Albanian NATO soldiers deployed with KFOR were secretly pursuing the creation of

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<sup>339</sup> Harassment and pressure to quit the KSF was intended to undermine Prishtina's claims that it was a multi-ethnic body and resulted in 60 Serbs and Bosniaks requesting discharges after attacks on their property in northern Kosovo or harassment by police in Serbia proper. See: *KoSSev* [in Serbian] (29 September 2015, 14 March 2017, 28 March 2018, 2 July 2018, 20 September 2018); *Balkan Insight* (27 March 2017, 14 December 2018)

<sup>340</sup> *Balkan Insight* (11 October 2016, 28 December 2016, 3 February 2017); Vučić quoted, *KoSSev* [in Serbian] (3 February 2015, 5 February 2017).



“Greater Albania.”<sup>341</sup> On the other hand, in-keeping with Kostovicova’s (2014) observation that Serbian political elites engage in anti-EU rhetoric while simultaneously acquiescing to EU political conditionality, Vučić continued to engage in the EU-mediated dialogue from 2014-18. While refusing to recognize Kosovo as an EU political condition or sign an “international peace settlement,” Vučić did engage in talks after 2015 under explicit pressure from the EU that Serbia’s accession prospects were still linked to political dialogue.<sup>342</sup> It was under this pressure from the EU to continue talks and specifically not renege on previous commitments, including participation in Kosovo’s elections and dismantling parallel institutions, that the agreements on telecoms, civil protection, and the judiciary were reached. Though Belgrade did call for boycotts by *SL*, and purportedly quit talks, over disputed aspects of sovereignty - Trepča/Trepçë, the Kosovo Army, police operations, and the creation of the *ZSO* with executive powers - *LS* resumed participation and Belgrade returned to talks whether with the EU or US without their preconditions being met. In particular, the return of *SL* mayors in northern Kosovo in 2019 after quitting in protest of police operations and tariffs was regarded as evidence that Belgrade had accepted the legitimacy of Kosovo’s institutions and its claims to be “combatting” their sovereignty were disingenuous.<sup>343</sup> Similarly ahead of US-led talks, *SL* leaders, at Belgrade’s behest, proclaimed that they stood a better chance of influencing policy if they remained in Kosovo’s institutions instead of boycotting, implicitly committing to remain in institutions.<sup>344</sup> This reflected a preference in Belgrade to reduce instability in Kosovo, and the Serb community in particular.<sup>345</sup>

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<sup>341</sup> *KoSSev* [in Serbian] (30 March 2018, 31 January 2019, 21 March 2019, 5 April 2019).

<sup>342</sup> *Balkan Insight* (4 September 2014, 19 December 2019, 9 February 2015).

<sup>343</sup> *KoSSev* [in Serbian] (14 May 2019, 15 May 2019).

<sup>344</sup> It was claimed that the *SL* position in the Hoti Government would prevent it reneging in talks. See: Marko Đurić and *LS* head Goran Rakić quoted, *KoSSev* [in Serbian] (3 June 2020, 5 June 2020).

<sup>345</sup> Author interview, Mitrovica North, 2022.

Finally, in keeping with Subotić's (2016) argument that Serbian political elites gradually altered national narratives to cope with the loss of Kosovo since 1999, Vučić and other Serbian Government elites cast these concessions in talks as "great national victories" converging with their observed anti-sovereignty rhetoric. For example, regarding the telecoms agreement that granted Kosovo's its own country code, contributing to sovereignty claims, head of the Serbian Office for Kosovo and Metohija Marko Đurić claimed it to be great "5-0 victory" in which Belgrade had prevented "Albanian thieves" from seizing Serbian telecommunications property.<sup>346</sup> Similarly during discussions of territorial adjustment, Vučić cast the only alternative as recognizing Kosovo's independence, and "saving Kosovo's good parts" as the only route to stop "Greater Albania."<sup>347</sup> Then during US-led talks in 2020, he responded to nationalist backlash by casting numerous concessions as "great victories." For example, in outsourcing flights between Belgrade and Prishtina to Lufthansa's international carrier, he responded that it precluded recognition of Kosovo by Serbian domestic carriers and justified the Washington Agreement to domestic audiences that a moratorium on recognition was a small cost for the economic benefits it would unlock. Similarly, by signing separate bi-lateral agreements with the US, Vučić presented this domestically as rebuffing Kosovo's sovereignty.<sup>348</sup>

### **6.5.2 Observed Mechanisms**

In sum, Serbia's policies towards Kosovo after the conclusion of the Brussels Agreement and Serb participation in the 2013-14 Kosovo elections was to maintain the status quo. On the one hand, this meant opposition to Kosovo's independence, attempts to undermine its sovereignty as

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<sup>346</sup> Marko Đurić interview, *KoSSev* [in Serbian] (19 September 2015); *Balkan Insight* (13 November 2016).

<sup>347</sup> Vučić and Aleksandar Vulin quoted, *KoSSev* [in Serbian] (16 August 2018, 28 May 2019).

<sup>348</sup> Vučić quoted, *KoSSev* [in Serbian] (21 January 2020, 4 September 2020).

an independent state, and nationalist, at times chauvinistic, rhetoric towards Kosovo to appease domestic audiences. On the other hand, Belgrade continued to engage in EU-mediated dialogue from 2014-18, and US-mediated talks in 2020. Though Belgrade called for multiple boycotts of Prishtina's institutions in response to sovereign policy decisions and set preconditions for continued talks, *SL* boycotts were ended, and talks resumed without those preconditions being met. Notably, Belgrade did not enforce a boycott of Kosovo's elections after 2013. These observations were generally in-keeping with noted trends of Serbia's behavior towards the EU under the *SNS* - that is domestically opposing EU political conditions, especially with regard to Kosovo, while simultaneously continuing political engagement with the EU in the dialogue process (Kostovicova 2014; Subotić 2016; Bieber 2020). Accordingly, this dual-facing strategy precluded concessions for the sake of a settlement, constrained by nationalist constituencies in Serbia and the *SNS*'s own nationalist pandering.

Table 6.10. Observed Mechanisms, 2015-21.

	<b>Mechanism</b>	<b>Observations</b>	<b>Outcome</b>
5.	Manipulation w/ patron state: one-off reward	US proposed opening of International Development Finance Corporation and the Export-Import Bank of the US, funding of infrastructure projects in exchange for Washington Agreement.	Belgrade accepts Washington Agreement; economic benefits used by Vučić to deflect domestic criticism.
6.	Manipulation w/ patron state: reward structure	EU accession linked to continued dialogue and implementation of existing agreements.	Belgrade continues dialogue in 2014-18 despite preconditions/boycotts against Prishtina's sovereign policy and failure to create <i>ZSO</i> ; economic benefits of EU membership used by Lajčák to restart talks in 2020-21.

Two mechanisms theorized in Chapter 2 were evident during the post-Brussels Agreement period. Due to the near-seamless links between the *SNS* and *LS* (Chapter 7), direct engagement in talks with the local regime was minimal and policy preferences flowed almost

entirely from the *SNS* to the *SL*, not vice versa. The first mechanism observed was manipulation with the patron state: reward structure (#6, Table 6.10), by which Serbia's EU membership prospect remained linked to continued dialogue and implementation of existing agreements. This was notable in 2015-17, when EU mediator Federica Mogherini reiterated to Serbia the conditionality of continued dialogue, especially at points when Serbia threatened to quit talks or when it set preconditions. Accordingly, even after the Washington Agreement, Belgrade agreed to continue talks, and it only quit after Prishtina set the unacceptable precondition of recognizing Kosovo's independence. Notably, in EU efforts to restart the Political Dialogue after the Washington Agreement, the EU publicly advertised the long-term economic benefits of EU integration to Serbia as an inducement.<sup>349</sup>

The second observed mechanism was manipulation with the patron state: one-off reward (#5, Table 6.10), evident during the US-led talks. The premise of the talks led by US envoy Grenell was economic development, while political dialogue was left to be continued by the EU. However, in Vučić's telling of the Washington Agreement, the concessions that Serbia was ostensibly required to make, whether implemented or not, were entirely justified by the economic benefits it would receive from the US. By the terms of the agreement, the US International Development Finance Corporation and the Export-Import Bank of the US would open offices in Belgrade to finance infrastructure projects. According to Vučić, this offset the cost of "not too painful" concessions on Kosovo.<sup>350</sup>

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<sup>349</sup> Miroslav Lajčák quoted, *KoSSev* [in Serbian] (11 October 2020).

<sup>350</sup> Transcript of Vučić speech, *KoSSev* [in Serbian] (5 September 2020).

## 6.6 Conclusion

Following Chapter 4, the purpose of this chapter was threefold. First was to provide a detailed overview of the context of the Kosovo conflict and the contested sovereignty of Kosovo, and how those affected efforts to reach a diplomatic solution. International mediation of the Kosovo conflict evolved over three periods: that led by the Contact Group (US, EU, Russia) prior to NATO's armed intervention in March 1999; that led by UNMIK and the UNSR after Kosovo's de facto separation from Serbia in June 1999; and, that led by the EU after Kosovo's unilateral declaration of independence and the ICJ's advisory opinion that that declaration of independence did not violate international law. Throughout these periods of mediation, talks and subsequent agreements focused on both strengthening Kosovo's external sovereignty through international recognition, membership in organizations, and other trappings of statehood; and internal sovereignty through the UNMIK-facilitated development of multi-ethnic institutions with authority over the whole of Kosovo's territory. Though Serbia would never recognize the independence of Kosovo, a central feature of Serbian nationalism, the Serbian Government did agree to intermediate measures contributing to sovereignty such as regional representation and an international telephone code. Regarding internal sovereignty, Serbian policy wavered between supporting and opposing Serb participation in Kosovo's central institutions.

The second purpose was to identify specific mechanisms through which international mediation affected Serbia's preferences towards Kosovo in these two areas - external and internal sovereignty. In the first years of UNSR mediation, aspects of internal sovereignty were improved via facilitative mediation with Belgrade, notably through Serb participation in Kosovo's 2001-02 UNMIK-run elections which the UNSR secured in exchange for guarantees ruling out independence, improving security, and beginning decentralization of Serb enclaves.

However after the *DSS* gained strength in Belgrade after 2003 and worsened security conditions in Kosovo after the 2004 riots, Belgrade withdrew this support for participation and instituted a boycott policy for Kosovo's institutions, effectively enforced with threats over contracts and social benefits. Manipulative mediation from the EU produced more lasting commitments, whereby Serbia's EU membership prospect was linked to both participation in technical and political dialogues and, crucially, implementation of agreements. This was particularly evident during talks in 2011 when the EU withheld Serbia's candidate status specifically for failing to implement agreements, and in April 2013 when the EU issued an ultimatum to Serbia to accept the proposed Brussels Agreements in order to open accession talks. This was also evident after 2014, when the EU used the prospect of membership to keep Serbia engaged in talks, despite its protests over failure to create the *ZSO* and domestic policy decisions within Kosovo. Similarly, the US and EU both used the prospect of economic benefits to restart talks in 2020.

Lastly, the third purpose of this chapter was to identify specific instances of policy change towards Kosovo within the Serbian Government, specifically those changes to internal sovereignty that directly affected the Kosovo Serb community. There were three notable points of policy change evident in this overview. First was the decision by the *DOS* government in Belgrade in 2001-02 to endorse Serb participation in Kosovo's UNMIK-run institutions/elections. Second was the boycott policy enacted by Belgrade after the March 2004 riots in Kosovo by which Belgrade withdrew its support for Serb participation in institutions and elections, which persisted until the Brussels Agreement in 2013. Lastly, and following the boycott policy, the third policy change was Belgrade's full support for Serb participation in Kosovo's institutions and elections following the Brussels Agreement in 2013. As the EU made clear to Serbia throughout the technical and political dialogues, rewards would only be realized

upon implementation of policy change within Kosovo, with EU official Catherine Ashton asserting that it was incumbent upon Serbia to “exert maximum pressure on those in Kosovo preventing agreements from being implemented.”<sup>351</sup> Accordingly, these three points of policy change, and specifically how they were enforced within the Kosovo Serb community, are further analyzed in the following chapter.

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<sup>351</sup> Catherine Ashton quoted, *AFP* (1 December 2011).

## 7 SEND ADMINISTRATORS, GUNS, & MONEY: PARALLEL SERB INSTITUTIONS IN KOSOVO

In December 2009, four years before Belgrade ended its boycott policy on Kosovo after the Brussels Agreement, Bratislav Nikolić was elected mayor of the Serb enclave of Štrpce/Shtërpçë in Kosovo's municipal elections. Nikolić was a member of the Kosovo Serb Independent Liberal Party (*SLS*) formed in 2006 to increase Serb participation in Kosovo politics regardless of status. In defying Belgrade's boycott, in place from 2004-13, the election of Nikolić in Štrpce/Shtërpçë and Serb mayors in four other municipalities was regarded a repudiation of Belgrade's inadequate policies. As Nikolić argued, the more than 4,000 votes he received from Štrpce/Shtërpçë's Serbs far exceeded the 1,270 votes that the parallel *SRS* mayor Zvonko Mihajlović had received in Serbian-run parallel elections in 2008.<sup>352</sup> In the months following his election, Nikolić, who had run on a *SLS* platform of improving living conditions for Kosovo Serbs and "not surviving on protests alone," ordered the parallel institutions in Štrpce/Shtërpçë to close, physically locked its officials out of municipal offices, and was himself denounced by Belgrade and attacked by Serb gunmen. However, he remained in office and was re-elected in 2013 and 2017.

This anecdote illustrates two points about the Kosovo Serb local regime relative to Belgrade. One is that Serb leaders in Kosovo had their own preferences and needs that did not necessarily converge with Belgrade's preferences for rejecting Kosovo's sovereignty. This was especially true for rejection of its internal sovereignty, which had translated into Kosovo Serbs being denied access to certain basic services. This inevitably generated conflict between Belgrade and Kosovo Serb leaders, as well as other Kosovo Serb political factions. The other

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<sup>352</sup> Interview with Bratislav Nikolić, *AFP* (5 February 2010).



point is that after Belgrade ended its boycott policy in 2013, it coopted leaders such as Bratislav Nikolić who had existing support bases and were capable of winning elections. Importantly, leaders who Belgrade coopted after 2013 were determined by their pre-2013 influence and the pathology of different Kosovo Serb institutions that developed after 1999.

Building on Chapter 6, which traced ways in which international mediation affected Serbian preferences and policies on Kosovo, this chapter traces how Serbia sought to enforce these policies within the Kosovo Serb community. The purpose is then twofold. First, to disaggregate the Kosovo Serb local regime and trace its pathology during the post-conflict period in Kosovo, from 1999-2021. Reiterating from Chapter 3, the local regime is a complex of actors, institutions, resources, and strategies that determine the conduct of subnational politics and how it links to higher tiers of authority, whether a patron state, a parent state, or both. The second purpose is then to identify and trace specific mechanisms of how Serbia enforced its own preferences within the local regime, in-line with its preferences outlined in the previous chapter, and how those preferences affected local regime cooperation with the institutions of the parent state, Kosovo.

## **7.1 Kosovo Serb Local Regime: From Enclaves to Minority Autocracy**

### ***7.1.1 Serbs in Post-War Kosovo, 1999-2004***

Following the conclusion of the Kumanovo Agreement and UNSCR 1244 on 10 June 1999, Serbian security and administrative institutions officially left the territory of Kosovo to be replaced by UNMIK and KFOR. A sizable Serb minority remained in Kosovo, though, after 1999 (Table 7.1), uncertain of its safety and position with centralized rule from Belgrade having been displaced (Judah 2000). Remaining Serbs were subjected to a wave of violence by returning

Albanian refugees and remnants of the *UÇK*. During the 1998-99 Kosovo War, Serbian paramilitary forces had recruited and armed local Serbs and Roma who were paid with whatever they could plunder from Albanians (OSCE 1999), making them targets of reprisals. Revenge violence, though, indiscriminately targeted the whole of the Serb community, and often the most vulnerable or isolated rather than specific actors who had sided with Serbian forces (Judah 2000; Petersen 2011).

Table 7.1. Kosovo Demography, post-1999.

	Albanians	Serbs	Others (Bosniaks, Turks, Gorani, RAE)
<i>Number</i>	1,616,869	~97,000-140,000	~92,300
<i>Percent (total pop.)</i>	~90-92%	~5-7%	~4%

\*exact numbers unknown due to the boycott of the census in 2011. Estimates based on ICG estimates made between 2001 and 2011.

The formation of a Serb local regime in Kosovo, or more accurately multiple regimes, was driven in large part by this anti-Serb violence following the Kumanovo Agreement. Indiscriminate violence and widespread fear of reprisal attacks drove large numbers of Serbs from their homes, who fled either to Serbia-proper or gathered in Serb-majority areas. These included the northern Kosovo municipalities of Leposavić/Leposaviq, Zubin Potok, Zvečan/Zvečan, and the northern half of Mitrovica town (hereafter Mitrovica North), predominantly Serb-inhabited villages outside of Prishtina and Gjilan/Gnjilane, or at Orthodox religious sites (Dahlman & Williams 2010; Jackson 2021a). Serbs in mixed areas, such as Rahovec/Orahovac and Prizren were confined to specific neighborhoods, unable to leave without fear of harassment or attack (OSCE July 1999; February 2000; October 2000). Serb leaders in

Kosovo warned that the failure of KFOR and UNMIK to curb inter-ethnic violence was immediately destroying trust in international forces.<sup>353</sup>

In northern Kosovo, and most notably Mitrovica North, Serb protection groups known as the Bridge Watchers or Bridge Gangs provided protection, often blocking access to northern Kosovo for UNMIK and KFOR as well as Kosovo Albanians and forcing Albanians to move south. These groups were loosely organized pseudo-militias that took their name from regulating or restricting movement across the main bridge in Mitrovica. Some of its members were arrested for carrying weapons, but more commonly they carried radios to relay information and organize mobs and roadblocks. KFOR labeled them a paramilitary formation and attempted to displace them from the northern side of the Mitrovica bridge in March 2000, eventually enforcing a 30-meter buffer zone around the bridge (OSCE May 2002).<sup>354</sup>

In the months following UNMIK's deployment, three distinct Kosovo Serb political factions formed. The first, and most moderate, was the Serb National Council of Kosovo and Metohija (*SNV-KiM*) in Gračanica/Graçanicë near Prishtina, led by Serbian Orthodox Bishop of Raška-Prizren Artemije and Serbian Renewal Movement (*SPO*) official and former Kosovo administrator Momčilo Trajković. Artemije and Momčilo Trajković formed the Pan-Serbian Ecclesiastical-Peoples' Council in July 1999, based at the Gračanica/Graçanicë Monastery, which was then renamed the *SNV-KiM* in October 1999.<sup>355</sup> A purported "self-government" of Serbs in Kosovo included a constituent assembly, the *SNV-KiM* claimed to be filling the role left by Belgrade's administrators and *SPS* officials who fled Kosovo in June 1999. *SNV-KiM* officials

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<sup>353</sup> Interview with Bishop of Raška-Prizren Artemije, *Associated Press* (28 June 1999).

<sup>354</sup> Reports on Bridge Watchers, including interviews with KFOR and UNMIK officials, *AFP* (22 February 2000, 28 February 2000, 21 July 2000); *Associated Press* (2 March 2000, 14 March 2000, 16 March 2000, 9 February 2001).

<sup>355</sup> *Beta* [in Serbian] (6 July 1999, 28 September 1999, 3 October 1999); *Reuters* (24 October 1999).

were critical of Milošević's government, which claimed to be "ruling in exile," but leaving Serbs to fend for themselves in Kosovo. Trajković dismissed the *SPS*'s authority in Kosovo, stating that officials who had fled for their safety had no right to govern those who stayed.<sup>356</sup> The infrastructure of the Orthodox Church in Kosovo, led by Artemije, was mobilized to provide services for Serbs fleeing their homes, with churches used as refugee collection centers and the Church's radio station as the only Serbian-language source of information.<sup>357</sup> The *SNV-KiM* supported the *DOS* in Serbia, and engaged in inter-ethnic talks in Kosovo in 1999-2000, purportedly seeking to solve practical problems for Serbs, chief among which was security.<sup>358</sup>

The second political faction was the Serb National Council of Kosovska Mitrovica (*SNV-M*), established in August 1999 to represent Serb-majority northern Kosovo. Led by Oliver Ivanović, Milan Ivanović, and Marko Jakšić, the *SNV-M* leadership initially supported the *SPS*, but switched alliances to the *DOS* in 2000.<sup>359</sup> The *SNV-M* had tentatively cooperated with the *SNV-KiM* in 1999, but ended their cooperation after the latter began cooperation with UNMIK. Following this split, Marko Jakšić claimed the *SNV-M* to be the sole legitimate representative of Serb interests in Kosovo.<sup>360</sup> This split over cooperation with UNMIK was indicative of the *SNV-*

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<sup>356</sup> Interviews with Momčilo Trajković, *Beta* [in Serbian] (17 June 1999, 6 July 1999, 8 July 1999); *Danas* [in Serbian] (28 June 1999).

<sup>357</sup> *AFP* (18 June 1999); *Tanjug* [in Serbian] (18 June 1999); *SRNA* [in Serbian] (25 June 1999, 4 July 1999, 28 September 1999).

<sup>358</sup> The *SNV-KiM* leadership met with Kosovo Albanian representatives in June-July 1999 and attended talks with them in the US in March and July 2000. See: *Associated Press* (2 July 1999); *Beta* [in Serbian] (2 July 1999, 7 July 1999, 25 July 1999, 12 October 1999, 6 February 2000, 6 March 2000).

<sup>359</sup> The *DOS* formally accepted the *SNV-M* as a member in July 2000, but its leaders had already participated in the *DOS* as members of the *DSS* and *DHSS*. *DOS* leaders required the *SNV-M* to formally denounce the *SPS* given prior cooperation with it. See: *Beta* [in Serbian] (5 August 1999, 30 April 2000, 4 July 2000, 6 July 2000); *B92* [in Serbian] (5 February 2000).

<sup>360</sup> *Beta* [in Serbian] (19 October 1999, 21 October 1999, 26 June 2000); *Tanjug* [in Serbian] (11 January 2000); *Associated Press* (31 January 2000, 1 February 2000); *B92* [in Serbian] (18 March 2000); *AFP* (2 April 2000, 3 April 2000).

*M* leadership's more radical position on opposing UNMIK and KFOR.<sup>361</sup> Its leaders were directly linked to the Bridge Watchers in northern Kosovo and capable of mobilizing civil unrest in opposition to UNMIK and KFOR, with the expressed aim of restricting their movement in northern Kosovo. They claimed to be able to mobilize thousands of volunteers to organize mobs and roadblocks for "the public defense of Mitrovica," notably organizing mobs of more than 5,000 in 2001. This was organized and regulated by the *SNV-M*'s "Committee for the Defense of Northern Kosovo," led by Milan Ivanović and Jakšić, who opposed all forms of cooperation with UNMIK and demanded self-rule instead.<sup>362</sup>

The third faction was the Serb National Assembly, a *SPS*-backed organization set up by Belgrade in 1999 to counter the *SNV-KiM*, chaired by Zoran Anđelković. It had access to resources from Belgrade, was run out of *SPS* offices in Kosovo, and supported the *SPS* position on resisting cooperation with UNMIK or KFOR. It was criticized as attempting to manipulate and divide Serbs, and it likewise denounced moderate Serb leaders cooperating with UNMIK as "traitors" or "NATO collaborators."<sup>363</sup> *SPS* activists and thugs organized by the Serb National Assembly attacked *DOS*-sponsored rallies in Gračanica/Gračanice and Mitrovica after the *SNV-M* aligned with the *DOS* in 2000. Similarly, they harassed and attacked *SNV-KiM* and *SNV-M*

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<sup>361</sup> Milan Ivanović and Marko Jakšić quoted, *Beta* [in Serbian] (24 September 1999, 6 November 1999, 20 December 1999, 20 February 2000); *Tanjug* [in Serbian] (21 November 1999, 1 April 2000); *SRNA* [in Serbian] (23 February 2000, 13 March 2000).

<sup>362</sup> Accounts of mobs and roadblocks organized by *SNV-M*, *RTS Radio Belgrade* [in Serbian] (6 December 1999, 29 October 2001); *Beta* [in Serbian] (21 February 2000, 22 February 2001, 4 May 2001); *AFP* (15 March 2000, 17 July 2000, 14 August 2000, 15 May 2001); *Tanjug* [in Serbian] (7 June 2000, 18 July 2000, 23 April 2001, 1 May 2001).

<sup>363</sup> *Beta* [in Serbian] (19 July 1999, 22 July 1999, 30 July 1999, 5 August 1999, 6 December 1999); *Tanjug* [in Serbian] (30 July 1999, 4 February 2000, 5 February 2000); Phone interview with Ranđel Nojkić, *Radio Pančevo* [in Serbian] (1 August 1999).

officials, who were also purged from voter rolls ahead of the 2000 Serbian elections (UNSC March 2000).<sup>364</sup>

Following the ousting of Milošević and the *SPS* in 2000 the Serb National Assembly ceased to exist, while the *DOS* government in Belgrade was supported by both remaining factions, the *SNV-KiM* and *SNV-M*. Support from the *DOS* for Kosovo Serbs came in two forms. One was political patronage for local leaders who were recruited into Belgrade-appointed posts, either in parallel administrative roles, or public enterprises operating in Kosovo. Momčilo Trajković, for example, stepped down from the *SNV-KiM*'s leadership and was recruited as an administrator by the Serbian Coordination Centre. Similarly, Milan Ivanović and Marko Jakšić were appointed administrators of the North Mitrovica hospital, and *SNV-KiM* leader Rada Trajković was appointed head of the Gračanica/Gračanicë hospital, both funded and run by the Serbian Ministry of Health in Belgrade (OSCE November 1999; October 2001). This was a continuation of the practice under *SPS* rule, by which posts in Kosovo were distributed, only after 2000 it was to *DOS* allies instead of *SPS* or *SRS* officials. Many such appointees were formally employed, and drew social benefits and salaries from Belgrade, but performed no functions. They included appointments to districts where Serbs no longer lived, or appointees living in Serbia-proper (UNSC October 2003).<sup>365</sup>

The other form of support was transfer of material resources from Belgrade via these parallel institutions. The most significant transfers were salaries and welfare benefits for public enterprise employees who had lost jobs in 1999, ultimately keeping ~22,000 Serbs' livelihoods linked to Belgrade (UNSC October 2003; November 2006). Serbian line ministries continued to

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<sup>364</sup> Reports on Serb National Assembly activities, *Tanjug* [in Serbian] (5 July 1999, 6 July 1999, 26 August 1999, 17 November 1999); *Beta* [in Serbian] (5 November 1999, 28 September 2000); *AFP* (11 November 1999, 6 August 2000, 7 September 2000) *Associated Press* (6 August 2000, 14 September 2000, 15 September 2000).

<sup>365</sup> *Beta* [in Serbian] (12 March 2000).

fund public services in Serb-inhabited areas. Notably, the healthcare and education systems became sources of patronage for Kosovo Serb elites. Both were major employers in municipalities with jobs and funding to dole out, resulting in over-employment in these institutions and bloated payrolls. Serbs employed in these institutions were paid double the salary of comparable positions in Serbia-proper, while unnecessary positions were added to employ local allies and clients. For example, many of the Bridge Watchers were formally employed as security guards at hospitals and schools in northern Kosovo. Accordingly, many local leaders who emerged in northern Kosovo, Gračanica/Graçanicë, and Štrpce/Shtërpca worked as hospital and school administrators, positions with access to patronage resources (OSCE November 1999; October 2001; February 2002; May 2002; April 2007).

The distinction between moderate Kosovo Serb leaders and the more radical *SNV-M* faction that opposed cooperation with UNMIK became more pronounced after Belgrade's endorsement of participation in the 2001 election. The Return Coalition (*KP*) was formed as a unified Serb list that won 22 seats in the PISG assembly (UNSC June 2001, November 2004).<sup>366</sup> The *KP* supplanted the *SNV-KiM* as the more moderate political force, though the *SNV-KiM* continued to exist, but without Momčilo Trajković and Bishop Artemije who had both stepped down after the *DOS*'s victory in Serbia. The *KP* was headed by Gojko Savić and Oliver Ivanović, who served in the assembly's executive committee, engaging with both UNMIK and the Kosovo Albanian leadership. Though it did boycott participation on occasion, it also used its institutional veto to affect legislation on numerous instances in 2002-03 (UNSC October

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<sup>366</sup> Under the constitutional framework of the PISGs the Kosovo assembly had 120 seats, 100 of which were allotted proportionally to registered political parties and the other 20 were reserved for minority representatives - 10 for Serbs and 10 for other minorities including Bosniaks, Turks, Gorani, Ashkali, Roma, and Egyptians. The *KP* securing 22 seats meant that it won 12 competitively from its returns in elections and received the 10 allotted specifically for Serbs.

2003).<sup>367</sup> Perhaps most notable was the *KP*'s negotiation of a new post in 2002 before it would join the assembly, special advisor to the UNSR on returns, to advise UNMIK on displaced persons and initiatives for their return, thereby giving a Kosovo Serb official input on one of the most salient issues in central UNMIK-run institutions.<sup>368</sup>

The *KP* was politically supported by Belgrade and the Coordination Centre. Oliver Ivanović had only agreed to run in elections and join the assembly on the condition that it was approved by the Serbian Government. Belgrade formally endorsed the *KP* and its elected deputies as the “legitimate representatives of the Kosovo Serbs” and in return the *KP* agreed not to take unilateral action on matters conflicting with Belgrade’s preferences.<sup>369</sup> The *KP* boycotted the assembly’s vote for Kosovo’s presidency in January 2002 at Belgrade’s behest, which it regarded as a symbol of Kosovar sovereignty.<sup>370</sup> Similarly, after the Serbian Government rejected the UNSR’s “Standards for Kosovo” document following the 2003 talks, Belgrade requested that the *KP* also oppose it during a vote in Kosovo’s assembly.<sup>371</sup> Following Zoran Đinđić’s assassination and the ensuing political turmoil in Serbia, the Coordination Centre ordered the *KP* to remain in the assembly and specifically not to boycott participation to avoid causing a dispute or unrest in Kosovo.<sup>372</sup>

The other faction, the more radical *SNV-M*, opposed cooperation with UNMIK and the PISGs and sought to limit their influence in northern Kosovo. The *SNV-M* had denounced the *KP*

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<sup>367</sup> *Beta* [in Serbian] (7 November 2002, 2 December 2002); *Tanjug* (7 November 2002, 15 January 2003, 12 February 2003); Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (14 November 2002); *Koha Ditore* [in Albanian] (26 November 2002); *FoNet* [in Serbian] (15 January 2003, 25 January 2003)

<sup>368</sup> *Tanjug* [in Serbian] (10 January 2002, 15 April 2002, 17 April 2002); *FoNet* [in Serbian] (13 March 2002, 14 March 2002, 19 March 2002); *Koha Ditore* [in Albanian] (17 April 2002, 3 May 2002).

<sup>369</sup> Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (14 January 2002), *Tanjug* [in Serbian] (3 March 2002).

<sup>370</sup> *Beta* [in Serbian] (10 January 2002, 12 January 2002, 14 January 2002).

<sup>371</sup> *Tanjug* [in Serbian] (12 February 2004, 15 February 2004).

<sup>372</sup> *Tanjug* [in Serbian] (16 April 2003).



for running in the 2001 elections and expelled Oliver Ivanović for joining it.<sup>373</sup> It had boycotted elections in 2001-02 and organized an “anti-election” campaign to suppress Serb turnout in northern Kosovo. Its leaders, Milan Ivanović and Marko Jakšić, opposed Belgrade’s talks with Prishtina, and proposed northern Kosovo be partitioned as a distinct Serb entity.<sup>374</sup> In January 2003, the *SNV-M* leaders formed the self-declared Association of Serb Municipalities composed of the four northern mayors, and in February 2003 convened an assembly which declared itself to be an autonomous entity not subject to the authority of Prishtina or UNMIK, and to “function as an integral part of Serbia.”<sup>375</sup> Though the *DOS* formally denounced the the Association, its parallel assembly, and the *SNV-M* as illegitimate, its leaders Milan Ivanović, Marko Jakšić, and the mayors of Zubin Potok and Zvečan/Zvečan, Slaviša Ristić and Dragiša Milović, were also closely linked to *DSS*

in Belgrade, and received considerable political patronage especially after 2003.<sup>376</sup>

While Belgrade politically supported the *KP* in the Kosovo assembly from 2002-04, it concurrently supported these more radical institutions in northern Kosovo. These northern institutions were capable of mobilizing large numbers of supporters for protests and roadblocks against UNMIK and KFOR. This was evident in response to UNMIK’s efforts to establish customs gates on the border/boundary with Serbia in 2001, to prevent the arrest of Bridge Watchers in April 2002, in protest of attempts to arrest Milan Ivanović in August 2002, and in protest of water and power cuts in 2003. These groups of protesters, often employed in parallel institutions or part of criminal gangs, also threatened and harassed Serb members of the Kosovo

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<sup>373</sup> *Tanjug* [in Serbian] (20 August 2001, 5 November 2000); *Beta* [in Serbian] (21 August 2001, 7 November 2001); *AFP* (28 September 2001, 12 October 2001, 9 November 2001).

<sup>374</sup> *Tanjug* [in Serbian] (22 October 2002); *FoNet* [in Serbian] (6 July 2003).

<sup>375</sup> *Tanjug* [in Serbian] (15 January 2003, 13 February 2003, 24 February 2003, 25 February 2003, 30 March 2003); *RTS Radio Belgrade* [in Serbian] (17 January 2003, 20 January 2003); *Reuters* (25 February 2003).

<sup>376</sup> *Tanjug* [in Serbian] (25 February 2003); *Beta* [in Serbian] (4 March 2004); *Kontakt Plus* [in Serbian] (17 July 2004).

Police Service (KPS), despite Belgrade having agreed to their deployment in 2002. As a result, UNMIK and KFOR authority in northern Kosovo was limited (UNSC January 2004).

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<sup>377</sup> Reports on protests, *Beta* [in Serbian] (17 April 2002, 8 August 2002); *Tanjug* [in Serbian] (25 March 2002, 19 June 2002); *AFP* (9 August 2002); *FoNet* [in Serbian] (27 October 2003); *Koha Ditore* [in Albanian] (20 November 2003).

<sup>378</sup> *FoNet* [in Serbian] (12 December 2002); *Tanjug* [in Serbian] (17 February 2003).

Table 7.2. Kosovo Serb Political Factions, 1999-2004.

<b>Organization</b>	
<b><i>Serb National Council of Kosovo and Metohija (SNV KiM)</i></b>	Continued to exist, but less salient after original leadership either quit in protest of election participation (Momčilo Trajković) or ran as members of <i>KP</i> in 2001.
<b><i>Serb National Council of Mitrovica (SNV-M)</i></b>	Salient political organization based in North Mitrovica. Opposed cooperation with UNMIK/KFOR and the <i>KP</i> for its participation in elections. Led by Milan Ivanović and Marko Jakšić.
<b><i>Serb National Assembly</i></b>	Belgrade-run organization backed by the <i>SPS</i> to counter the influence of <i>SNV KiM</i> , based in Zvečan/Zvečan. Run by Zoran Anđelković along with <i>SPS</i> /Belgrade-appointed officials in Kosovo. Opposed cooperation with UNMIK. Opposed <i>SNV KiM</i> which it labeled as a treasonous organization and employed <i>SPS</i> and <i>SRS</i> activists to disrupt <i>SNV KiM</i> and <i>SNV-M</i> prior to 2000 Serbian elections.
<b><i>Association of Serb Municipalities of Kosovo and Metohija</i></b>	Political organization formed in January-February 2003 of political representatives of the Serb-dominated northern municipalities. Convened an assembly of 300 delegates, 15 executive members, and president (Marko Jakšić). Opposed cooperation with UNMIK, <i>KP</i> , and Prishtina. Supported ethnic partition of Kosovo. Declared itself to be an autonomous separate political entity within Kosovo that was an integral part of Serbia. Officially denounced as illegitimate by Belgrade, but its leaders retained support from the Coordination Centre and their respective parties, primarily the <i>DSS</i> , in Belgrade.
<b><i>Koalicija PovrataK (KP)</i></b>	Kosovo Serb political coalition that participated in 2001 PISG elections. Held one ministerial post, one position on the executive council, and the post of special advisor for returns to the UNSR. Leadership included rector of Prishtina University and Democratic Alternative party official Gojko Savić, former <i>SNV-M</i> leader Oliver Ivanović, and <i>SNV KiM</i> leaders Randel Nojkić and Rada Trajković. Officially endorsed by Belgrade as legitimate political representatives of Kosovo Serbs and in exchange agreed not to take unilateral actions at odds with Belgrade's preferences in Kosovo. Ran as the <i>SLKiM</i> in the 2004 Kosovo elections.

While Belgrade politically supported the *KP* in the Kosovo assembly from 2002-04, it concurrently supported these more radical institutions in northern Kosovo. These northern institutions could mobilize large numbers of supporters for protests and roadblocks against UNMIK and KFOR. This was evident in response to UNMIK's efforts to establish customs gates on the border/boundary with Serbia in 2001, to prevent the arrest of Bridge Watchers in April 2002, in protest of attempts to arrest Milan Ivanović in August 2002, and in protest of water and power cuts in 2003. These groups of protesters, often employed in parallel institutions or part of criminal gangs, also threatened and harassed Serb members of the Kosovo Police Service (KPS),

despite Belgrade having agreed to their deployment in 2002. As a result, UNMIK and KFOR authority in northern Kosovo was limited (UNSC January 2004).

Though more salient in northern Kosovo, where UNMIK and KFOR had limited authority, the parallel institutions operated in most Serb-inhabited areas, with a reportedly increased presence after the 2003 Serbian elections. Parallel courts were run in unofficial courthouses by the Serbian Ministry of Justice, staffed by Serb judges and prosecutors, applying Serbian law, paid by Serbia, and under the authority of high courts in Serbia. Similarly, parallel Ministry of Internal Affairs (*MUP*) offices were run in northern Kosovo, providing administrative functions, public records, and tax services, in addition to parallel police and fire services (Jackson 2021b). Though KFOR denied the presence of regular Serbian police in Kosovo, it acknowledged the presence of administrative *MUP* offices, fire services, and *MUP* police in “unofficial functions” residing in Kosovo. Kosovo Serb officials noted that these unofficial police operated clandestinely and served in a more political capacity to inform on moderate Serbs and denounce or harass certain leaders. In other instances Serb police employed by the KPS were simultaneously employed by Serbian *MUP* (GLPS January 2013; April 2014; KCSS 2014).<sup>379</sup> As noted in the previous chapter, beginning late 2003, Belgrade began to pressure parallel employees to not accept contracts or cooperation with UNMIK under the threat of losing accrued benefits. This ultimately discouraged qualified Serbs from accepting UNMIK contracts in hospitals, schools, police, or the judiciary, leaving those fields primarily in the purview of parallel institutions (OSCE October 2003; UNSC January 2004).

Conflict between the moderate *KP* and more radical northern institutions was evident after March 2004, as were their respective links to parties in Serbia. The northern institutions, led

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<sup>379</sup> *Koha Ditore* [in Albanian] (16 January 2004).

by *DSS* allies, supported Vojislav Koštunica's call for a boycott after UNMIK refused to accept his proposal for partition in cantons. In response to Koštunica's boycott they organized an "anti-election" campaign beginning in August 2004 that resulted in low turnout, and virtually no turnout in northern Kosovo. As Milan Ivanović claimed after the 2004 election, "the boycott won the election."<sup>380</sup> On the other side, the *KP*, which rebranded itself as the Serbian List for Kosovo and Metohija (*SLKiM*) rejected Koštunica's boycott policy, accepted Boris Tadić's position supporting elections, and ran in 2004. However, with low turnout, the *SLKiM* accepted that it had no mandate and withdrew from the Kosovo assembly.<sup>381</sup> An unintended consequence of this - both the boycott policy and *SLKiM*'s forfeit of its mandate - was that Civic Initiative "Serbia" (*GIS*), a relatively unknown minor Serb party that had registered for elections regardless of Belgrade's position, claimed the seats, ministries, and consultative positions reserved for Serbs.<sup>382</sup>

In sum, during the first five years of Kosovo's de facto separation from Serbia two political groupings of Serbs emerged in Kosovo. On the one side were those who favored cooperation with UNMIK to maintain a voice in their affairs and solve practical problems faced by their community. This position was embodied by the *SNV-KiM* in its early cooperation with UNMIK and participation in inter-ethnic dialogue, and then by the *KP* as a formal political coalition in Kosovo's assembly and advisory posts to UNMIK. On the other side were those who opposed cooperation and sought to undermine and obstruct UNMIK and KFOR as rejections of separation from Serbia, embodied first in the *SPS*-run Serb National Assembly and then the *SNV*-

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<sup>380</sup> *Danas* [in Serbian] (3 August 2004); *Kontakt Plus* [in Serbian] (6 August 2004, 14 October 2004); *AFP* (17 October 2004, 20 October 2004); *FoNet* [in Serbian] (22 October 2004, 24 October 2004).

<sup>381</sup> *FoNet* [in Serbian] (24 October 2004, 27 October 2004); *RTS Radio Belgrade* [in Serbian] (25 October 2004); *Glas Javnosti* [in Serbian] (26 October 2004); *Kontakt Plus* [in Serbian] (2 November 2004); *B92* (3 November 2004).

<sup>382</sup> *FoNet* [in Serbian] (15 August 2004, 12 December 2004, 13 December 2004); *Koha Ditore* [in Albanian] (12 November 2004).

*M* and the self-declared Association of Serb Municipalities in northern Kosovo. Both groupings were supported by Belgrade politically and materially via parallel institutions run by Serbian ministries. Notably those early Kosovo Serb political elites who emerged, particularly in the northern Kosovo factions, held key posts in parallel institutions giving them direct links to Belgrade and distributable patronage resources to build local support bases.

### ***7.1.2 Institutional Divergence Under the Boycott Policy***

The March 2004 ethnic riots in Kosovo undid the limited progress that had been achieved in securing cooperation from the *KP*. Though the Serbian Government under the *DSS* had begun to discourage cooperation through sanctions against Serbs taking UNMIK contracts and strengthening parallel institutions in 2003, it responded to the 2004 riots by calling for a blanket boycott policy of UNMIK-run institutions. Serb officers quit the KPS en masse and the *KP* left Kosovo's assembly in protest. The 2004 riots reinforced the hardline position held by the northern Kosovo Serb leaders that UNMIK and KFOR could not be trusted to protect them, something further illustrated by the fact that the riots only marginally affected northern Kosovo compared to the disparate Serb enclaves south of the Ibar/Ibër River. Furthermore, the displacement of ~4,000 Serbs and destruction of their homes reinforced the process of ethnic unmixing and their confinement to distinct enclaves reminiscent of the effects of violence in 1999-2000 (UNSC July 2004; November 2007; Dahlman & Williams 2010).

In the absence of cooperation in UNMIK-run institutions, Belgrade strengthened the presence of its parallel institutions in Serb-inhabited areas, though UNMIK had reported an increased presence of parallel institutions beginning in late 2003. Parallel institutions were run primarily out of northern Kosovo and Gračanica/Graçanicë, which Serbs claimed to be the

capital of Kosovo, dislocated from nearby Prishtina after 1999 (UNSC February 2005). Administrative posts in Kosovo were directly appointed by the Coordination Centre and often rotated as a part of coalition bargaining or “buying off” local elites. Parallel institutions employed 5,340 Kosovo Serbs in full-time posts in the fields of municipal administration, healthcare, education, postal service, telecommunications, and the *MUP*-run fields of records and documents, police, and emergency response services. In addition, The Serbian Ministry of Defense operated civil protection units in Kosovo at the municipal-level, often consisting of a few full-time employees in each municipality, and dozens of part-time employees, who were often also employed in education or healthcare facilities. Ostensibly an emergency response force for natural disasters, civil protection was regarded both by UNMIK and Kosovo Serbs as auxiliary or paramilitary security force with a hierarchical structure and paid personnel capability of rapidly mobilizing roadblocks or mobs (Wall et al. 2008; Aktiv 2014; KCSS 2014). By the conclusion of the Brussels Agreement in 2013, civil protection units in Kosovo had 762 paid personnel (UNSC April 2015).<sup>383</sup>

Funding for parallel institutions was provided either through official line ministry budgets or more covert, often fraudulent transfers from Belgrade. For example, the budgets of Serbia’s Ministries for Health and Education included funding for hospitals and schools in Kosovo. Less transparent transfers were made via fictitious public enterprises in Kosovo, such as the Prishtina airport and power plants in Obilić/Obiliq which in reality Serbia had ceased to operate in 1999, but continued to receive official funding for. Most of these supposedly public enterprises were registered to the same address in Gračanica/Graçanicë, and funds transferred to

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<sup>383</sup> *B92* (21 September 2005); *FoNet* [in Serbian] (4 October 2005, 27 November 2006); *Kontakt Plus* [in Serbian] (25 October 2005); *Koha Ditore* [in Albanian] (26 June 2006, 1 July 2006, 1 March 2008, 22 December 2008); *Glas Javnosti* [in Serbian] (10 February 2009); *Danas* [in Serbian] (10 April 2009).

them disappeared to be used to pay unofficial employees or to be transferred back to local leaders or back to Serbia as “political contributions.”<sup>384</sup> On other occasions, UNMIK stopped truckloads of Serbian dinars, earmarked for pensions, being shipped to Kosovo (UNSC April 2006).

The majority of parallel funding went to salaries and welfare benefits, with parallel employees receiving 200 percent salaries compared to employees in Serbia-proper. When the *DS*-led government in Serbia attempted to reduce this to 150 percent salaries in 2008, it faced widespread opposition among Kosovo Serbs. In 2008-09, the reduction of parallel salaries by the *DS* government triggered protests in Serb municipalities.<sup>385</sup> As the Serbian Government itself acknowledged in 2008-09, much of this funding was deadweight. Belgrade continued to pay the salaries of administrators who had fled Kosovo in 1999, purportedly administering municipalities where Serbs no longer lived or public enterprises no longer operating in Kosovo. Misuse of parallel funding or fraud was facilitated by a lack of oversight in Serb enclaves where UNMIK had limited authority and parallel police worked more to protect the status quo and the existing power-holders than to undermine their influence. Ultimately this system of parallel funding and institutions kept key Kosovo Serb constituencies and elites tied to Belgrade, and coupled with the threat of sanctions, such as losing employment or welfare benefits discouraged cooperation with UNMIK.

The boycott policy from Belgrade was not universally supported amongst Kosovo Serb factions. While the more intransigent factions and their institutions in northern Kosovo, which had boycotted elections in 2001-04 and worked to obstruct UNMIK and KFOR operations,

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<sup>384</sup> Transcripts of *Insajder* series [in Serbian] “PATRIOTSKA PLJAČKA” 2011.

<sup>385</sup> *Blic* [in Serbian] (6 April 2008); *Dnevnik* [in Serbian] (26 November 2008); *FoNet* [in Serbian] (11 December 2008, 26 October 2008); Interview with Oliver Ivanović, *RTS Radio Belgrade* [in Serbian] (4 March 2009); *Beta* [in Serbian] (10 June 2009).



welcomed the boycott policy, the more moderate *SLKiM* opposed it. The *SLKiM* leadership called for Belgrade to end the boycott in 2005 and engage in serious talks rather than pandering to nationalists, and opposed the use of sanctions on Serbs who took UNMIK contracts, believing that it disproportionately harmed Serbs in rural villages or southern enclaves where parallel institutions had less presence. Oliver Ivanović and Randel Nojkić, the *SLKiM* leaders, believed Belgrade had sacrificed its position in talks to appease nationalists in the *DSS* and the boycott policy was benefitting only hardliners in northern Kosovo. They believed that the Coordination Centre and later the Ministry for Kosovo and Metohija, led by *DSS* officials Sanda Rašković-Ivić and Slobodan Samardžić, was being used to reward *DSS* allies in Kosovo and strengthen *DSS* support in northern Kosovo.<sup>386</sup> Nojkić, who believed the boycott was intentionally stripping Serbs of their agency in Kosovo, broke with Belgrade in March 2006 and resumed participation as an independent in Kosovo's assembly.<sup>387</sup> This triggered a split within the *SLKiM*, between a faction supporting Belgrade and Nojkić's faction, leading to the *SLKiM*'s collapse in 2007.<sup>388</sup> Nojkić's faction, remained active in UNMIK's institutions, including taking administrative roles in municipal governments, while many in Ivanović's faction who supported Belgrade regardless of opposition to the boycott were appointed to parallel administrative posts including Ivanović and Goran Bogdanović who were appointed to head the Serbian Ministry for Kosovo and Metohija after the *DS*'s victory in Serbia's 2008 elections.

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<sup>386</sup> *Glas Javnosti* [in Serbian] (11 October 2005, 3 June 2006); *KosovaLive* (19 October 2005); *Politika* [in Serbian] (20 April 2006, 27 January 2007, 9 September 2008); *RTS Radio Belgrade* [in Serbian] (8 August 2006); *Dnevnik* [in Serbian] (22 November 2006, 19 May 2008); *FoNet* [in Serbian] (28 December 2007, 30 April 2008, 23 June 2008, 30 June 2008).

<sup>387</sup> *SRNA* [in Serbian] (6 March 2005, 21 July 2005); *B92* (28 March 2005, 29 June 2005, 7 March 2006); *KosovaLive* (10 May 2005); *Beta* [in Serbian] (26 May 2005); *Politika* [in Serbian] (6 March 2006).

<sup>388</sup> *Politika* [in Serbian] (4 August 2007); Interview with Oliver Ivanović, *Express* [in Albanian] (5 August 2007); *Associated Press* (13 September 2007); *Radio-Television Kosovo* [in Albanian] (15 September 2007).

The northern Kosovo Serb institutions, the *SNV-M* and Association, opposed both UNMIK and KFOR operations in northern Kosovo, and the *SLKiM* for its moderate/cooperative position. Serbs participating in UNMIK-run institutions and members or supporter of the *SLKiM* were targets of bomb attacks and shootings in 2005-07, attributed by police the “dominant political structures in the north.” When Randel Nojkić broke with the boycott policy in 2006 and returned to Kosovo’s assembly, he was denounced by the *SNV-M* leadership as “a traitor working against the Serbian people.”<sup>389</sup> These political elites retained the capacity to mobilize unrest and violence, often in concert with criminal gangs in northern Kosovo, the most notorious of which was led by Zvonko Veselinović and his deputy Milan Radoičić. Violence and criminality was facilitated by politicized policing and availability of unregulated funding from Belgrade.<sup>390</sup> The Association declared a “state of emergency” in northern Kosovo and mobilized roadblocks to bar UNMIK/KFOR access in 2006 and in protest of the Ahtisaari Plan in 2007. When Kosovo unilaterally declared independence in 2008, these groups attacked the customs gates on the border/boundary with Serbia and seized the Mitrovica courthouse.<sup>391</sup> After 2008, they opposed cooperation with EULEX, despite Belgrade agreeing to its deployment in October 2008.<sup>392</sup>

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<sup>389</sup> *Associated Press* (5 February 2005, 4 July 2005), *KosovaLive* (4 July 2005); *Radio-Television Kosovo* [in Albanian] (28 October 2006); Interview with Rada Trajković, *Dnevnik* [in Serbian] (28 December 2006); *FoNet* [in Serbian] (16 November 2007).

<sup>390</sup> *Balkan Insight* report (16 January 2019).

<sup>391</sup> *FoNet* [in Serbian] (13 June 2005, 3 January 2007); *AFP* (5 June 2006); *Kontakt Plus* [in Serbian] (8 June 2006); *Beta* [in Serbian] (25 September 2006); *Dan* [in Serbian] (5 March 2007); *Associated Press* (27 February 2008); *Politika* [in Serbian] (7 March 2008); *Reuters* (17 March 2008).

<sup>392</sup> *FoNet* [in Serbian] (2 October 2008, 30 October 2008).

Table 7.3. Parallel Mayors, elected 2008.

Municipality (Year)	Mayor (Party)
North Mitrovica	Nenad Topličević (SRS)
Leposavić/Leposaviq (2008)	Vlastimir Ratković (SRS)
Štrpce/Shtërpca	Zvonko Mihajlović (SRS)
Zubin Potok (2008)	Slaviša Ristić (DSS)
Zvečan/Zveçan (2008)	Dragiša Milović (DSS)

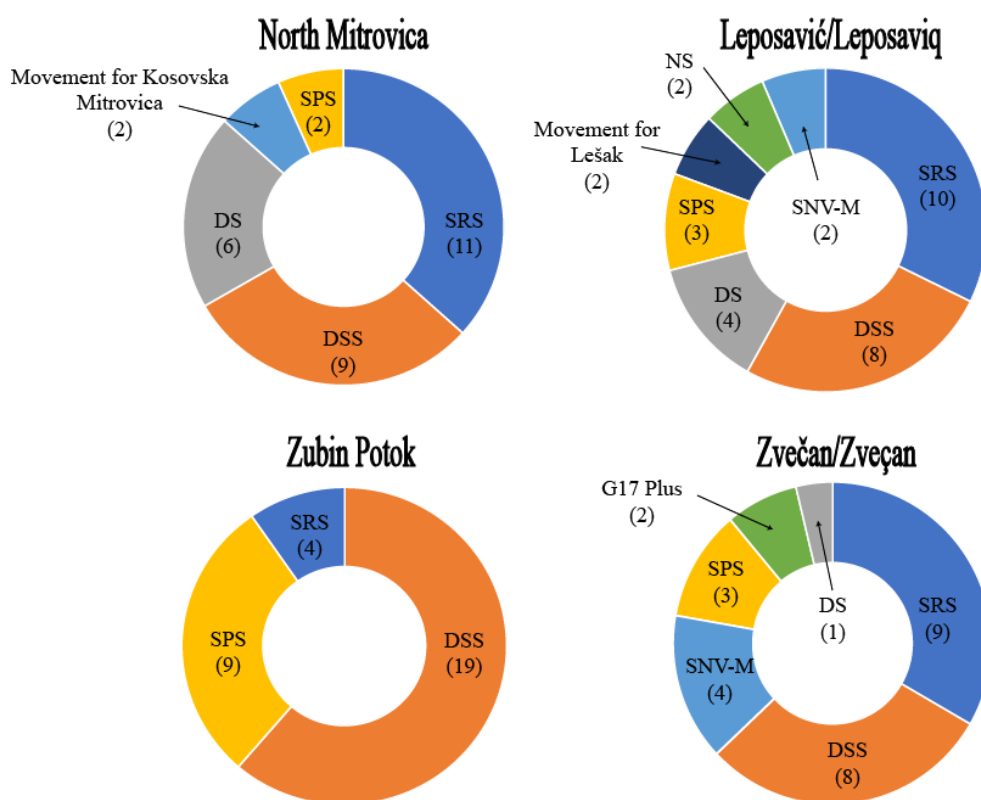


Figure 7.1. Parallel Municipal Assemblies, elected 2008.

Institutional divergence between parallel and UNMIK-run institutions, as well as the dominance of the Serbian nationalist opposition in Kosovo, was reinforced by Belgrade's holding of parallel elections in Kosovo in May 2008. Ignoring warnings that holding parallel elections was a violation of UNSCR 1244, Belgrade organized municipal elections in Serb-

inhabited areas of Kosovo as part of the 2008 local and general elections. Prior to 2008, Serb municipal authorities had been appointed directly by Belgrade, while UNMIK had appointed its own set of Serb municipal authorities in the absence of election participation. After the 2008 elections, Kosovo Serb municipal-level governance was dominated by the *DSS* and *SRS*, both in opposition to the *DS*-led government in Belgrade. This included three *SRS* and two *DSS* mayors and a preponderance of seats in the municipal assemblies in northern Kosovo.<sup>393</sup> The *SNV-M* campaigned against the *DS* in Kosovo, which they claimed was engaged in “anti-Serb activities.” Numerous irregularities were reported during the parallel elections, such as moderate and *SLKiM* supporters, including Randel Nojkić, being purged from voting rolls, and another instance in which parallel police kidnapped the political opponent of an incumbent.<sup>394</sup>

Following these elections, the northern municipal governments, convened a joint assembly which declared itself to be autonomous and denounced the authority of Prishtina and EULEX as “foreign occupiers on Serbian territory” - closely mirroring the rhetoric of *SRS* in Belgrade.<sup>395</sup> The new assembly declared opposition to the *DS* and Tadić as sacrificing Kosovo for EU accession - the same rhetoric as the *DSS* in Belgrade. It formally opposed cooperation with EULEX and petitioned for its withdrawal, including sending a petition to the Russian embassy in Belgrade, having deemed the *DS*-led government to be treasonous.<sup>396</sup> Tadić and the *DS* rejected the authority of the assembly as an “illegitimate opposition-run project” and

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<sup>393</sup> According to anecdotal reports, only the northern municipalities had sufficient turnout and organization to hold assembly elections. Belgrade did not recognize the same administrative divisions as Prishtina and continued to appoint officials in other areas with low Serb populations.

<sup>394</sup> *AFP* (28 June 2008); *FoNet* (22 August 2008); *Kontakt Plus* [in Serbian] (4 December 2008).

<sup>395</sup> The joint assembly, which replaced the existing assembly of the Association, was formed in February 2008 in response to Kosovo’s declaration of independence, but was reconvened after the 2008 elections with new membership. See: *Reuters* (15 February 2008); *Politika* [in Serbian] (15 February 2008); *Glas Javnosti* [in Serbian] (8 April 2008); *Kontakt Plus* [in Serbian] (11 June 2008).

<sup>396</sup> *Kontakt Plus* [in Serbian] (4 December 2008, 22 January 2009, 10 March 2009, 28 July 2009, 21 August 2009, 31 August 2009); *Glas Javnosti* [in Serbian] (18 September 2009).

attempted to curb its influence in Kosovo by dissolving the municipal councils and replacing them with interim administrators. However, their authority was rejected by the northern Serb leaders and the municipal governments and parallel assembly continued to operate.<sup>397</sup>

In addition to loss of input in decision-making in Prishtina, noted by the *SLKiM*, an effect of the institutional divergence during the period was loss of access to basic utilities and public services in Serb-majority municipalities and villages. Parallel municipal authorities refused to sign contracts with Kosovar utility providers, believing it would implicitly recognize Kosovo's sovereignty, independent of Serbia. This resulted in certain services being cut off for non-payment, including electricity from the Kosovo Energy Corporation (*KEK*) and phone service from the Ministry of Transport and Telecommunications. Power cuts and shutting down illicit Serbian telecoms equipment in Kosovo resulted in basic services being unable to function in Serb-inhabited areas, including those provided by parallel institutions such as healthcare and education, as well as private businesses (UNSC November 2006; June 2007; June 2009). While this resulted in protests against UNMIK and Prishtina, it was also indicative of a declining quality of life in Serb-inhabited areas.

In sum, Belgrade's boycott policy from 2004-09 resulted in further factionalization of Kosovo Serbs politics. The most cooperative faction of the *KP*-turned-*SLKiM* broke with Belgrade in 2006 and its notable officials returned to UNMIK-run institutions. The other *SLKiM* faction favored cooperation but refused to break with Belgrade and was later coopted into parallel and official positions. The intransigent factions, especially in northern Kosovo remained, albeit strengthened through increased funding from Belgrade and political patronage from the

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<sup>397</sup> *B92* (26 June 2009, 28 June 2009, 13 July 2009); *Politika* [in Serbian] (1 July 2009); *Koha Ditore* [in Albanian] (3 July 2009); Interview with Goran Bogdanović, *RTS Radio Belgrade* [in Serbian] (17 July 2009); *Kontakt Plus* [in Serbian] (17 July 2009).

*DSS*. Importantly, by the end of 2008, the latter faction had not only diverged from UNMIK-run or Prishtina's institutions, but from Belgrade's as well, rejecting the authority of the *DS* government.

### ***7.1.3 Diverging Serb Factions During the EU-Mediated Dialogue, 2009-13***

Serbia agreed to EU mediation with Prishtina in 2010 after the ICJ's advisory opinion upholding the legality of Kosovo's unilateral declaration of independence. As outlined in the previous chapter, the progress of mediation was linked directly to Serbia's EU membership, not only in its participation, but implementation of mediated agreements within the Kosovo Serb community. Belgrade continued its boycott policy of Kosovo's institutions and elections, despite condemnation from the EU in 2010, and continued to employ large numbers of Serbs in parallel functions. However, by the time the first phase of EU mediation began in 2011, Belgrade had lost much of its influence with Kosovo Serbs to two distinct political factions.

Belgrade continued to transfer large amounts of resources and support to parallel institutions in Kosovo under the *DS*, despite its recognition in 2009 of wastefulness and fraud plaguing the parallel system. Its decision to reduce parallel salaries and cut administrative positions performing no functions were protested by Serbs in Kosovo as "abandonment" or "surrender" but ultimately implemented.<sup>398</sup> Parallel institutions continued to employ ~3450 Serbs in administrative posts in in Kosovo, with 750 supposedly in municipalities with no Serb inhabitants, with salaries totaling 13 million euro annually. Since increasing parallel governance under the *DSS* in 2003, Belgrade had spent 6 billion euro on parallel institutions, most of which

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<sup>398</sup> Interview with Oliver Ivanović, *RTS Radio Belgrade* [in Serbian] (4 March 2009); *Beta* [in Serbian] (10 June 2009).

went to salaries and welfare benefits.<sup>399</sup> This kept large numbers of Serbs, especially in northern Kosovo, tied to Belgrade and the Serbian state, not only emotionally and through national affinity, but through economic dependence as well.<sup>400</sup>

These institutions included parallel security structures in contravention of UNSCR 1244, which purportedly “policed” Serb-inhabited areas, but were closely aligned with political institutions, especially in northern Kosovo. Civil protection units were often headed and filled by party activists as reward for political affiliation and loyalty, and were involved alongside organized crime groups in mobilizing roadblocks and civil unrest after Kosovo’s declaration of independence in 2008 and during the Technical Dialogue in 2011.<sup>401</sup> Serb members of the KPS were simultaneously employed by *MUP*. During a series of organized crime arrests in northern Kosovo in October 2010, EULEX reported that Serb KPS officers, clandestine *MUP* officers, and organized crime groups all operated seamlessly with one another. Clandestine *MUP* officers, often operating in plain clothes and unmarked cars were reportedly running unofficial checkpoints, informing on Serbs to parallel officials, and harassing and threatening moderate Serbs cooperating with Prishtina.<sup>402</sup> Despite the presence of these institutions, especially in northern Kosovo, two notable Kosovo Serb factions diverged from Belgrade’s preferences.

On the one side was the Independent Liberal Party (*SLS*) and local moderate parties, or “Civic Initiatives,” which ran successfully in Kosovo’s 2009-10 local elections and 2010 assembly elections. Formed in 2006 by Slobodan Petrović, the *SLS* ran with eight smaller Serb parties in assembly elections in 2007 on a platform of improving living conditions for Serbs

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<sup>399</sup> *Blic* [in Serbian] (17 January 2010); *Global Insight* (23 August 2010); *B92* (26 August 2010); *Koha Ditore* [in Albanian] (16 May 2011).

<sup>400</sup> Author interview, Mitrovica North, 2022.

<sup>401</sup> Interview with Aleksandar Vulin, *B92* (10 November 2012); *Koha Ditore* [in Albanian] (16 November 2012, 19 November 2012); *RFERL* (1 December 2012).

<sup>402</sup> *Koha Ditore* [in Albanian] (27 February 2010, 5 October 2010, 27 December 2010, 1 November 2012); *Express* [in Albanian] (15 June 2011); *Politika* [in Serbian] (9 July 2011).

regardless of Kosovo's status. This was not to say that it supported independence, and it boycotted the assembly in 2007-08 in protest of the Ahtisaari Plan and the unilateral declaration of independence.<sup>403</sup> Rather the *SLS* leadership opposed the parallel institutions as led by self-serving party loyalists and kleptocrats and called for Serbs to vote to solve their own problems in Prishtina rather than relying on Belgrade. As supporters in Gračanica/Graçanicë argued, they had followed Belgrade's boycott for years and received no benefits, being told to reject UNMIK contracts, but not receiving parallel employment in return, while parallel posts were doled out to *DSS* and *SRS* activists.<sup>404</sup> Belgrade branded the *SLS* as "non serious" and labeled its leaders as compromised "Albanian-Serbs unable to represent true Serb interests" - hence denying their membership in the national group. Similarly hardliners and Belgrade-appointed Serbs in Kosovo, such as Marko Jakšić, denounced the *SLS* as "national traitors," informed on its supporters to Belgrade, and called for *SLS* supporters and officials to be sanctioned.<sup>405</sup> Amid the ongoing boycott, enforced by parallel officials and the threat of losing one's livelihood or welfare benefits from Belgrade, the *SLS* polled poorly in the 2007 elections, but did claim the seats and posts reserved for Serbs in the PISGs.<sup>406</sup>

The position of the *SLS* and other moderate parties and Civic Initiatives improved markedly in 2009-10 after the creation of Serb-majority municipalities in Gračanica/Graçanicë, Klokot/Kllokot, Novo Brdo/Novobërda, Parteš/Partesh, Ranilug/Ranillug, and Štrpce/Shtërpca in-line with the Ahtisaari Plan. This created smaller administrative divisions in which Serbs

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<sup>403</sup> The *SLS* also attracted support from non-Serb slavic minorities, such as the Bosniak and Gorani communities. See: *KosovaLive* (18 April 2006, 7 February 2008); *Koha Ditore* [in Albanian] (4 September 2006, 12 September 2007, 14 January 2008); *Blic* [in Serbian] (20 November 2007).

<sup>404</sup> *FoNet* [in Serbian] (2 May 2006, 20 September 2007); *B92* (13 March 2008); *Blic* [in Serbian] (16 March 2008); *Beta* [in Serbian] (5 March 2009).

<sup>405</sup> *Beta* [in Serbian] (12 October 2007, 3 April 2008); *Dnevnik* [in Serbian] (15 October 2007); *B92* (13 December 2007).

<sup>406</sup> *KosovaLive* (21 November 2007).



could form municipal governments and have access to funding via Prishtina, including from international donors, for development, public works, and distributable posts in the municipal civil service (Jackson 2021a).<sup>407</sup> This change was illustrated by former-*SNV-KiM* head Rada Trajković who refused to vote in 2007 specifically because Gračanica/Gračanice had not been made a separate municipality/electoral district, but in 2009 ran for mayor of Gračanica/Gračanice in Kosovo's local election.

In the 2009 elections, the *SLS* campaigned on the insufficiency of Belgrade's policies, and that Serbs "could not survive on protests alone." This was in reference to the power and telecommunications cuts to Serb-inhabited villages, which had refused to sign contracts with Kosovar providers in protest of independence, at Belgrade's urging. *SLS* officials, including Slobodan Petrović, had served as intermediaries for smaller Serb villages to negotiate utilities contracts after 2007.<sup>408</sup> In other municipalities, including Štrpce/Shtërpca, thousands of Serbs had registered for official Kosovo documents and ID cards to qualify for social and welfare benefits from Prishtina.<sup>409</sup> The *SLS* and Civic Initiatives performed well in the 2009-10 elections, winning the mayorships and council majorities in the newly formed Serb-majority municipalities. Bratislav Nikolić, won a runoff election in December 2009 against an Albanian candidate, receiving more than 4,000 votes, tripled his return in the first round of elections two weeks before. Nikolić declared himself to be the more legitimate mayor of Štrpce/Shtërpca than

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<sup>407</sup> Moderate Serbs had previously reported being marginalized in larger municipal councils, including being barred from speaking or attending sessions, or from participating in any functions not directly mandated by UNMIK. In other instances they had also been excluded from the practice of "fair share financing" by which minority ethnic communities were allotted a share of the municipal budget for communal use. This had disenchanted moderates and discouraged participation in municipal governance.

<sup>408</sup> *Blic* [in Serbian] (22 March 2009); *RTS Radio Belgrade* [in Serbian] (5 May 2009); *Express* [in Albanian] (21 June 2009); *AFP* (16 November 2009); Interview with *SLS* head Slobodan Petrović, *Danas* [in Serbian] (9 December 2010)

<sup>409</sup> Ahead of the 2009 elections, parallel officials in Štrpce/Shtërpca reported more than 2,000 local Serbs, mostly pensioners, had accepted official documents from Prishtina in order to register for welfare benefits and social services. See: *Glas Javnosti* [in Serbian] (9 September 2009).

the SRS parallel mayor Zvonko Mihajlović, who had won only 1,270 votes in the 2008 parallel election.

The outcome of the 2009-10 elections was that moderate Serbs, who had previously been marginalized both in Albanian-majority municipalities and by Belgrade under the threat of sanctions, attained positions of influence in new municipalities with institutionalized hierarchical linkages to Prishtina (Jackson 2021a). They justified positions as unrelated to geopolitical questions of Kosovo's status, and as working to benefit Serbs, especially those in southern municipalities, after a decade of mismanagement from Belgrade.<sup>410</sup> The newly elected government in Gračanica/Graçanicë rejected the authority of parallel institutions, including judges and police and affirmed support for the Ahtisaari Plan as a practically beneficial settlement. While it formally did not recognize Kosovo's independence, it confirmed that Gračanica/Graçanicë would pay taxes solely to Prishtina, signed water and power contracts with Kosovar providers, and initiated 37 centrally-funded infrastructure projects by the end of 2010.<sup>411</sup> Similarly in Štrpce/Shtërpca, the new municipal government ordered the parallel institutions to close, removed Serbian government symbols, and locked parallel officials out of the municipal offices. When Serbian Minister for Kosovo and Metohija, and former-*SLKiM* official, Goran Bogdanović attempted to mediate the dispute between the mayors in Štrpce/Shtërpca, Nikolić refused to meet with him and the KPS expelled him.<sup>412</sup> The newly elected mayor of Partesh/Partesh likewise kicked out the parallel officials and supported banning Serbian political officials from visiting Kosovo as a source of instability.<sup>413</sup> In the 2010 Kosovo

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<sup>410</sup> Interview with Slobodan Petrović, *Koha Ditore* [in Albanian] (23 April 2010); *RTK* [in Albanian] (16 April 2012).

<sup>411</sup> *RTK* [in Albanian] (6 January 2010); *Glas Javnosti* [in Serbian] (11 January 2010); *FoNet* [in Serbian] (11 May 2010); *Koha Ditore* [in Albanian] (5 July 2010); *AFP* (12 August 2010).

<sup>412</sup> *AFP* (13 January 2010); *B92* (13 January 2010, 18 January 2010); Interviews with Bratislav Nikolić, *Express* [in Albanian] (17 January 2010); *Koha Ditore* [in Albanian] (15 October 2010).

<sup>413</sup> Interviews with Nenad Cvetković, *FoNet* [in Serbian] (16 June 2010); *RTK* [in Albanian] (22 June 2010).

assembly elections, 10 Serb parties registered and ran, and Prishtina reported official Serb turnout at 40 percent, which though disputed by Belgrade, was higher than prior elections, including those endorsed by Belgrade in 2001-02 (UNSC January 2011).<sup>414</sup>

Table 7.4. Serb-Majority Municipal Mayors, elected 2009-10.

<b>Municipality</b>	<b>Mayor</b>
Gračanica/Gračanice	Bojan Stojanović ( <i>SLS</i> )
Klokot/Kllokot	Saša Mirković ( <i>SLS</i> )
Novo Brdo/Novobërda	
Parteš/Partesh	Nenad Cvetković ( <i>Zavičaj</i> ) <sup>415</sup>
Ranilug/Ranillug	Gradimir Mikić ( <i>Gizor</i> ) <sup>416</sup>
Štrpce/Shtërpca	Bratislav Nikolić ( <i>SLS</i> )

<sup>414</sup> *Politika* [in Serbian] (13 November 2010); Interview with Slobodan Petrović, *Danas* [in Serbian] (9 December 2010); *FoNet* [in Serbian] (12 December 2010); *Koha Ditore* [in Albanian] (13 December 2010).

<sup>415</sup> Nenad Cvetković had served as deputy mayor of Gjilan/Gnjilane prior to his election as mayor of Parteš/Partesh in 2010.

<sup>416</sup> Gradimir Mikić was a former *SPO* official and ally of Randel Nojkić who had run with *SLKiM* in 2004 and served as deputy mayor of Kamenica from 2008-09. Upon his election in Ranilug/Ranillug he vowed to close parallel institutions which he denounced as illegal and signed memorandums on cooperation with Kamenica and Gjilan/Gnjilane: *Koha Ditore* [in Albanian] (28 December 2009).

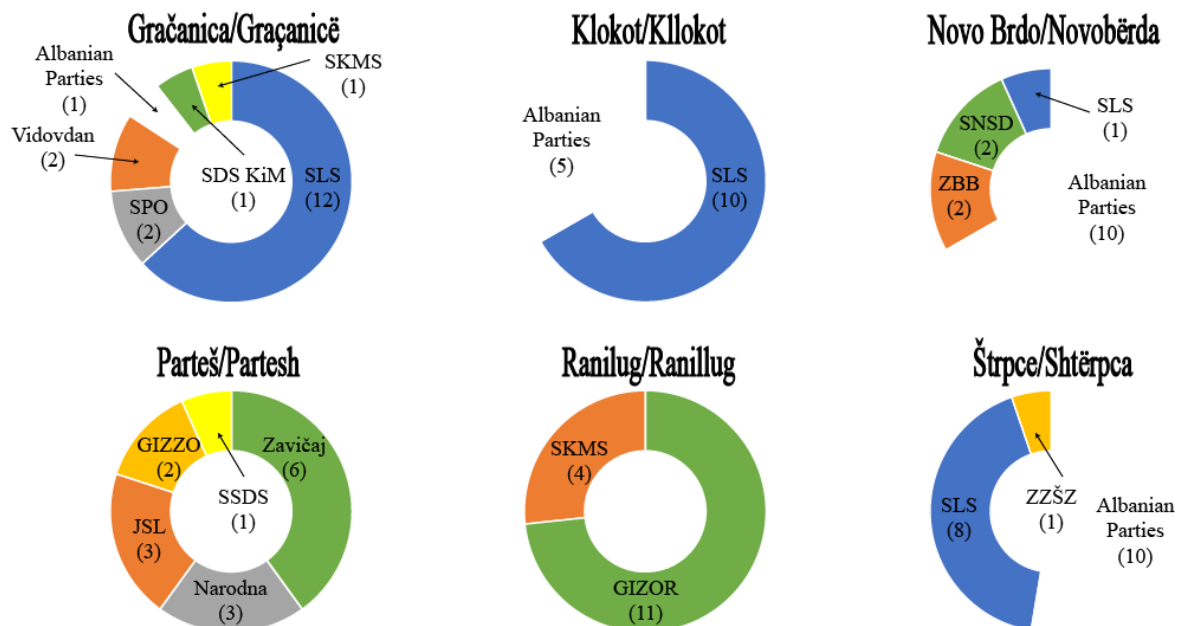


Figure 7.2. Serb-Majority Municipal Assemblies, elected 2009-10.

While the *SLS* and other moderate parties had upended Belgrade's boycott policy in 2009-10 through commitment to Kosovo's independent institutions, the other faction that Belgrade had lost control of, was the hardliners in northern Kosovo, embodied in the *SNV-M* and parallel assembly declared in 2008. This faction opposed all cooperation with Prishtina and EULEX, enforced a boycott of the 2010 elections in northern Kosovo, and called for Serb parties cooperating with Prishtina or running elections to be sanctioned. Additionally, they operated with criminal gangs to target moderate Serbs and Prishtina's institutions. Election-related violence increased in 2010 such as beatings and arson, but included the murder of Bosniak political leader Šefko Salković in northern Kosovo who was running in the 2010 elections, and an attack by gunmen on Bratislav Nikolić's home in Štrpce/Shtërpca.<sup>417</sup> When Prishtina opened an administrative office in Mitrovica North, its Bosniak coordinator Adrijana Hodžić, and its Serb staff were targeted in attacks.<sup>418</sup>

<sup>417</sup> *RTS* [in Serbian] (15 March 2010); *RTK* [in Albanian] (5 July 2010); *Kontakt Plus* [in Serbian] (5 July 2010, 15 November 2010); *AFP* (8 December 2010).

<sup>418</sup> *Koha Ditore* [in Albanian] (9 December 2012); *Express* [in Albanian] (26 December 2012).

Though northern Serb leaders - Milan Ivanović, Marko Jakšić, Slaviša Ristić, and Dragiša Milović, all of whom were aligned with the *DSS* politically - had preferences aligned with Belgrade's on certain issues, they generally rejected Belgrade's authority in northern Kosovo. For example, both they and Belgrade opposed the authority of the ICO and Prishtina's proposals for integrating northern Kosovo.<sup>419</sup> However, the northern Serb leaders opposed all cooperation with the EU from Belgrade, including the deployment of EULEX and the opening of an EU office in Mitrovica North.<sup>420</sup> Criminal gangs, who had attacked moderate Serbs, aligned with these leaders likewise set up roadblocks and attacked EULEX patrols in northern Kosovo, notably resulting in the killing of a EULEX customs officer in 2013 attributed to members of Zvonko Veselinović's gang (UNSC May 2011; October 2013). This faction opposed Belgrade's participation in talks with Prishtina and EU mediation, which its leaders dismissed as "treason" and "surrendering Kosovo," and declared Serbian negotiator Borko Stefanović to be *persona non grata*.<sup>421</sup> As Oliver Ivanović conceded ahead of the Technical Dialogue, this animosity towards the *DS* and Belgrade's policies from these institutions was damaging to Serbia's position with the EU and in negotiations.<sup>422</sup>

This lack of influence in northern Kosovo became problematic and damaging for Belgrade during the Technical Dialogue. In July 2011, while talks on customs stamps were ongoing in the Technical Dialogue, northern Serb leaders along with criminal gangs and civil protection units mobilized violent mobs and roadblocks that destroyed the customs gates on the border/boundary with Serbia and blocked access to the border/boundary for EULEX, KFOR, and

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<sup>419</sup> *AFP* (24 March 2010).

<sup>420</sup> Interviews with Marko Jakšić, *RTS Radio Belgrade* [in Serbian] (26 March 2010, 11 July 2010); *Koha Ditore* [in Albanian] (20 December 2010).

<sup>421</sup> *SRNA* [in Serbian] (8 September 2010); *RFERL* (11 September 2010); *Danas* [in Serbian] (4 July 2011); *Politika* [in Serbian] (5 July 2011, 21 October 2011); *Večernje Novosti* [in Serbian] (11 September 2011).

<sup>422</sup> Interview with Oliver Ivanović, *RTS Radio Belgrade* [in Serbian] (20 September 2010).

KPS (UNSC August 2011; October 2011; January 2012). Belgrade identified Zvonko Veselinović's gang as having organized the early mobs and roadblocks to protect its smuggling interests. Veselinović had previously been arrested in Serbia for fraud and had outstanding warrants for organizing riots against EULEX. His criminal associates Slobodan Sovrlić and Milan Radoičić were regarded as local organizers responsible for prior attacks on EULEX and KPS, and as operating closely with parallel officials.<sup>423</sup> Though the trade dispute between Belgrade and Prishtina was resolved in August 2011, the roadblocks and mobs remained mobilized in opposition to customs agreements in the Technical Dialogue, and deployment of ethnic-Albanian KPS officers at the border/boundary.<sup>424</sup>

It was the inability of the *DS* government in Belgrade to control these groups that led to the EU withholding Serbia's candidacy in December 2011. Goran Bogdanović and Borko Stefanović were sent to broker an end to the unrest, but their authority was rejected by northern Serb leaders who opposed them as *DS* agents and believed that Tadić was giving up Kosovo for the EU. In response they mobilized more roadblocks and renewed clashes with KFOR and EULEX in September 2011.<sup>425</sup> *DS* officials believed that the unrest and roadblocks were being fueled by the *DSS* and *SRS* to undermine its position and disrupt relations with the EU. Notably only the *DS* mayor of Leposavić/Leposaviq (elected in recall elections in 2009) agreed to end protests and dismantle roadblocks in October 2011.<sup>426</sup> The seventh round of Technical Dialogue

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<sup>423</sup> *AFP* (25 July 2011); *Reuters* (27 July 2011); *RTS Radio Belgrade* [in Serbian] (29 July); *Blic* [in Serbian] (6 October 2011).

<sup>424</sup> Interview with Borko Stefanović, *Politika* [in Serbian] (4 September 2011); *RFERL* (16 September 2011); *Reuters* (19 October 2011).

<sup>425</sup> Interview with Marko Jakšić, *Danas* [in Serbian] (4 August 2011); Dragiša Milović quoted, *Reuters* (5 August 2011); Interview with Oliver Ivanović, *Koha Ditore* [in Albanian] (10 August 2011); Interview with Goran Bogdanović, *Politika* [in Serbian] (10 August 2011); Interview with Borko Stefanović, *RTS Radio Belgrade* [in Serbian] (17 November 2011); *AFP* (7 October 2011); *B92* (30 November 2011, 1 December 2012).

<sup>426</sup> Interview with Borko Stefanović, *RTS* [in Serbian] (9 August 2011); Interview with Oliver Ivanović, *Danas* [in Serbian] (19 September 2011, 21 September 2011); *AFP* (24 October 2011, 25 October 2011).

was subsequently canceled over the unrest in September 2011, which the EU warned was putting Serbia's EU accession in jeopardy.<sup>427</sup> Roadblocks were removed in December 2011, shortly before Serbia's EU candidacy was withheld at the Berlin Summit but remobilized again in 2012 when KFOR and EULEX redeployed to the border/boundary to close unofficial crossings used for smuggling (UNSC August 2012; November 2012).<sup>428</sup>

In 2012-13, the northern Kosovo Serb institutions more directly rejected Belgrade's authority. In February 2012, the parallel assembly held an unofficial referendum rejecting Prishtina's authority. The *DS* in Belgrade had warned against the referendum as damaging to talks and its relationship with the EU and rejected it as an opposition-run initiative with legal basis, but the northern Serb leaders responded by rejecting the *DS*'s authority and denouncing it as an "unconstitutional government" working to recognize Kosovo's independence.<sup>429</sup> Then in April 2012, parallel officials in northern Kosovo held their own parallel elections in violation of Serbian election law and warnings from Belgrade, which dismissed them as illegal. Northern Serb leaders had sought to prevent Belgrade from appointing *DS*-aligned interim administrators. Though the Serbian Government rejected the results, the *SRS* and *DSS* recognized them and vowed to uphold them if they entered government in Belgrade.<sup>430</sup>

After the election of the *SNS* in 2012, these same Kosovo Serb leaders petitioned the new government not to implement the agreements reached by the *DS* in the Technical Dialogue and refused to recognize the agreement on border/boundary management in particular as ending Serbia's sovereignty in Kosovo. They opposed Belgrade's renewed participation in the Political

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<sup>427</sup> *AFP* (28 September 2011); *Europolitics* (30 September 2011).

<sup>428</sup> *AFP* (11 December 2012); *B92* (23 August 2011).

<sup>429</sup> *B92* (11 January 2012); *Večernje Novosti* [in Serbian] (25 January 2012, 1 February 2012); Interview with Goran Bogdanović, *Danas* [in Serbian] (26 January 2012, 10 February 2012); Boris Tadić quoted, *Danas* [in Serbian] (16 February 2012).

<sup>430</sup> *Danas* [in Serbian] (25 March 2012, 3 April 2012); *Politika* [in Serbian] (16 April 2012, 19 April 2012); Interview with Goran Bogdanović, *RTS* [in Serbian] (17 April 2012).

Dialogue and opposed Tomislav Nikolić's proposed solutions for northern Kosovo.<sup>431</sup> In response to the Brussels Agreement in April 2013, they rejected its provisions, vowing not to recognize them, and mobilized as many as 10,000 protestors in Mitrovica North (UNSC July 2013).<sup>432</sup> In defiance to Belgrade's threats to cut off funding to parallel institutions and hold parallel recall elections to oust the northern leaders, the parallel assembly reconvened in July 2013 and passed a motion both rejecting the terms of Brussels Agreement and its implementation, and formally rejecting Belgrade's authority in northern Kosovo.<sup>433</sup> In response Belgrade dissolved the four municipal governments in northern Kosovo and appointed interim-administrators in August 2013, three months prior to Kosovo's local elections, which Serbs were required to participate in by the terms of the Brussels Agreement.<sup>434</sup> The elections in November 2013 were marred by unrest and violence, including polling stations in northern Kosovo being attacked, but were successfully rerun and the Belgrade-supported Serb List (*SL*) won control of all four municipal governments and mayorships (UNSC January 2014). These elections were run as a part of Kosovo's, not Serbia's, political system and the municipal governments that were elected were a part of Kosovo's institutional organization, per decentralization provided for in the Ahtisaari Plan.

In sum, the period of EU-mediated dialogue coincided with weakened political influence for Belgrade within the Kosovo Serb community. On one side, decentralization had attracted and rewarded moderate Kosovo Serb leaders, such as the *SLS*, who broke with Belgrade's boycott to run in Kosovo's 2009-10 elections. On the other side, Belgrade's engagement with the EU, first

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<sup>431</sup> Interviews with northern Kosovo leaders Slaviša Ristić and Krstimir Pantić, *RTS* [in Serbian] (18 July 2012, 28 November 2012, 24 December 2012, 22 January 2013); *Politika* [in Serbian] (28 November 2012); *B92* (18 January 2013).

<sup>432</sup> Reports on protests, *AFP* (19 April 2013, 22 April 2013).

<sup>433</sup> *AFP* (4 July 2013); *B92* (4 July 2013); *RTS* [in Serbian] (31 July 2013, 2 August 2013).

<sup>434</sup> *Politika* [in Serbian] (21 August 2013, 5 September 2013, 11 September 2013).



to negotiate for EULEX's deployment and an EU office in Mitrovica, and then the EU-mediate dialogue, causes the leaders in northern Kosovo, who primarily supported the opposition *DSS* and *SRS*, to reject Belgrade's authority. In the context of EU mediation, this latter faction played spoiler in agreements, notably using violence to undermine agreements in 2011-12, and refusing to accept the provisions of the Brussels Agreement, including participation in the 2013 elections, which were subsequently disrupted by violence. The outcome, though, with the victory of the *SL* was commitment to Kosovo's administrative institutional organization.

#### ***7.1.4 Minority Autocracy: Serb List Dominance, post-2013***

Following the 2013 municipal elections and 2014 assembly elections in Kosovo, the Belgrade-backed Serb List (*SL*) became the dominant Serb political entity. In 2013 its municipal-level affiliate, Citizens Initiative "Srpska" (*GIS*) won nine of the ten mayorships in Serb-majority municipalities and held the most seats in eight of those ten municipalities (Figure 7.5). *SL* deputies won all ten Serb seats in the Kosovo assembly in 2014 and all the subsequent assembly elections in 2017, 2019, and 2021. By 2021, *SL* held the mayorships of all ten Serb-majority municipalities and outright majorities in nine of the ten municipal assemblies. In total, from 2013-21, *SL* achieved a near full monopoly on Kosovo Serb political representation, holding all national-level Serb seats (10) and 82 percent of seats in Serb-majority municipalities (Figure 7.6).

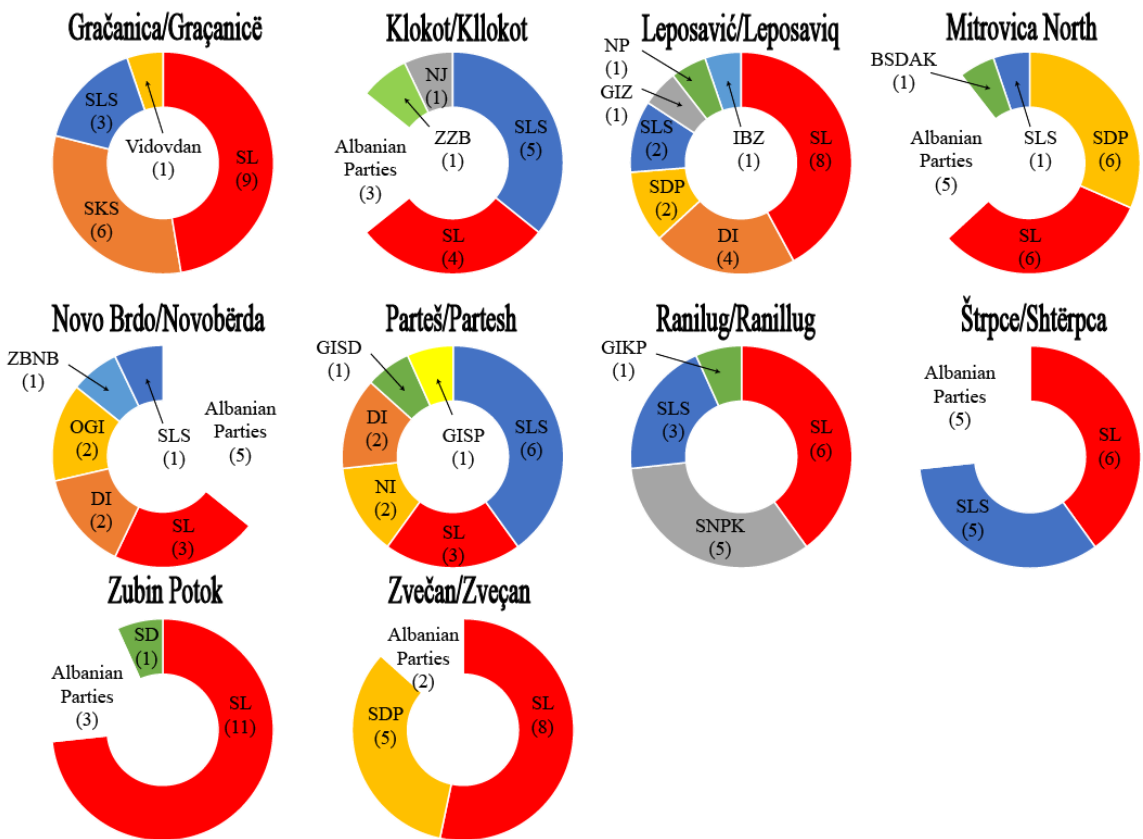


Figure 7.3. Serb-Majority Municipal Assemblies, elected 2013.

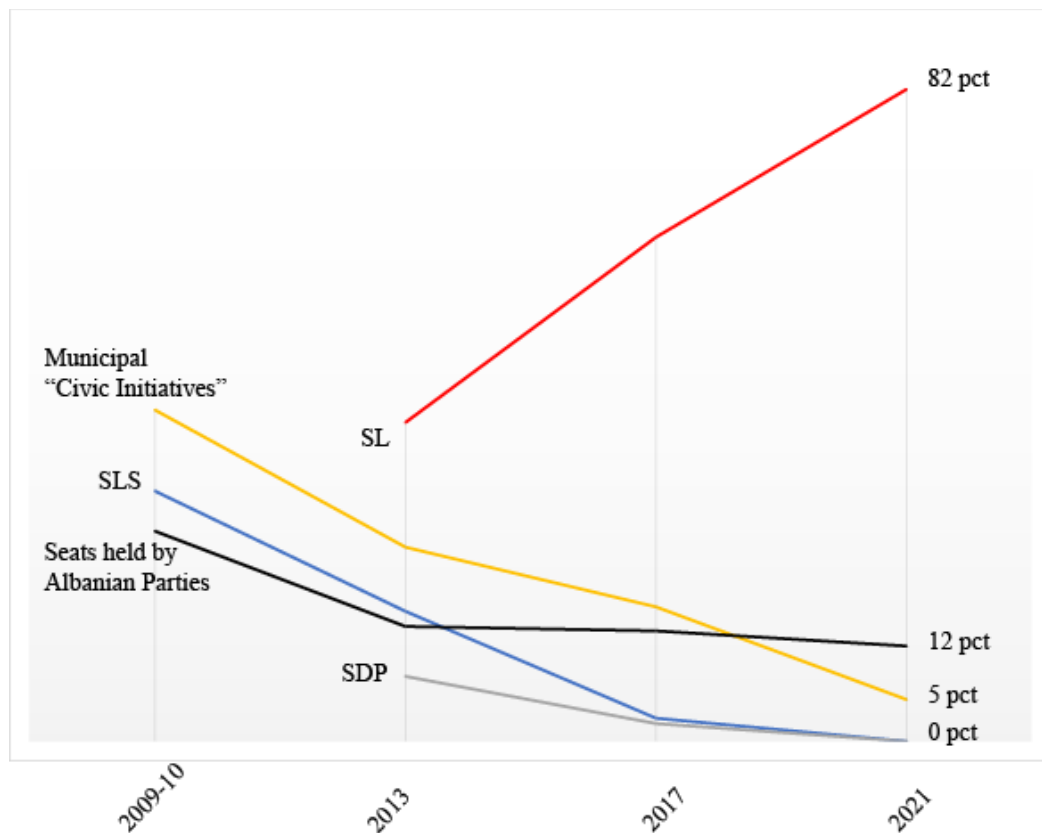


Figure 7.4. Share of Seats in Serb-Majority Municipal Assemblies, 2009-21.

While much of *SL*'s immediate success was due to its backing by the *SNS* and *SPS* in Belgrade ahead of the 2013 elections, its monopoly on Kosovo Serb politics was achieved by coopting three existing institutions. The first institution was political patronage and support from Belgrade that had propped up parallel structures in Kosovo since 1999. A component of this had been the distribution of posts in parallel structures to political allies of Serbian parties. The *SPS* under Milošević had appointed party loyalists as administrators, the *DSS* had appointed party members in northern Kosovo, and the *DS* had recruited its supporters in Kosovo into parallel positions. This practice of patronage was continued after the Brussels Agreement with officials affiliated with the governing coalition in Belgrade, appointed to municipal posts, and then elected alongside former parallel administrators who Belgrade supported in the 2013 elections. For example in August-September 2013, Belgrade dissolved the parallel municipal governments

in northern Kosovo and appointed interim administrations headed by *SNS* and *SPS* appointees.<sup>435</sup>

Three of the four northern Kosovo mayors elected in November 2013 had been appointed in September as interim administrators: Krstimir Pantić from the *SNS* in Mitrovica North, Stevan Vulović from the *SPS* in Zubin Potok, and Dragan Jablanović from in the *SPS* in Leposavić/Leposaviq. The fourth of these appointees, Ivan Todosijević, headed the *SL* ticket in 2017, and was later elected to the Kosovo assembly.<sup>436</sup> Other interim officials who were not elected in 2013-17 were appointed to parallel posts in education, healthcare, or local administration to manage continued transfers and funds from Belgrade after 2013.<sup>437</sup>

In other cases, in the southern municipalities, former parallel administrators and officials who had previously worked for Belgrade were recruited by the *SL*. Branimir Stojanović, the elected mayor of Gračanica/Graçanicë with *SL* in 2013, who also stood in the assembly elections in 2014, had previously been head of the Serbian Office for Kosovo and Metohija in Gračanica/Graçanicë. In the Gračanica/Graçanicë municipal assembly, the leaders of the *SL* ticket had previously been parallel officials appointed by the *SNS*: Vladeta Kostić and Ljubinko Karadžić who had been parallel-appointed administrators for central Kosovo, and Jovica Vasić who had been an appointed hospital administrator.<sup>438</sup> Similarly Svetislav Ivanović who was elected *SL* mayor of Novo Brdo/Novobërda, and Srećko Spasić elected *SL* mayor in Klokot/Kllokot had both previously been parallel administrators appointed by Belgrade.<sup>439</sup> The heads of *LS* tickets in non-Serb-majority municipalities - Gjakova/Đakovica, Klinë/Klina, Rahovec/Orahovac, Peja/Peć, Prishtina/Priština - had all been parallel administrators, and the

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<sup>435</sup> *Politika* [in Serbian] (21 August 2013, 5 September 2013, 11 September 2013).

<sup>436</sup> *Danas* [in Serbian] (25 October 2010); *Politika* [in Serbian] (20 June 2013, 11 September 2013).

<sup>437</sup> Author interview, Mitrovica North, 2022

<sup>438</sup> *Koha Ditore* [in Albanian] (3 May 2013); *Večernje Novosti* [in Serbian] (11 May 2013, 10 August 2013); *Politika* [in Serbian] (4 November 2013).

<sup>439</sup> *Večernje Novosti* [in Serbian] (19 November 2009); *FoNet* [in Serbian] (25 January 2010).

head of the *SL* ticket in Fushë Kosova/Kosovo Polje was the former head of the Serbian electrical workers' union in Kosovo.<sup>440</sup>

The second political institution that was coopted by the *SL* after 2013 was the faction of Kosovo Serb political parties and elites who had participated in Kosovo's institutions during Belgrade's pre-2013 boycott policy. While Belgrade and parallel institutions had had a strong presence in northern Kosovo and Gračanica/Graçanicë, where its appointed officials were elected, it had less influence in the smaller southern municipalities, officially formed after 2009. Elites in municipalities elected in 2009-10 had existing local support bases in the absence of strong parallel institutions and hierarchical relationships with state-level institutions in Prishtina. The coopting of these moderate elites was most evident in the 2014 assembly elections in which *SL* recruited a number of key political elites who had previously participated in Kosovo's assembly with the aim of forming the broadest possible Serb coalition.<sup>441</sup> This included Oliver Ivanović who had headed the *KP* and *SLKiM* before the boycott, and Rada Trajković who had also run with both pre-boycott parties. More notably, the *SL* recruited ten officials from the *SLS* to run in 2014, including its leader Slobodan Petrović who had participated in Prishtina's institutions since 2006. After the election and government formation, Petrović then split with the *SL* after he did not receive a mandate and claimed his recruitment had been a ploy by the *SL* to marginalize the *SLS* and recruit his allies.<sup>442</sup>

The cooption, or recruitment of moderate elites had begun at the municipal level in 2013. Gradimir Mikić who was elected mayor of Ranilug/Ranillug in Kosovo's 2009 elections was re-elected mayor with the *SL* in 2013, and four more members of his party ran for the municipal

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<sup>440</sup> *RTS Radio Belgrade* [in Serbian] (19 January 2006); *Večernje Novosti* [in Serbian] (17 May 2008); *B92* (24 April 2009); *Radio KiM* [in Serbian] (18 August 2013).

<sup>441</sup> *KoSSev* [in Serbian] (11 May 2014); *Radio KiM* [in Serbian] (16 May 2014).

<sup>442</sup> Interview with Slobodan Petrović, *KoSSev* [in Serbian] (8 December 2014).

assembly on the *SL* ticket. The heads of the *SL* tickets in Parteš/Partesh and Štrpce/Shtërpca in 2013 had likewise run Kosovo's 2009-10 elections. Following the 2013-14 elections, *SL* strategically recruited viable opposition candidates in key municipalities. In the southern municipalities, this most notably included Bratislav Nikolić, the *SLS* mayor of Štrpce/Shtërpca elected in 2013 and his deputy Dalibor Jevtić who the *SL* appointed to the post of Minister for Communities and Returns in the central government in 2015, which he had held with the *SLS* prior to the Brussels Agreement. In 2014, the head of the Štrpce/Shtërpca municipal government had split the *SLS* along with four other deputies and in 2017 they headed the *SL* ticket in Štrpce/Shtërpca's municipal elections.<sup>443</sup> In Gračanica/Gračanicë, Novo Brdo/Novobërda, and Parteš/Partesh, the heads of the *SL* tickets the 2017 municipal elections had all been runners up to *SL* candidates in the 2013 mayoral elections.

This practice was also evident in northern Kosovo where the *SL* recruited officials from its main challengers, most notably Oliver Ivanović's "Serbia, Democracy, Justice" party (*SDP*). Ivanović had run for mayor of Mitrovica North in 2013-14, and narrowly lost to *SL* candidates. After the 2013 elections the *SDP* held the same number of seats in the Mitrovica North municipal assembly as the *SL*. However, in October 2014, three *SDP* deputies quit the party to join *SL* and ahead of the 2017 elections three more *SDP* candidates defected to *SL*.<sup>444</sup> Then, in 2019, a year after Oliver Ivanović was assassinated, his successor as *SDP* head Ksenija Božović defected to the *SL*, in exchange for a promise of a national-level post.<sup>445</sup> Similarly, ahead of the 2017 elections in Klokot/Klllokot, the opposition leader whose party was preventing an *SL* majority in the municipal assembly defected to *SL* ahead of a run-off election.<sup>446</sup> Perhaps most

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<sup>443</sup> *Radio KiM* [in Serbian] (31 July 2014).

<sup>444</sup> *KoSSev* [in Serbian] (9 October 2014, 1 September 2017, 19 September 2017).

<sup>445</sup> *KoSSev* [in Serbian] (5 September 2019); Author interview, Mitrovica North, 2022.

<sup>446</sup> *KoSSev* [in Serbian] (17 November 2017).

notable was the recruitment of the former-*DSS* mayor of Zvečan/Zveçan, Dragiša Milović in 2021, who had been a central figure in the *SNV-M* and parallel assembly prior to 2013 and was considered one of the most respected leaders in northern Kosovo.<sup>447</sup> Milović recruitment came after numerous attacks on him, threats against his wife, and eventually the promise of guaranteed mayorship in Zvečan/Zveçan if he joined the *SL*.<sup>448</sup>

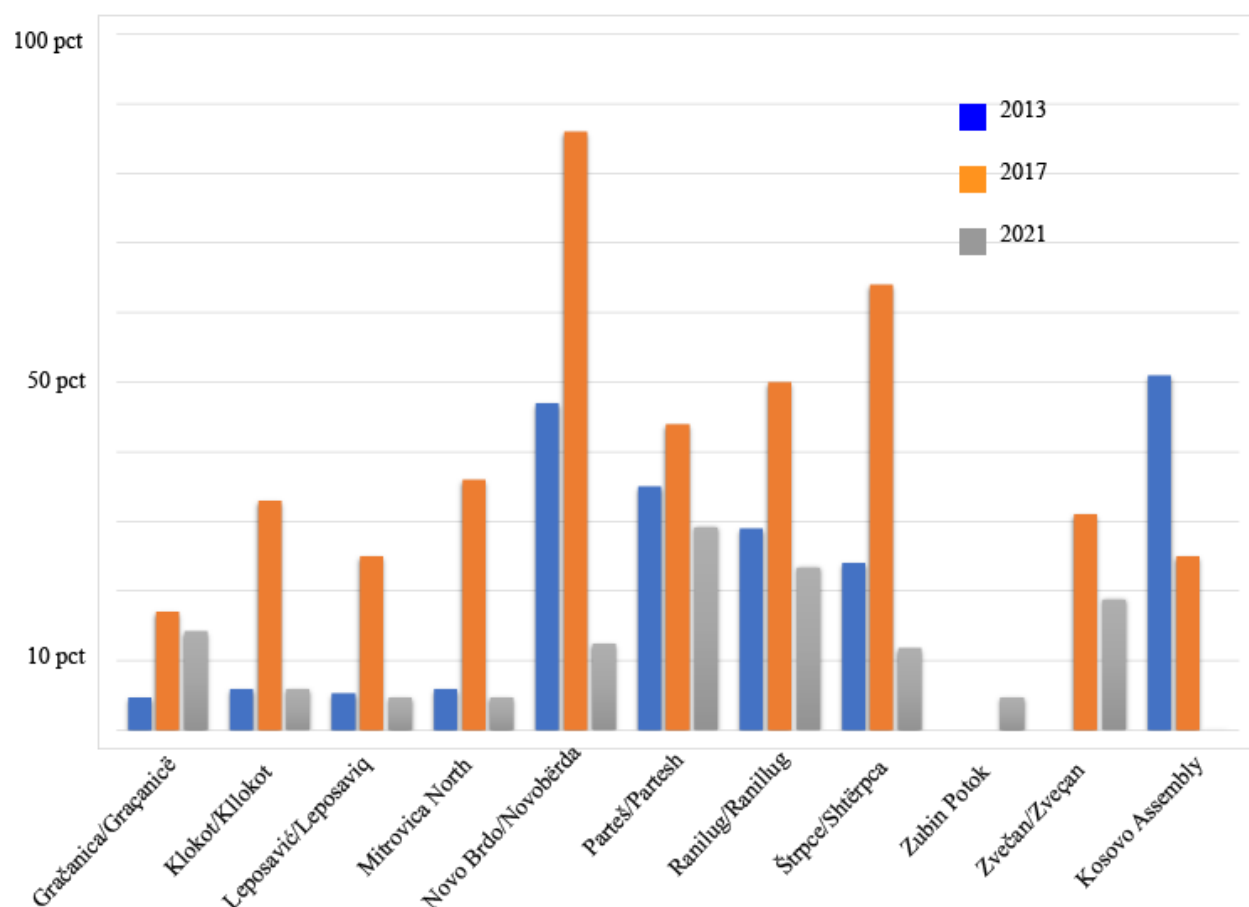


Figure 7.5. Share of New *SL* Candidates Recruited from Other Parties.

<sup>447</sup> *KoSSev* [in Serbian] (4 June 2017).

<sup>448</sup> Author interview, Mitrovica North, 2022.

The third, and related, set of institutions coopted by the *SL* in Kosovo were networks of organized crime and patronage that had existed prior to 2013. Candidates who defected to *SL* from other parties were “bought off” with political posts, guaranteed positions, access to campaign resources including media coverage, or jobs.<sup>449</sup> For example in December 2019 more than 20 *SL* officials were appointed as administrators in local schools and health centers, or to positions at the university in Mitrovica North.<sup>450</sup> Conversely, opposition candidates, particularly from the *SLS* and *SDP*, and their family members and supporters lost jobs or places in schools for running against *SL*. Ahead of the 2017 elections, *SLS* candidates reported losing their jobs with public utility companies, one *SDP* defector reported losing his job as a surgeon, and Dragiša Milović’s wife was fired as director of the Zvečan/Zveçan hospital over his opposition to the *SL*.<sup>451</sup> EU election monitors reported systematic threats and intimidation against non-*SL* candidates and their families to withdraw from elections in 2017, 2019, 2021 (EU EOM June 2017; October 2017; October 2019; November 2021). This was facilitated by the fact that in 2017, still 80 percent of Kosovo Serbs in northern Kosovo were still dependent on salaries, welfare benefits, or social services provided by Belgrade.<sup>452</sup>

In addition to the threat of losing employment or access to services for opposing the *SL*, criminal organizations were coopted to use physical coercion and violence against challengers and to mobilize voters for the *SL*. While the street-level criminal actors were new, replacing those prior to 2013, criminal organizations and cohabitation with political elites were largely the same.<sup>453</sup> This was evident in the *SL*’s recruitment of Milan Radoičić, who was later appointed as

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<sup>449</sup> Author interviews, Prishtina, 2020.

<sup>450</sup> *KoSSev* [in Serbian] (17 December 2019).

<sup>451</sup> Interview with opposition leaders Slobodan Petrović, Nenad Rasić, and Slaviša Petković, *KoSSev* [in Serbian] (9 June 2017); *KoSSev* [in Serbian] (23 May 2017, 31 May 2017, 29 September 2017, 5 October 2017).

<sup>452</sup> *KoSSev* [in Serbian] (18 August 2017); Author interview, Mitrovica North, 2022.

<sup>453</sup> Author interview, Mitrovica North, 2022.



the party's deputy head. Radoičić was believed to be a criminal enforcer or “shadow ruler” in northern Kosovo and a lieutenant in Zvonko Veselinović's organization, which also had close relations with the parallel institutions prior to 2013 and regularly been a target of UNMIK and EULEX organized crime operations. Between 2014-18, 74 shootings or bomb attacks were reported in northern Kosovo, with 49 targeting individual politicians, activists, or employees of Kosovo's institutions, and another 14 targeting private businesses or public offices.<sup>454</sup>

Violence specifically targeted opposition officials. This included attacks on the homes and property of Dragiša Milović whose car was bombed, Aleksandar Jablanović who had split with *SL* to form the Party of Kosovo Serbs (*PKS*) and whose office was shot at and his driver attacked, and Oliver Ivanović whose home was broken into and car bombed.<sup>455</sup> Activists from the *PKS* and *SDP* were attacked and beaten by gangs while campaigning or after rallies, and by 2017 the *SLS* had stopped holding public campaign events to avoid endangering the safety of its candidates and supporters.<sup>456</sup> The most notable instances of criminal intimidation, though, were the assassinations of two political leaders in Mitrovica North, Dimitrije Janićijević and Oliver Ivanović. Janićijević, who ran for mayor of Mitrovica North with the *SLS* in 2013 was murdered by gunmen in January 2014 ahead of a mayoral recall election, having previously been the target of multiple bombings. Similarly, Ivanović who had been a target of *SL* campaigns ahead of the 2017 mayoral election was murdered in January 2018.<sup>457</sup> Milan Radoičić, the primary suspect in organizing Ivanović's murder, was made an official in the *SL* in June 2018.<sup>458</sup> Accordingly, the same mechanisms that had been used to deter cooperation with UNMIK and Prishtina during the

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<sup>454</sup> *Balkan Insight* (16 January 2019, 21 June 2021); *KoSSev* [in Serbian] (4 October 2019).

<sup>455</sup> *KoSSev* [in Serbian] (31 May 2017, 5 June 2017).

<sup>456</sup> *KoSSev* [in Serbian] (7 June 2017, 9 October 2017).

<sup>457</sup> *Balkan Insight* (16 January 2014, 16 January 2019); *KoSSev* [in Serbian] (16 February 2018, 19 February 2019).

<sup>458</sup> Former *SNV-M* head, Marko Jakšić, believed that Radoičić's sudden recruitment and promotion in the *LS* was both as a reward for Ivanović's murder a way of shielding him from investigation. See: Interview with Marko Jakšić, *KoSSev* [in Serbian] (8 June 2018, 15 June 2018).

boycott period - economic sanctions and physical coercion - were coopted and deployed against political officials opposing the *SL*.

Monopolization of Kosovo Serb politics by the *SL* was not to say that opposition movements did not exist, but rather, as noted above, they were the target of *SL* campaigns. The most notable challengers in northern Kosovo were Ivanović's *SDP* that drew support particularly in Mitrovica North and Jablanović's *PKS* which drew support from his hometown, Leposavić/ Leposaviq.<sup>459</sup> Though the *SDP* declined after Ivanović's murder, with its head Ksenija Božović defected to the *SL*, its officials and activists continued to oppose the *SL* and organized the "1 of 5 million" protests against the *SL* and *SNS* in Mitrovica North in 2019. Nine such protests drew modest turnouts with commemoration of Ivanović as a focus, however threats against participation and *SL* counter-protests, filled with public employees required to attend, suppressed opposition turnout.<sup>460</sup> Leposavić/ Leposaviq, where Jablanović's *PKS* had local support, became a site of contestation not only politically, but with *PKS* and *SL* supporters getting into street fights and *SL* officials' property attacked or bombed, much like non-*SL* candidates elsewhere.<sup>461</sup>

Two additional opposition coalitions formed ahead of the 2019 Kosovo assembly elections. In northern Kosovo, *Otađbina* (Fatherland) was formed out of the pre-2013 *DSS* structures as a hardline opposition that opposed cooperation with Prishtina and the *SL* as implicitly recognizing Kosovo's independence.<sup>462</sup> In the southern municipalities, a more moderate coalition for leaders from the *SLS*, the Progressive Democratic Party (*PDS*), and the

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<sup>459</sup> *KoSSev* [in Serbian] (4 June 2017).

<sup>460</sup> The 1 of 5 million protests were a Serbian opposition movement started in Belgrade in 2018 against *SNS* rule and increased harassment and violence against opposition politicians and parties, triggered by an assault on former-*DS* leader and dialogue negotiator Borko Stefanović. See: *KoSSev* [in Serbian] (4 February 2019, 4 March 2019, 23 March 2019, 2 April 2019).

<sup>461</sup> *KoSSev* [in Serbian] (9 January 2020).

<sup>462</sup> This movement was led by former-Zubin Potok *DSS* mayor Slaviša Ristić and former-*SNV-M* leader Marko Jakšić. See: *KoSSev* [in Serbian] (3 September 2019, 4 June 2020)

Serb Democratic Party (*SDS*) opposed the *SL* as a self-serving party of kleptocrats more beholden to Belgrade than to Serbs in Kosovo, and specifically condemned its failure to create the Association/Community of Serb Municipalities (*ZSO*) after 2013.<sup>463</sup> However, facing intimidation from *SL* and near media blackout of non-*SL* parties in Serbian language media, neither coalition gained support in 2019 or 2021 (EU EOM October 2019; November 2021).<sup>464</sup>

In sum, while the *SL*'s monopolization of Kosovo Serb political representation from 2013-21 depended greatly on support from Belgrade, within Kosovo it consolidated control by coopting three political institutions that had existed prior to its founding ahead of the 2013 elections. One was the parallel system from Belgrade, from which *SL* candidates were recruited and or opponents were "bought off" with positions and funding from the healthcare and education systems which Belgrade continued to fund. Another was the faction of parties that had cooperated with Prishtina during Belgrade's boycott policy who had existing support bases and relationships in Prishtina. Officials from these parties were recruited into the *SL*, most notably in the southern municipalities of Novo Brdo/Novobërda, Parteš/Partesh, Ranilug/Ranillug, and Štrpce/Shtërpca where parallel institutions had a limited presence compared to northern Kosovo and Gračanica/Gračanicë prior to 2013. Lastly were the existing institutions of distribution and organized crime, facilitated by continued dependence on Belgrade for livelihoods. Prior to 2013 these had been mobilized to deter cooperation with Prishtina through threats of economic sanctions or physical violence, but after 2013 were coopted to reduce support for non-*SL* parties.

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<sup>463</sup> *KoSSev* [in Serbian] (19 August 2019, 30 August 2019).

<sup>464</sup> The EU Election Observation Mission (EOM) reported that the only Serbian language coverage of non-*SL* parties in 2017-21 was from Kosovo's minority language broadcaster *RTK2*, while Serbian language media from Serb municipalities and Serbia itself provided only coverage of *SL*.

## 7.2 Diagonal Linkage & Policy Change in Kosovo

Having provided an overview of the Kosovo Serb local regime and intra-communal political competition, the second half of this chapter turns to the question of how Serbia as a patron state affected this political competition in line with its own preferences for Kosovo. The Kosovo Serb political elites differ from the Turkish Cypriot elites analyzed in Chapter 5 in that prior to June 1999 Kosovo was a part of Serbia's centralized institutional organization and after June 1999, though Serbian institutions had officially withdrawn from Kosovo per UNSCR 1244, most Serb elites in Kosovo continued to regard themselves as part of Serbia's institutions. As a result, many Kosovo Serb elites had political affiliations both in Kosovo and Serbia-proper. As outlined in the previous chapter (Chapter 6), there were three junctures at which the Serbian Government changed its preferences and according policies towards Serb commitment to mutual institutions in Kosovo: (1) *DOS* support for initial participation in UNMIK-run elections in 2001-02; (2) the boycott policy under the *DSS* and *DS* governments following the March 2004 riots; and, (3) participation in Kosovo's institutions and elections after the 2013 Brussels Agreement.

In keeping with the theoretical framework developed in Chapter 3, and the findings from the Cyprus case study in Chapter 5, there are two stages of the patron state affecting policy change within the local regime. First is the patron state's diagonal linkage to the local regime (Table 7.5). These five mechanisms then affect four aspects of local regime cooperation towards the parent state's institutional organization (Table 7.6).

Table 7.5. Diagonal Linkage Mechanisms.

<b>Mechanism</b>	<b>Pathway</b>
1. Dictate Preferences	Patron state conveys new preferences to the local regime, whose leaders follow those preferences.
2. National Disassociation	Patron state ends association with local regime group-members; ends participation in the protracted conflict.
3. Resource Transfer	Patron state provides material/monetary resources to local regime for elites to provide services to group-members
4. Leadership Support	Patron state supports one specific set of local regime elites over others.
5. Threats/Loss of Support	Patron state issues threats, levels sanctions, or withholds support from local regime over positions.

Table 7.6. Local Regime Cooperation.

<b>Mechanism</b>	<b>Pathway</b>
a. New Preferences	Local regime elites adopt new, more cooperative preferences for an institutional settlement.
b. New Leadership	New elites emerge group-level support that support new positions on a settlement.
c. Resource Access	Resources and material inducements available through shared institutions are used to “buy off” local regime elites.
d. Intra-group Policing	Local regime policies affect inter-group cooperation or group-members crossing ethnic boundaries.

### 7.2.1 *The DOS & Early UNMIK Elections*

Following the ousting of Milošević’s government in 2000, the new *DOS* government sought to improve Serbia’s foreign relations and specifically sought to end the sanctions regime against it. Unlike Milošević and the *SPS-SRS* government in 1999-2000, the *DOS* was willing to engage constructively with UNMIK in Kosovo and talks facilitated by the UNSR, accepting the reality that Kosovo could not return to its pre-1999 centralized status. Though it opposed Serb participation in UNMIK-run elections in 2000, citing security incidents and failure to cope with displaced persons, in 2001 the *DOS* endorsed Serb participation in elections in exchange for

guarantees from UNMIK for increased security provisions and against a declaration of independence by the PISGs.<sup>465</sup> In 2002, the *DOS* government again endorsed participation in exchange for beginning negotiations on the administrative decentralization of Serb-inhabited areas.<sup>466</sup> However, this facilitative approach to early talks from the UNSR was dependent upon the political will of the Serbian Government, which did not incur any costs for non-compliance (with the exception of on the issue of political prisoners which had sanctions relief appended to it by the US). This was particularly problematic with the more conservative/nationalist *DSS* wing of the *DOS* which opposed UNMIK's institution-building in Kosovo and in 2003 began to spoil talks over increased institutional competencies for the PISGs and encouraged non-participation in Kosovo's institutions even prior to the 2004 riots.

Implementation of the *DOS*'s agreement for Serb participation in the 2001-02 election faced the problem of veto players within the Kosovo Serb local regime, particularly in northern Kosovo. The Kosovo Serb political entities at this time, the *SNV-KiM* and *SNV-M*, had formed specifically in response to indiscriminate violence against Serbs (see Petersen 2011). The *SNV-KiM* had formed primarily to provide services to Serb refugees fleeing their homes in the absence of Serbian Government institutions, including using Orthodox Church facilities as refugee collection points and its radio station to provide Serbian language information.<sup>467</sup> The *SNV-M*, based in northern Kosovo, rejected the authority of UNMIK and KFOR, and mobilized both paramilitary groups such as the Bridge Watchers and large mobs to block UNMIK's deployment and enforce ethnic divisions (OSCE May 2002). Though the more moderate *SNV-*

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<sup>465</sup> Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (27 October 2001); *AFP* (2 November 2001, 3 November 2001, 5 November 2001).

<sup>466</sup> Interview with Nebojša Čović, *FoNet* [in Serbian] (25 October 2002).

<sup>467</sup> *AFP* (18 June 1999); *Tanjug* [in Serbian] (18 June 1999); *SRNA* [in Serbian] (25 June 1999, 4 July 1999, 28 September 1999).

*KiM* was willing to engage in talks with UNMIK and inter-ethnic talks, it had opposed commitment to mutual institutions in favor of the creation of cantons and a distinct security force encapsulated in the proposal of one of its leaders, Momčilo Trajković.<sup>468</sup>

The ability of the *DOS* in Belgrade to dictate its preference for participation in the 2001-02 elections was limited as the existing Kosovo Serb political institutions were based primarily on opposing institutional commitment (#1, Table 7.7). This was most evident in the “anti-election” or boycott campaigns organized by the leaders of these institutions during the 2001-02 elections. In northern Kosovo, *SNV-M* leaders Milan Ivanović and Marko Jakšić opposed Belgrade’s initial support for elections in August 2001 and worked to obstruct the Serbian Coordination Centre’s registration of local Serbs for elections. In September 2001, a month before Koštunica endorsed participation in talks with the UNSR, they began campaigning against participation in elections and the *KP*, whose leader Oliver Ivanović they expelled from the *SNV-M*.<sup>469</sup> Momčilo Trajković led a similar campaign against elections in Gračanica/Graçanicë.<sup>470</sup> Serb turnout in the 2002 municipal elections was considerably lower than 2001, estimated at less than 20 percent, attributed to an *SNV-M* boycott in northern Kosovo and virtually no turnout in municipalities where Serbs were the minority (UNSC January 2003).

Instead, participation in the 2001 elections and subsequently in the PISG assembly was secured through support of the *KP*, as a common Serb electoral list endorsed by Belgrade (#4, Table 7.7). In forming the *KP*, the Coordination Centre recruited notable Kosovo Serb leaders who had favored cooperation with UNMIK to head its electoral list, including Oliver Ivanović of

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<sup>468</sup> Interviews with Momčilo Trajković on Cantons, *SRNA* [in Serbian] (7 August 1999, 29 August 1999, 23 September 1999); *Beta* [in Serbian] (21 August 1999, 22 August 1999, 24 August 1999, 20 April 2000); *Radio Pančevo* [in Serbian] (21 August 1999); *Reuters* (24 August 1999).

<sup>469</sup> *Tanjug* [in Serbian] (20 August 2001, 5 November 2000); *Beta* [in Serbian] (21 August 2001, 7 November 2001); *AFP* (28 September 2001, 12 October 2001, 9 November 2001).

<sup>470</sup> *Beta* [in Serbian] (22 November 2001, 13 December 2001).

the *SNV-M*, Rada Trajković and Randel Nojkić from the *SNV-KiM*, and Gojko Savić who had been rector of the University of Pristina. Once elected in 2001, and sitting in the assembly in 2002, the *KP* fully supported Belgrade's preferences in exchange for the Coordination Centre endorsing it as the "legitimate representatives of the Kosovo Serbs." It agreed not to take unilateral action against Belgrade's preferences, boycotted the vote for Kosovo's president at Belgrade's behest in January 2002, and after Belgrade rejected the UNSR's "Standards for Kosovo" in talks in 2003, the *KP* was ordered to oppose it in the assembly as well.<sup>471</sup> Similarly, the *KP* did not officially support participation in the 2002 elections until after the Coordination Centre endorsed them (UNSC January 2003).<sup>472</sup> Accordingly, while unable to dictate preferences to the *SNV-M* and *SNV-KiM* elite, the recruitment of local notables who favored cooperation and political support for the *KP* from Belgrade created one political institution which it could dictate certain preferences to within Kosovo.

Cooperation, however, was undermined by the Serbian Government's other policy of transferring considerable material and economic resources to Serbs in Kosovo via parallel institutions (#3, Table 7.7). Financial resources, including salaries to parallel employees, compensation for public sector employees who lost their jobs in 1999, and welfare benefits such as pensions kept Serbs in Kosovo more closely linked to Belgrade for their livelihoods and survival than to Prishtina (KFOS 2021). These resource transfers also kept parallel elites, including the *SNV-M*, who opposed cooperation in positions of power within their communities. These resources, particularly jobs available in the Belgrade-funded healthcare and education institutions, were valuable sources of patronage for building support and endorsing boycotts.

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<sup>471</sup> Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (14 January 2002); *Tanjug* [in Serbian] (3 March 2002, 12 February 2004, 15 February 2004).

<sup>472</sup> *Tanjug* [in Serbian] (21 April 2002); *Koha Ditore* [in Albanian] (3 May 2002).



Relatedly, Belgrade sought to punish those elites who opposed the 2001-02 elections, namely Milan Ivanović, Marko Jakšić, and Momčilo Trajković by suspending them from parallel positions (#5, Table 7.7). However, their positions as local elites had been cemented by distribution of patronage and by their roles as local party leaders. By 2003 these elites had been reappointed and were key local-level actors in the *DSS*'s opposition to institution-building in Kosovo (UNSC January 2004).<sup>473</sup>

Table 7.7. Diagonal Linkage, 2001-04.

	Mechanism	Evidence
1.	Dictate Preferences	Belgrade endorses participation in elections in 2001-02, marginal effect; groups led by <i>SNV-M</i> reject preference and lead anti-election campaign which suppresses turnout.
3.	Resource Transfer	Belgrade support for parallel institutions in Kosovo as part of Serbian line ministries; parallel healthcare and education systems as primary source of resources and jobs for Kosovo Serbs.
4.	Leadership Support	Coordination Centre forms <i>KP</i> and recruits local notable moderates, endorses <i>KP</i> as official representative of Kosovo Serbs.
5.	Threats/Loss of Support	Belgrade suspends leaders of anti-election campaign after 2001-02; ineffective as they returned to leadership positions following years.

The outcome of this period was limited cooperation with UNMIK in institutions. On the one hand, new leadership recruited by the Coordination Centre in the *KP* provided a moderate Kosovo Serb voice and an institution through which Belgrade could convey its preferences (*b*, Table 7.8). However the *KP* did not monopolize authority in the Kosovo Serb community, especially in northern Kosovo where it was rejected by the *SNV-M*. On the other hand, though, Belgrade's material and economic support for parallel institutions marginalized the benefits of cooperation in mutual institutions (*c*, Table 7.8) by keeping elites and thousands of Serbs in

<sup>473</sup> Interview with Nebojša Čović, *RTS Radio Belgrade* [in Serbian] (20 November 2001); *Beta* [in Serbian] (22 November 2001, 13 December 2001); *Tanjug* [in Serbian] (22 November 2001, 23 November 2001, 17 February 2003); *FoNet* [in Serbian] (21 December 2001, 12 December 2002).

Kosovo linked to Belgrade for financial support, welfare benefits, and social services (OSCE October 2003; KFOS 2021). This was most evident in Belgrade's threats against Serbs to reject UNMIK contracts or lose benefits from Serbia beginning in late 2003. Lastly, Belgrade's continued support for status quo elites, especially in northern Kosovo, did not reduce levels of intra-group policing (*d*, Table 7.8) that had been established in 1999-2000. Reports from 2001-03 noted violence and intimidation against moderate Serbs who advocated cooperation with UNMIK or with the Albanian majority. This included anti-election campaigns in 2001-02 with the intention of suppressing Serb votes (OSCE May 2002; UNSC April 2003; October 2003).

Table 7.8. Local Regime Cooperation, 2001-04.

Mechanism	Evidence
<i>b.</i> New Leadership	<i>KP</i> as a moderate party; only partial authority in Kosovo Serb community; disputed by <i>SNV-M</i> .
<i>c.</i> Resource Access	Not evident - parallel institutions, salaries, and welfare benefits kept Kosovo Serbs more closely linked to Belgrade and Prishtina and UNMIK; Serbs threatened with loss of benefits/salaries for cooperating with UNMIK.
<i>d.</i> Intra-group Policing	Ethnic unmixing in northern Kosovo; violence and intimidation against moderate Serbs who supported cooperation with UNMIK or inter-ethnic cooperation; anti-election campaigns in 2001-02 to prevent Serbs voting in UNMIK-run elections.

### 7.2.2 Belgrade's Boycott Policy

Following the ethnic riots in March 2004 targeting the Kosovo Serb community, the *DSS*-led government in Belgrade instituted its blanket boycott policy toward UNMIK-run institutions. The riots which destroyed 750 Serb homes, 35 Orthodox sites, and displaced more than 4,000 Serbs destroyed the Serb community's limited trust in UNMIK's ability to protect them, while validating more hardline positions such as those taken by the *SNV-M* opposing cooperation. The boycott policy was instituted in March-April 2004, when the *DSS* called on Kosovo Serbs to

suspend cooperation with UNMIK, both in the PISGs and other bureaucratic bodies including the police, and was reaffirmed in the *DSS*'s opposition to participation in the 2004 elections.

Koštica set the precondition for ending the boycott as UNMIK accepting his proposal for a cantonal settlement, and when the UNSR Søren Jessen-Petersen rejected his proposal, the Serbian Government officially endorsed a Serb boycott in Kosovo. This was not universally supported, though, as *DS* President Boris Tadić endorsed participation. However, once the *DS* came to power in Serbia after 2007, it maintained the *DSS*-led boycott and opposed participation in Kosovo's 2009-10 elections.

Serbia's dictation of preferences to Kosovo Serb elites had a marginal effect on local regime preferences regarding its boycott (#1, Table 7.9). The *DSS* support for a boycott ahead of the 2004 elections did not affect the *KP*'s decision to participate as it rebranded as the *SLKiM* and ran in 2004 with Tadić's endorsement. It did, however, suppress turnout and the *SLKiM* forfeited its mandate in 2005. This led to a further split within the Kosovo Serb political elite in 2005-06 with one faction of the *SLKiM*, led by Oliver Ivanović supporting Belgrade's preferences for a boycott, and the other led by Rade Nojkić opposing Belgrade and returning to participation in Kosovo assembly or municipal governments.<sup>474</sup> Belgrade's preference for a boycott, then by the *DS*, was further undermined in 2009-10 by the participation of Serb parties and high Serb turnout in the 2009-10 municipal and assembly elections following decentralization (Jackson 2021a). This was similarly evident in the northern Serb leaders' opposition to Belgrade during the Technical Dialogue in 2011 that led to months of violent unrest, which *DS* officials claimed they were unable to stop as their authority was openly rejected by the *SNV-M* and parallel assembly.

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<sup>474</sup> *SRNA* [in Serbian] (6 March 2005, 21 July 2005); *B92* (28 March 2005, 29 June 2005, 7 March 2006); *KosovaLive* (10 May 2005); *Beta* [in Serbian] (26 May 2005); *Politika* [in Serbian] (6 March 2006).

More effective in the early boycott period of *DSS* governance was support for certain Kosovo Serb leaders and political factions (#4, Table 7.9). The *DSS* structures in northern and central Kosovo gained notable support during this time during which the Coordination Centre and Ministry for Kosovo were headed by *DSS* functionaries Sanda Rašković-Ivić and Slobodan Samardžić. It was during this period that the Coordination Centre reorganized its administration of Kosovo and *DSS* allies were appointed to senior posts and their positions cemented with material resources and funds from Belgrade.<sup>475</sup> This was most evident in northern Kosovo where the *DSS* and *SRS*, the two parties in Belgrade most adamantly opposing cooperation in Kosovo, controlled municipal administrations. The *DSS* mayors of Zubin Potok, Slaviša Ristić, and Zvečan/Zvečan, Dragiša Milović, were regarded as the two most powerful and well-supported officials in northern Kosovo.<sup>476</sup> Conversely it was the withdrawal of support for the *KP/SLKiM* that led to it forfeiting its mandate in 2005, and ultimately a lack of support from Belgrade that triggered its collapse in 2006-07.

This support was facilitated by substantial resource transfers from Belgrade to parallel authorities, particularly in northern Kosovo, which deterred cooperation by elites and kept Serbs reliant on Belgrade for their livelihoods (#3, Table 7.9). Transfers via parallel institutions of health and education in particular constituted a key source of political patronage for local regime elites to distribute. For Serbs living in Kosovo, employment in parallel institutions meant not only better pay than from UNMIK institutions, but also than employees performing the same function in Serbia as they received 200 percent salaries for work in “dangerous conditions.” The material benefits of parallel institutions were coupled with the threat of losing benefits, including

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<sup>475</sup> *Politika* [in Serbian] (27 January 2007, 9 September 2008); *FoNet* [in Serbian] (16 July 2007, 18 September 2007, 25 December 2007, 30 April 2008, 23 June 2008, 30 June 2008); *Dnevnik* [in Serbian] (19 May 2008); *Beta* [in Serbian] (19 February 2009, 1 July 2009).

<sup>476</sup> *Blic* [in Serbian] (2 December 2011).

pensions, from Belgrade (#5, Table 7.9). In late 2003 Belgrade began discouraging cooperation with UNMIK with the threat of losing social benefits or pay from Serbian institutions. A policy introduced by Belgrade in 2005-06 required that any Serb working for UNMIK give up any social benefits or pay from Serbia, resulting in 70 percent of Serb UNMIK employees quitting UNMIK employment (UNSC June 2006; September 2006).<sup>477</sup> Importantly, though, the transfer of resources via parallel institutions to primarily political allies of parties in Belgrade, focused primarily in northern Kosovo and Gračanica/Graçanicë, alienated moderate leaders from smaller municipalities who opposed the parallel elite as self-serving.

The last factor was disassociation with moderate Kosovo Serbs choosing to cooperate with UNMIK and Prishtina, who Belgrade pronounced as either “national traitors” or “compromised Albanian-Serbs” (#2, Table 7.9). When the *SLKiM* declined its mandate in 2005 and the reserved Serb positions were given to members of the Civic Initiative “Serbia” (*GIS*), Belgrade denounced the *GIS* deputies as “collaborators” and declared they were unable to represent the Serbian nation and could only represent their personal views or interests in government.<sup>478</sup> When Rađel Nojkić and his faction of the *SLKiM* broke with the boycott and returned to Kosovo’s institutions, Belgrade denounced him likewise as a “traitor working against Serbian interests.”<sup>479</sup> Similarly, when the *SLS* ran in the 2007 and 2009 elections its leaders were denounced by Belgrade as not “true Serbs.” They were labeled “Albanian Serbs” or “Thaçi’s Serbs” in reference to Kosovo’s Prime Minister Hashim Thaçi. The narrative propagated by Belgrade cast the *SLS* and other moderate parties participating in the 2009-10 elections as Prishtina’s “agents” who had been recruited to infiltrate the Serb community and their votes were

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<sup>477</sup> *Kontakt Plus* [in Serbian] (21 December 2005).

<sup>478</sup> This was a different *GIS* than the earliest iteration of the *SL* that ran in municipal elections also named the *GIS*. See: *Mina* [in Serbian] (25 January 2005); *FoNet* [in Serbian] (5 September 2005).

<sup>479</sup> Sanda Rašković-Ivić quoted, *Politika* [in Serbian] (6 March 2006).

claimed to have been bought as the only explanation for their support.<sup>480</sup> Accordingly, those who cooperated with Prishtina, even for practical reasons, were disassociated with the group and cast as not true members or corrupt traitors who had been bought off.

Table 7.9. Diagonal Linkage Mechanisms, 2004-10.

Mechanism	Evidence
1. Dictate Preferences	Marginal efficacy - <i>SLKiM</i> ran in 2004 election despite boycott, but did not accept mandate; <i>SLKiM</i> then split between faction that backed Belgrade's preferences and faction that supported cooperation.
2. National Disassociation	Evident, but ineffective - Serbian officials opposed Serb elites who joined UNMIK or Kosovo's institutions as traitors, but failed to deter cooperation or suppress support in 2009-10 elections.
3. Resource Transfer	Parallel institutions run from Serbia provided jobs and resources, and basic services including security in Kosovo Serb municipalities; transfers via fraudulent public enterprises also reports.
4. Leadership Support	Governments in Belgrade supported allies in Kosovo; entrenched leadership positions for elites who supported Belgrade's policies; notable in Coordination Centre support for <i>DSS</i> -aligned elites in northern Kosovo from 2003-08.
5. Threats/Loss of Support	Threat of economic sanctions used to deter cooperation with UNMIK and Prishtina; 70 percent of Serb employees quit UNMIK employment to avoid Serbian sanctions.

The outcome of the linkage between Belgrade and the Kosovo Serbs during Belgrade's boycott was further political fracturing of the Kosovo Serbs. On one side, the faction supported by Belgrade, especially by the *DSS* gained a stronghold in the north, which in line with Belgrade's preferences opposed cooperation with Prishtina and UNMIK's institution-building practices. Continued material support from Belgrade via parallel institutions, coupled with the threat of losing social benefits or pay for taking UNMIK contracts reduced the appeal of material or monetary incentives available via Prishtina, especially since Belgrade paid 200 percent salaries to parallel employees until 2010 (c, Table 7.10). These leaders, supported from Belgrade

<sup>480</sup> *Glas Javnosti* [in Serbian] (14 September 2007); *KosovaLive* [in Albanian] (14 December 2007); *Politika* [in Serbian] (24 September 2009, 30 November 2009).

and funded via parallel institutions, were incentivized *not* to change their preferences opposing cooperation and instead were incentivized to deter Serbs from cooperating - in-group policing (*d*, Table 7.10). *DSS* officials in Kosovo, namely Marko Jakšić, reportedly organized harassment and intimidation of moderates and political opponents, facilitated by narratives from Belgrade that opposition to the boycott was tantamount to treason.<sup>481</sup> Moderate Serbs cooperating with UNMIK, the Kosovo Police, or running with *SLKiM* in northern Kosovo were targets of bomb attacks in 2005-07. *SLS* officials elected in 2009 were targets of attacks and ahead of the 2010 elections, Bosniak political leader in Mitrovica North Šefko Salković was murdered. All of these were attributed by police to parallel authorities.<sup>482</sup>

Table 7.10. Local Regime Cooperation, 2004-10.

Mechanism	Evidence
<i>a.</i> New Preferences	Not evident - hardline and moderate factions retained relatively similar preferences as prior to 2004.
<i>b.</i> New Leadership	Evident in smaller southern enclaves due to disenchantment with boycott and failure to receive resources/benefits from Belgrade, channeled to party allies.
<i>c.</i> Resource Access	For parallel elite - support from Belgrade, including jobs with 200 percent salaries reduced appeal of resources from Prishtina's institutions.  For cooperative parties - availability of resources after decentralization, including international aid and access to public utilities, contributed to support.
<i>d.</i> Intra-group Policing	Moderate Serbs who cooperated with Prishtina, including in police or administrative offices were targets of attacks in northern Kosovo and in southern municipalities after 2009-10 elections; non- <i>DSS</i> supporters harassed by <i>DSS</i> allies; Šefko Salković murdered for running in 2010 election.

<sup>481</sup> *Politika* [in Serbian] (27 January 2007, 9 September 2008); *FoNet* [in Serbian] (16 July 2007, 18 September 2007, 25 December 2007, 30 April 2008, 23 June 2008, 30 June 2008); *Dnevnik* [in Serbian] (19 May 2008); *Beta* [in Serbian] (19 February 2009, 1 July 2009); *Koha Ditore* [in Albanian] (31 July 2009).

<sup>482</sup> *Associated Press* (5 February 2005, 4 July 2005); *KosovaLive* (4 July 2005); *RTK* [in Albanian] (28 October 2006, 5 July 2010); Interview with Rada Trajković, *Dnevnik* [in Serbian] (28 December 2006); *FoNet* [in Serbian] (16 November 2007); *RTS* [in Serbian] (13 March 2010); *Kontakt Plus* [in Serbian] (7 July 2010).

On the other side, though, Belgrade's rigid policy and support for political loyalists in the parallel institutions, left another faction of Kosovo Serbs disenchanted. Accordingly during this period, a new group of moderate Kosovo Serb elites emerged (*b*, Table 7.10), who regarded Belgrade's boycott as ruinous and stripping the Serbs of their agency in Kosovo. This faction, led most notably by the *SLS*, favored cooperation with UNMIK and Prishtina as a means of improving living conditions and opposed the parallel institutions as corrupt and self-serving, especially in the small Serb municipalities. Though these parties existed in the 2007 elections they received minimal support. During the 2009-10 elections, which coincided with municipal decentralization through which increased resources were available through commitment to central institutions, these parties attracted considerably more support both compared to 2007 and to parallel elections in 2008 (Figure 7.4).

### ***7.2.3 The Brussels Agreement & the Serb List***

Lastly, the third juncture at which Serbian preferences and policies towards Kosovo changed was in concert with the EU mediated dialogue, after 2011. Serbia had agreed to EU mediation after the 2010 ICJ advisory opinion on Kosovo's declaration of independence and before talks began in 2011 the EU appended the dialogue to Serbia's EU membership bid, launched in 2009 by the *DS*. As was reiterated to the Serbian Government at various points throughout the Technical Dialogue, EU membership progress was contingent upon progress in the dialogue. This was reinforced by the EU's withholding of candidacy status for Serbia in December 2011 over failure to implement agreements reached in the Technical Dialogue. Similarly, during the 2013 Political Dialogue, the Serbian Government, led then by the *SNS* and *SPS*, was given an ultimatum to reach a political agreement by 24 April 2013 or have its membership talks indefinitely stalled.



When Serbia subsequently agreed to the Brussels Agreement on 19 April 2013, the agreement included the provision that Serbs participate in the 2013 Kosovo elections, and it was only after these elections that Serbia would open EU accession talks.

Implementation of the Brussel Agreement by Serbia faced the problem of existing local conditions within the Kosovo Serb local regime. After 2008, the *DS* government in Serbia had lost control over the Kosovo Serbs, particularly in *DSS/SRS*-controlled northern Kosovo where the parallel assembly declared in 2008 rejected the authority of the *DS*. This was most evident during the Technical Dialogue in 2011, when the northern Serb leaders mobilized mobs and roadblocks to spoil implementation of the technical agreements in August-November 2011.<sup>483</sup> It was ultimately this inability to control events in northern Kosovo that led to the EU withholding Serbia's candidacy in December 2011.<sup>484</sup> The northern Kosovo Serb institutions then held an official referendum in February 2012 and parallel elections in April 2012, both in contravention of Belgrade's warnings against them.<sup>485</sup>

The *SNS-SPS* government after 2012 faced the same problem in northern Kosovo, a class of local-level leaders who had both opposed mediation by the EU since 2011 and had opposed participation in elections since 2001 when they led their first anti-election campaign. These same leaders had petitioned the *SNS* to end the dialogue and annul the technical agreements in 2012 and rejected the Serbian Government's proposal for political talks in January 2013.<sup>486</sup> Following the conclusion of the Brussels Agreement, these leaders refused to recognize it, organized

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<sup>483</sup> Interview with Borko Stefanović, *Politika* [in Serbian] (4 September 2011); *RFERL* (16 September 2011); *Reuters* (19 October 2011).

<sup>484</sup> *AFP* (11 December 2012).

<sup>485</sup> Interview with Goran Bogdanović, *Danas* [in Serbian] (10 February 2012); *Politika* [in Serbian] (16 April 2012, 19 April 2012).

<sup>486</sup> *Politika* [in Serbian] (28 November 2012); *RTS* [in Serbian] (24 December 2012, 22 January 2013).

protests in opposition, and the parallel assembly passed a resolution rejecting the Brussels Agreement as unconstitutional.<sup>487</sup>

Belgrade was unable to dictate new preferences to these local-level elites, who had entrenched their positions in opposition to Prishtina with Serbian support since 1999 (#1, Table 7.11). During the Political Dialogue and after the Brussels Agreement, *SNS* Deputy Prime Minister Aleksandar Vučić held talks with the northern Kosovo Serb leaders intended to convince them to accept negotiated agreements, but he was rebuffed.<sup>488</sup> Similarly, the threat of withdrawing support for these leaders or holding recall elections did not affect their opposition to the Brussels Agreement (#5, Table 7.11).<sup>489</sup> The *DS* had attempted to curb their influence in 2009-10 by appointing interim administrators and holding recall elections, but had only won control of Leposavić/ Leposaviq, and *DSS* officials in Zubin Potok and Zvečan/Zveçan had rejected the appointment of interim *DS* officials by Belgrade.<sup>490</sup>

Instead, Belgrade opted to support new Kosovo Serb leadership (#4, Table 7.11), however it had no existing political entity to support. The *DSS*-aligned institutions in northern Kosovo rejected the Brussels Agreement and the moderate parties in the southern municipalities had rejected Belgrade's influence in the 2009-10 elections. Instead, it formed a new political party the *SL*, which recruited from parallel institutions, existing moderate parties, and coopted patronage and criminal networks. While the *KP* had similarly functioned as a new political entity in support of Belgrade's position in 2001-04, Belgrade's position was non-committal due to the internal politics of the *DOS*, between the *DS* and *DSS*. In contrast, the *SL*'s participation in

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<sup>487</sup> *AFP* (19 April 2013, 22 April 2013, 4 July 2013); *Politika* [in Serbian] (3 May 2013, 8 June 2013).

<sup>488</sup> *Koha Ditore* [in Albanian] (6 March 2013); *B92* (13 March 2013); *RTS* [in Serbian] (13 May 2013).

<sup>489</sup> *Blic* [in Serbian] (30 April 2013, 10 May 2013); *AFP* (4 July 2013).

<sup>490</sup> *B92* (26 June 2009, 28 June 2009, 13 July 2009); *Politika* [in Serbian] (1 July 2009); *Koha Ditore* [in Albanian] (3 July 2009); Interview with Goran Bogdanović, *RTS Radio Belgrade* [in Serbian] (17 July 2009); *Kontakt Plus* [in Serbian] (17 July 2009).

Kosovo's institutions was fully backed by Belgrade, whose EU membership talks were contingent upon participation in the 2013 elections. The *SL* was formed in August 2013 with the support of the *SNS* and *SPS* in Belgrade, who supported a single Serb electoral list.<sup>491</sup> The municipal governments in northern Kosovo were dissolved and replaced with administrators who supported the *SL* in September 2013.<sup>492</sup> Serbian *SNS* and *SPS* officials, including Vučić, Prime Minister Ivica Dačić, and former Minister for Kosovo and Metohija Aleksandar Vulin, campaigned on behalf of the *SL*.<sup>493</sup> Perhaps most importantly, though, media from Serbia-proper which constituted the majority of Serbian language media in Kosovo campaigned exclusively for the *SL*.<sup>494</sup>

In the years following 2013, Belgrade bolstered the *SL*'s dominance of Kosovo Serb politics using three strategies. One was the continued support for the *SL* in Serbian media, which presented it as the only viable option for Kosovo Serbs' survival, while blacking out any coverage of other parties. As EU reports noted, the only coverage of non-*SL* parties came from Kosovar media (EU EOM June 2017; October 2017; October 2019; November 2021). Another was the continued transfer of resources to the *SL* to distribute as patronage to supporters (#3, Table 7.11), including jobs and funds from healthcare and education institutions, which Belgrade continued to openly fund after the Brussels Agreement, and housing projects funded by Belgrade which were distributed in exchange for support. Conversely, as noted early in the chapter, employment in these institutions or welfare benefits were used to deter support for non-*SL* parties, with opposition candidates, their families, and supporters threatened with loss of employment. And lastly, was the use of national disassociation by Belgrade targeting non-*SL*

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<sup>491</sup> *Vecernje Novosti* [in Serbian] (10 August 2013); *Blic* [in Serbian] (13 August 2013).

<sup>492</sup> *Politika* [in Serbian] (21 August 2013, 5 September 2013, 11 September 2013).

<sup>493</sup> *Koha Ditore* [in Albanian] (2 October 2013, 5 October 2013); *Vecernje Novosti* [in Serbian] (29 October 2013).

<sup>494</sup> *Koha Ditore* [in Albanian] (20 November 2013, 2 December 2013).

parties as traitors (#2, Table 7.11). For example, the *SLS* and *PKS* were attacked in Serbian media as “Albanian Serbs” and “agents” of Prishtina - despite the *PKS*’s leader being the former head of the *SL*. Most notable were the attacks on Oliver Ivanović and the *SDP* prior to the 2017 elections. Ivanović was considered the most trusted politician in northern Kosovo (Aktiv 2016; 2017) and was attacked in Serbian media as a traitor working against Serbia to undermine his position relative to the *SL* (EU EOM October 2017).<sup>495</sup>

The monopolization of Kosovo Serb politics by the *SL* with Belgrade’s aid meant a new local regime leadership to which Belgrade could dictate new preferences. As one opposition leader stated, the *SL* leaders were previously unknown political actors whose primary qualifications were subservience to Belgrade.<sup>496</sup> Put more subtly, they had fewer connections with local constituents than with political patrons in Belgrade.<sup>497</sup> For example, after *SL* leader Aleksandar Jablanović was fired from Kosovo’s government for hate speech in early 2015, *SL* refused to decide on participation in the assembly until they met with Vučić in Belgrade.<sup>498</sup> When Jablanović refused to step down, obstructing participation while the EU was attempting to resume the dialogue, he was appointed to a post in Serbia and replaced as head of the *SL*, thus avoiding a dispute.<sup>499</sup> Similarly, the *SL* refused to form a position on supporting Kosovo’s census until after consultations with Belgrade.<sup>500</sup> When Belgrade opposed Prishtina’s proposal to privatize the Trepča/Trepçë mines in northern Kosovo, which conflicted with its preferences in

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<sup>495</sup> Vučić campaigned in 2019 for *SL* on a claim that the non-*SL* parties were conspiring with Albanians to vote for them in order to oust the *SL* from parliament. See: *KoSSev* [in Serbian] (18 September 2018; 27 February 2019; 1 October 2019).

<sup>496</sup> Interview with Rada Trajković, *KoSSev* [in Serbian] (10 June 2014).

<sup>497</sup> Author interview, Mitrovica North, 2022.

<sup>498</sup> Jablanović was fired from the government by Isa Mustafa after referring to a group of Albanian protestors who threw rocks at Serb buses as “animals” and “savages.” See: *KoSSev* [in Serbian] (3 February 2015).

<sup>499</sup> *KoSSev* [in Serbian] (31 October 2015).

<sup>500</sup> *KoSSev* [in Serbian] (11 June 2016).

talks, it ordered the *SL* to boycott the assembly.<sup>501</sup> Similarly, when Belgrade opposed the formation of a Kosovo army, it ordered the *SL* to boycott. When Vučić began discussions on delimitation in 2018-19, the *SL* supported it unconditionally and blocked a resolution in Kosovo’s assembly affirming Kosovo’s existing borders.<sup>502</sup> When delimitation was opposed by the Orthodox Church, the *SL* criticized the Church and its leaders in Kosovo as “supporting treason.”<sup>503</sup>

Belgrade’s most notable influence was in keeping the *SL* within Kosovo’s institutions. On numerous occasions, *SL* leaders and other Serb officials announced boycotts or “self-suspensions” of cooperation with Prishtina over contentious issues. These included police operations in northern Kosovo, the sackings of Aleksandar Jablanović and Ivan Todosijević from the Kosovo government, Prishtina’s imposition of tariffs in 2018, integration of judicial personnel after 2017, and the long-standing issue of the creation of the *ZSO* (Jackson 2020, 2021a). In other boycotts over issues of sovereignty that Belgrade opposed, such as Trepča/Trepçë and the Kosovo army, it could efficiently enforce boycotts by threatening *SL* officials with losing their positions or benefits.<sup>504</sup> However, when Belgrade opposed boycotts, it permitted the *SL* to propose the idea and discuss it publicly to signal nationalist credentials, however deterred its officials from actually boycotting in meetings in Belgrade. Boycotts would create political instability in Kosovo, and the Kosovo Serb local regime, which the *SNS* in Belgrade specifically wanted to avoid.<sup>505</sup> Accordingly, at times the *SL* would publicly announce

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<sup>501</sup> *KoSSev* [in Serbian] (20 October 2016).

<sup>502</sup> Letter from *SL* deputies supporting delimitation, *KoSSev* [in Serbian] (15 August 2018, 6 September 2018).

<sup>503</sup> Interview with Orthodox Prior Sava Janjić, *KoSSev* [in Serbian] (10 August 2018, 16 August 2018).

<sup>504</sup> Author Interview, Prishtina, 2020.

<sup>505</sup> Author Interview, Mitrovica North, 2022.

a boycott over one of these contentious issues, but continue to sit in the assembly, draw pay from Prishtina, and cooperate in pursuit of Belgrade's preferences.<sup>506</sup>

Table 7.11. Diagonal Linkage Mechanisms, 2013-21.

Mechanism	Evidence
1. Dictate Preferences	Prior to <i>SL</i> - Belgrade unable to dictate preferences to status quo elites; <i>DSS</i> -aligned elites opposed Brussels Agreement; had rejected agreements in 2011-12 despite Belgrade's preferences for them.
2. National Disassociation	Employed against non- <i>SL</i> parties, in Serbian media, to undermine opposition to <i>SL</i> as opposing Serbian interests and conspiring with Albanians.
3. Resource Transfer	Continued through education and healthcare institutions, and infrastructure projects; redirected from parallel elites to <i>SL</i> officials; used to support <i>SL</i> position.
4. Leadership Support	Belgrade fully support the <i>SL</i> , campaigned on its behalf in elections; coverage of only <i>SL</i> in Serbian media.
5. Threats/Loss of Support	Evident but ineffective prior to <i>SL</i> - <i>DSS</i> elites in northern Kosovo disregarded threats from Belgrade to replace them or call recall elections in 2009-10 and 2013.

The outcome of this period in the local regime was a marked change in elites (*b*, Table 7.12). From 2013-21 the *SL* established a near monopoly on political representation in the Kosovo Serb community (Figure 7.6). This made the *SL* as a political party, by 2021, the only conduit for hierarchical linkage between the Kosovo Serbs and Prishtina. The same mechanisms that had been used to deter participation prior to 2013, namely the threat of losing employment or welfare benefits and the threat of violence (*d*, Table 7.12), still existed, only instead of being deployed to prevent moderates from cooperating with Prishtina they were deployed to deter moderate and hardline parties from challenging the *SL*, and in turn Belgrade's preferences.<sup>507</sup> This intra-group policing was facilitated by Belgrade's practice of national disassociation by which it cast non-*SL* leaders and entities as treasonous and plotting against the group. Most

<sup>506</sup> *KoSSev* [in Serbian] (30 March 2015, 10 October 2016, 27 March 2019, 15 May 2019)

<sup>507</sup> Author interviews, Mitrovica North, Gračanica/Gračanicë, 2022.

notably, Oliver Ivanović's murder was preceded by a Serbian media campaign targeting him as a traitor working against the Serbs. This monopoly by the *SL* and its close links to the ruling *SNS* in Belgrade meant that it could readily adopt new preferences as dictated by Belgrade without local accountability. This was perhaps most notable in Belgrade's preferences for stability (see Bieber 2018, 2020), by which it vetoed boycotts proposed by *SL* over contentious issues.

Table 7.12. Local Regime Cooperation, 2013-21.

Mechanism	Evidence
<i>b.</i> New Leadership	<i>SL</i> takes over as new leadership in Kosovo Serb local regime, as pliant to Belgrade's preferences; enacted Belgrade's different preferences including opposition to certain developments in Kosovo and participation in all subsequent elections.
<i>d.</i> Intra-group Policing	Continued to use violence and intimidation, and economic sanctions to deter opposition to <i>SL</i> instead of cooperation with Prishtina; most notable in murder of moderate Serb leaders Dimitrije Janićijević and Oliver Ivanović; contributed to <i>SL</i> consolidation of power.

### 7.3 Conclusion

The participation of Serbs in Kosovo's 2013 elections and thereby Kosovo's institutional organization, the precipitous change noted in Chapter 1, reflected a change of preferences within the Serbian Government in Belgrade in pursuit of EU accession. Political changes within the Kosovo Serb community in 2013 belied a longer-standing pattern of Belgrade working to enforce its preferences in Kosovo after 1999, with mixed success, but departed from previous attempts in its efficacy. Previous governments in Belgrade had sought to enforce different preferences in Kosovo, namely: participation in the 2001-02 elections followed by a boycott of institutions after the March 2004 riots. Neither policy, though, had been fully accepted and implemented by Kosovo Serb political elites, who themselves were divided between hardline and more moderate or cooperation factions. In 2001-02, hardline institutions in northern and central

Kosovo led an anti-election campaign to suppress Serb turnout despite Belgrade's endorsement of participation, resulting in low turnout in 2002. After 2004, Belgrade's boycott policy alienated moderate elites who returned to Prishtina's institutions in 2006-07 before gaining notable support in Kosovo's 2009-10 elections following administrative decentralization in-line with the Ahtisaari Plan.

When Serbia began the EU-mediated dialogue with Prishtina in 2011 it had lost influence over the Kosovo Serb local regime(s). Five municipalities were controlled by moderate Serb parties that recognized Prishtina's authority and 13 Serb deputies sat in Kosovo's assembly in contravention of Belgrade's standing boycott. On the other side, northern Kosovo was controlled by hardline factions aligned with the *DSS* and *SRS* in Serbia who opposed the Serbian *DS* government and its participation in EU-led talks. This latter group mobilized violence and civil unrest to spoil talks in 2011, ultimately leading to the EU withholding Serbia's candidacy. The threat of losing support from Belgrade had deterred neither group from pursuing its own preferences.

When the *SNS-SPS* government agreed to the Brussels Agreement, which included a provision for Serb participation in Kosovo's 2013 elections, it faced the problem of enforcing this within existing Kosovo Serb factions, including the *DSS*-aligned leaders in northern Kosovo who rejected the Brussels Agreement. The primary mechanism through which Belgrade induced change in the Kosovo Serb local regime was the creation of a party to run as a united electoral list, the *SL* which recruited local Kosovo Serb notables including from parallel institutions and moderate parties elected in 2009-10. While this was similar to the strategy employed by the *DOS* in 2001-02 in forming the *KP* composed of local notable moderates, the difference between the *SL* and *KP* after 2013 was the marginalization of opposition and dissenting voices. This was



achieved in part by the cooption of three existing institutions within the Kosovo Serb local regime: parallel institutions, moderate parties engaged with Prishtina's institutions, and established organized crime and patronage networks. In this regard, the theorized mechanisms of national disassociation and resource transfers were secondary mechanisms that supported the consolidation of the new leadership, the *SL*, by delegitimizing or "buying off" challengers within the community. Ultimately, this led to the monopolization of political representation by the *SL*, a pliant entity beholden to Belgrade, which enacted Belgrade's preferences unconditionally.

## 8 CONCLUSION

This study started from the observation of two discrete, precipitous changes to protracted conflicts between identity groups in contested territories. In Cyprus in 2004, the Turkish Cypriots had voted in a public referendum to reunite the island in accordance with the Annan Plan, departing from the long-held position of their leaders obstructing reunification, and more recent position opposing a federal solution. Nine years later, in Kosovo in 2013, the Kosovo Serbs voted en masse for the first time in Kosovo's elections, departing from a boycott policy in place since 2004, and even longer-standing opposition to Kosovo's institutions in northern Kosovo since 2001. From these observations as a starting point, this study's general purpose was to then to trace specific mechanisms through which changes in these seemingly intractable conflicts were brought about. Conflicts in both Cyprus and Kosovo have been long-running and both have been the subject of intensive international conflict resolution efforts. Cyprus has been the subject of near-continuous UN-led mediation since 1964, making it the longest-standing issue on the UN Security Council's agenda. Kosovo has similarly been the subject of intensive international peacebuilding and statebuilding missions, led by the UN and its interim administration, UNMIK, since 1999.

The search for specific mechanisms necessitated a qualitative process tracing approach to construct in-depth, internally-valid case studies to disaggregate the political context in which international mediation occurred. Importantly, this meant analyses of three separate, yet interlinked political areas: the international negotiating table between chosen interlocutors, the domestic politics of patron states who choose to support sides in protracted conflicts, and the local regimes of sub-state groups within these conflicts. While this three-tiered relationship has yet to be adequately deconstructed and theorized, scholarship to date has separately analyzed the

relationships between international mediation and domestic politics, transnational politics between states and sub-state groups often in the context of identity formation or conflict initiation, and the development local-level institutions within ethnic communities in the context of conflict. Careful review and linking together of these disparate literatures was an important step in developing the theory guiding the case analyses, an important component of case-based process tracing.

In linking together these literatures, the theoretical argument I develop in this study, guiding the case studies themselves, is that change within the context of protracted conflicts, as observed in Cyprus and Kosovo, is induced in two separate stages. In the first stage external mediators provide patron states with conditional rewards to change their preferences and policies towards conflicts. In the second stage, for patron states to receive the benefits of mediation, they manipulate local-level competition within sub-state “local regimes” engaged in protracted conflicts in order to produce more cooperative, local-level outcomes. This theoretical argument necessitated two further questions and, in turn, the identification of two specific mechanisms linking causes to outcomes. First, how did mediation change preferences within patron states - what mechanism linked mediation to changed preferences? And, second, how did patron states induce change within local regimes - what mechanism linked new preferences in patron states to policies and behaviors in local regimes?

The findings of this study were accordingly twofold. In the first instance, change to patron preferences was attained by linking mediation and accompanying concessions to the prospect of longer-term reward restructures, in both cases EU accession. Importantly, though, this was not universally applicable within patron states’ domestic politics. Rather in order for the long-term rewards of EU accession to produce changes to preferences and state policies, EU

accession had to benefit ruling coalitions who would inevitably incur costs from nationalist parties and constituents who opposed concession in salient national conflicts. In this regard two conditions were necessary for mediation to induce policy change: the presence of longer-term benefits, and, domestic ruling coalitions that stood to gain from those benefits without incurring too high of costs from domestic nationalist or hawkish factions.

In the second instance, new preferences and policies from patron states were induced within local regimes through the support of new leadership at the sub-state level. Patron states could not simply dictate new preferences to their client local regimes and expect that they be enacted or pursued accordingly. Instead, local regime elites had their own preferences for opposing cooperation with mutual institutions and had attained and entrenched their leadership positions with material, economic, and political support from patron states. These elites possessed their own degrees of agency to act as “spoilers,” either through their participation in talks, through local institutional constraints, or their ability to mobilize violence during talks. The primary mechanism through which patron states could then induce support for their new preferences within local regimes was through supporting new leadership whose preferences aligned with their own. Additional mechanisms - the transfer of resources, national disassociation, and the threatened or realized loss of support - were also secondary mechanisms employed in the service of supporting like-minded local regime leadership.

The findings, especially of the second mechanism, approximate a principal-agent problem employed in both the study of international relations and comparative politics. In this context the patron state approximates a “principal”, who adopts a new preference for an outcome. In order to receive the benefit of that preference, though, the principal is required to implement new preferences within the local regime. However the local regime leadership, the

“agent,” has its own preferences and agency to pursue those preferences that may not align with the patron state. Accordingly, for the patron to implement its preferences, and thereby receive the benefits of mediation linked to an agreement, it must support a local regime agent whose preferences align with its own. However, the strategies by which a patron state supports like-minded leadership within a local regime is dependent upon specific context.

### **8.1 Comparison of Cases**

In addition to the individual utility of each case study, Cyprus and Kosovo, adding to the general knowledge and understanding of those specific cases of long-standing conflict, comparison of the two cases is also useful. As Chapters 4-7 demonstrate, each case exhibits its own unique dynamics, nuanced context, and in-case variation longitudinally. Comparison of the two cases, though, which occurred in different regional and geopolitical contexts, allows for more robust and generalizable conclusions to be generated from a small sample. Despite their differences in time period and regional context, both cases exhibit a number of similarities making comparison both appropriate and useful. Both are cases of inter-ethnic conflict that ended with identity groups confined to specific locales in which neither group recognized the legitimacy or authority of the other group’s governance or institutions. In addition to territory, then, political institutional governance of specific populations was a focus of both conflict and conflict resolution (see Kaldor 2012).

Additionally, the “input” or “causal variable” in both cases was similar - mediation by a similar set of actors employing similar mediation strategies. In both Cyprus and Kosovo, the UN acted as an initial mediator, employing facilitative mediation. This was followed by the US and NATO allies employing more manipulative mediation in the form of side payments (one-off

rewards) or sanctions. Then there was EU intervention in which Turkey's and Serbia's prospects for accession were linked to mediation, linking progress in mediation to longer-term reward structures. This consistency across cases allowed for more nuanced aspects of competition relative to mediation to be identified at the domestic level in Turkey and Serbia, and the local regime-level in the Turkish Cypriot and Kosovo Serb communities.

Another useful comparison is between the types of local regimes observed within the Turkish Cypriot and Kosovo Serb communities. For the Turkish Cypriots, who inhabited a territorially contiguous de facto state after 1974, first as the TFSC and then as the TRNC, the local regime was more institutionalized with formal institutions of government, and importantly, a central role in mediation for its interlocutor. On the other hand, the Kosovo Serb local regime was less formalized, including illegal structures, and different institutions across the territorially contiguous northern Kosovo that bordered Serbia-proper and the disparate enclaves south of the Ibar/Ibër River. Lastly, variation in time and outcomes between cases refutes the simple counter-argument that time since hostilities ended resulted in a settlement. Inter-group fighting ended in Cyprus in 1974, yet the case remains unresolved, while inter-group fighting in Kosovo ended in 1999, with continued violence until 2004, yet the Kosovo Serb local regime accepted mutual institutions, at least in part, in 2013. To draw more robust conclusions regarding the mechanisms that were the focus of this study, it is thus useful to compare the two mechanisms,  $M_1$  and  $M_2$ , across cases.

### ***8.1.1 Changes to Preferences in Turkey & Serbia***

The primary observation about the first mechanism ( $M_1$ ) that produced changes to preferences at the patron state level, in both Turkey and Serbia, was that changes to preferences were not systematically induced by international mediation, but rather the effects of mediation were

moderated by domestic political coalitions. Success of the UN's facilitative mediation was dependent upon the political will of domestic coalitions to pursue preferences aligned with the UN's preferences for resolution. In Turkey in the 1960s and then again in the 1990s, domestic security preferences and the influence of domestic nationalism precluded new preferences for Cyprus and thereby concessions. Decisions to not escalate the conflict by invading Cyprus in the 1960s directly resulted in two incumbent governments being punished, that of İsmet İnönü being ousted in 1965 specifically because of its standing down from invasion, and that of his successor Süleyman Demirel being formally censured in the Grand National Assembly for standing down an invasion in 1967. However, under Kenan Evren's military government (1980-83), the domestic preference to improve relations with Europe and the US in particular resulted in support for UN-proposed confidence-building measures. In Serbia, this was most evident during the period of *DOS* rule in which the endorsement of Serb participation in Kosovo's 2001-02 elections was dependent upon the balance of power between the *DS* and *DSS* within the Serbian Government. When the *DSS* gained power after 2003, facilitative mediation by the UNSR became less effective, ultimately leading to Serbia's boycott policy from 2004-13.

Similarly, the effects of manipulative mediation, either by the US/NATO or the EU were dependent upon the preferences of domestic coalitions. In Turkey, for example, the influence of nationalist junior coalition partners in Süleyman Demirel's government (1976-78), the *MHP* and *MSP*, prevented concessions on Cyprus despite the effects of the US arms embargo. Under the same conditions, Bülent Ecevit's *CHP* government (1978-79) supported concessions on UN confidence-building measures specifically to ease the US embargo. This was more evident in both cases in the presence of EU manipulative mediation, linking prospective membership to mediation and thereby concessions in Cyprus and Kosovo. Turkey initially began to pursue EU

membership in the late 1980s under Turgut Özal, but reversed course and opposed EU membership due to the political conditionality of the *Acquis Communautaire* and the linking of Cyprus to accession. While the same conditions for EU accession remained constant, including resolution of the Cyprus conflict, it was supported by the *AKP* after 2002 which viewed the Cyprus issue as detrimental to Turkey's foreign relations and EU membership as a means of curbing the influence of the military in politics.

Similarly in Serbia, the pursuit of EU membership began under the *DOS*, and the initiative of Zoran Đinđić, but specifically ruled out relinquishing Kosovo in exchange for accession. Đinđić himself stated this in 2002 and it was reiterated ahead of the EU-Western Balkans Summit in 2003 following Đinđić's assassination. The linkage between EU accession and resolving Kosovo, even the perceived linkage, was a salient political issue in Serbia and became an ideological cleavage that defined parties (Subotić 2010). This was most evident in the *DSS* which shifted from supporting European integration in the early 2000s to an avowedly anti-EU stance specifically due to the Kosovo issue. This was even evident within parties, such as when the *DS* split in December 2011 between a pro-EU faction and a more hawkish faction led by Vuk Jeremić that opposed concessions on Kosovo. It was the *DS* and later *SNS*, though, that accepted EU mediation and made concessions aligned with the EU's preferences in exchange for progress in accession, both having run on platforms of "The EU AND Kosovo." Despite the long-term material benefits of EU accession, and pre-accession aid accompanying the process, the *DSS* and *SRS* remained entirely opposed to concessions on Kosovo and EU membership.

This is in part explainable by Frank Schimmelfennig's (2005) argument that EU conditionality in third or candidate states is effective in the presence of existing pro-European "party constellations." Europeanization is then an ideological cleavage and the "constellation" of



parties on one side accepts EU conditionality as necessary or beneficial to an end goal of domestic reforms and/or EU membership. This contrasts with Vachudova (2008, 2014) who argues that EU conditionality can temper nationalist parties' preferences, ultimately making them more moderate. However in the context of nationally-salient conflicts, as in Cyprus and Kosovo, there is another nuanced observation evident in Turkey and Serbia: the linking of EU accession to conflict resolution can trigger splits within parties, and facilitate the emergence of new parties supporting EU conditionality out of hardline nationalist parties. In both Turkey and Serbia, parties that emerged as the most cooperative, whose preferences for conflict resolution aligned with the EU's and who were willing to make concessions, originated as reformist factions of anti-EU nationalist parties.

In Turkey, the *AKP* formed out of the reformist wing of the Virtue Party led by Necmettin Erbakan an Islamist nationalist who opposed membership in the EU as a Christian club and had opposed EU political conditionality and concessions on Cyprus, including when in coalition with the *MHP* in the 1970s. Europeanization, and concessions on Cyprus which its leaders Recep Tayyip Erdoğan and Abdullah Gül believed was obstructing Turkey's foreign relations, were a means of the *AKP* distinguishing itself as a reformist from the other Virtue Party faction, the traditionalist Felicity Party led by Erbakan. Similarly in Serbia, though the *DS* had long been a pro-EU party, it was ousted from power by the *SNS* which also ran on a pro-EU platform in 2012. EU officials noted the willingness of the *SNS* to engage more productively on Kosovo than the *DS* had. Like the *AKP*, the *SNS* was formed as the reformist wing of Vojislav Šešelj's hardline nationalist *SRS*. The *SRS* opposed EU accession and adamantly opposed concessions on Kosovo, having campaigned on calls for the Serbian military to retake Kosovo and preventing Kosovo's independence "at all costs." *SNS* leaders Aleksandar Vučić and

Tomislav Nikolić supported EU accession as beneficial for Serbia, and justified concessions on Kosovo as “time to focus on earthly Serbia rather than clinging to the heavenly kingdom” in reference to making practical concessions rather than nationalist historical aspirations.<sup>508</sup>

### ***8.1.2 Affecting Change in Local Regimes***

In both cases the patron states, Turkey and Serbia, were required to not only adopt new preferences for conflict resolution, which meant changes to domestic preferences and policies, but also required to enact those new preferences and policies within local regimes in order to receive the benefits of mediation from the EU, namely progress in membership. The primary mechanism by which patron states affected change within client local regimes ( $M_2$ ) was support for new leadership whose preferences aligned with its own - in abstract terms appointing a new “agent” more closely aligned with the “principal.” While this primary mechanism, and secondary mechanisms employed in support of new local regime-level leadership were similar across cases, the differing context between cases meant nuanced differences in strategies for affecting change in local regimes.

By the time of the Annan Plan in 2004, the TRNC had a comparatively developed institutional structure approximating a sovereign state, albeit an unrecognized one. This included political institutions such as a presidency responsible for acting as Turkish Cypriot interlocutor in negotiations, and a legislature contested by political parties dating to 1970. What this meant was the key veto players in the Turkish Cypriot local regime were in positions of power within these established formal institutions. And, accordingly, these elites had historically been the ones to play spoiler in negotiations. Most notable was Rauf Denктаş as TFSC/TRNC President who

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<sup>508</sup> Vučić quoted, *Al Jazeera Balkans* [in Bosnian] (10 May 2013).

opposed concessions in talks and had spoiled numerous rounds of UN-led talks by walking away from the negotiating table rather than making concessions. He was backed within the TRNC by the *UBP*, whose leader in the 1990s Derviş Eroğlu held more intransigent preferences than Denктаş and opposed continued talks and federalism as a solution.

After Turkey adopted support for the Annan Plan, under the *AKP*, in official policy in 2003, it faced the challenge of convincing Denктаş and the *UBP* to accept this preference. Both, however, had entrenched their positions since 1964 with Turkish support. Turkey had unwritten the budget and security of the pre-partition enclaves, the TFSC, and the TRNC, at times strategically using these linkages to keep Denктаş and the *UBP* in power. However, both opposed the Annan Plan. Denктаş officially rejected it in April 2003 and refused to resume talks, and the *UBP* had overturned the TRNC's commitment to federalism in 1994 and in March 2003 had blocked legislation facilitating the Annan Plan. To curb their influence in spoiling the Annan Plan, Ankara coopted pro-settlement/pro-EU parties in the TRNC, the *CTP* and *BDH*, which had gained considerable support during the TRNC's economic decline in the 1990s. Ankara supported the *CTP* in the 2003 TRNC elections, and when the elections produced a hung parliament, Turkish Prime Minister Recep Tayyip Erdoğan brokered a coalition between the *CTP* and *DP*, which had previously declined a coalition, with confidence supplied by the *BDH*. Included in their coalition protocol was support for the Annan Plan and EU accession. Also included in the coalition protocol was a provision that the TRNC government could temporarily appoint the *CTP* and *DP* leaders as negotiators if Rauf Denктаş refused to pursue the government's position in talks.

Ankara curbed the influence of the key veto players in the TRNC, acting as spoilers in talks, by manipulating local-level institutions. The pro-settlement/pro-EU *CTP* had existed long

before the 2003 elections, having been formed in 1970, and had long opposed Denktaş and the *UBP* as self-serving and working to maintain the status quo for their own benefit. The *CTP* had officially supported a settlement and EU membership in its platform since 1998-99, before the *AKP* had even existed as a party in Turkey, much less supported a UN resolution and EU accession. In 2003-04, the *CTP*'s pre-existing preferences aligned with the *AKP*'s and it was thus supported by the *AKP* to challenge and oust the existing power-holders, Denktaş and the *UBP*, whose preferences conflicted with Ankara's. To ensure that a leadership sharing its preferences remained in place while attempting to restart talks after the Annan Plan, Ankara again intervened in the TRNC's political system to trigger a government collapse and oust the *DP* which opposed restarting talks. Conversely, when Ankara's preferences shifted after 2017, it supported the *UBP* whose preferences opposing a settlement aligned with its own new preferences for a two-state solution.

This differed from Serbia's strategy in Kosovo. The Kosovo Serb community had comparatively under-developed political institutions, due in part to the exodus of Serbian government structures after 1999 and the continued reliance on Belgrade for basic services and funds via parallel institutions. Precipitated by indiscriminate violence targeting the Serbs remaining in Kosovo after UNSCR 1244, local-level institutions had formed to provide basic services, chief among which was security. As Serb parallel institutions, providing services from security to schooling, were in contravention of UNSCR 1244 and captured by local political allies, local-level institutions were largely informal and plagued by corruption, political capture, and patronage networks. While this meant Serbs continued to rely on Belgrade's funding for basic services, it also created a class of political elites disenchanted with the mismanagement of the parallel institutions and a lack of Kosovo Serb input in mediation. This was most evident in

2008-10 when one group of Kosovo Serb political elites ran as members of Serbian parties in parallel elections, illegal by the terms of UNSCR 1244 and the Ahtisaari Plan, and another group ran as distinct Kosovo Serb parties as a part of Kosovo's elections, illegal under Serbia's constitution.

When the *SNS-SPS* government in Belgrade accepted the Brussel Agreement in April 2013, under an ultimatum from the EU, it faced the problem of a lack of control over these two factions. The moderate faction which had run in Kosovo's elections had rejected Belgrade's authority and opposed the parallel institutions, with some leaders regarding Belgrade as a destabilizing force. The other faction, which had run in Serbia's 2008 elections and then held unilateral elections in contravention of Belgrade's preferences in 2012, had rejected Belgrade's authority in Kosovo specifically because of its willingness to engage in mediation and make concessions, beginning with the *DS*'s negotiations of EULEX's deployment in 2008. The latter faction had acted as spoilers during the EU-led Technical Dialogue in 2011-12. Unlike in Cyprus, where the Turkish Cypriot spoilers were included in formal institutions and negotiations themselves, the Kosovo Serb spoilers existed outside of official institutions and asserted agency in opposition to agreements by using violence or public unrest to undermine Belgrade's position in talks or obstruct implementation. These same spoilers rejected both the Brussels Agreement and Belgrade's authority. Problematically for Belgrade, though, these actors had been entrenched in Kosovo with the support of parallel institutions and more opaque transfers of resources and funds since 1999, and since 2004 their opposition to a settlement and Prishtina's authority had been encouraged and reinforced by Belgrade.

In seeking to curb the influence of these spoilers, Belgrade did not have the same option as Ankara to support existing pro-settlement/pro-EU factions. For one, Belgrade had no relations

with the moderate parties that had run in Kosovo's elections. And, those parties had virtually no influence in northern Kosovo. Instead, Belgrade created a new, single dominant political institution to consolidate political power within the Serb community. This new institution, the *SL*, coopted the existing political institutions in Kosovo including the parallel system, the moderate parties from the southern municipalities, and criminal and patronage networks. Instead of channeling material and economic resources into a parallel system or using violence and threats over employment and benefits to deter cooperation, these same institutions were used to channel Serb political support to the *SL*. The *SL* which monopolized Serb representation at the central and municipal levels thus became an institutional "agent" whose preferences aligned with Belgrade's. It pursued Belgrade's preferences within Kosovo, including simultaneously participating in mutual institutions, while also opposing aspects of Kosovo's sovereignty such as an army. When the *SL*'s preferences did not align with Belgrade's, Belgrade intervened to correct it. For example, when the *SL* proclaimed it would boycott Kosovo's institutions over certain policies or policing actions, Belgrade forced it to return without its demands being met. Or when individual *SL* leaders had preferences different from Belgrade, Belgrade removed them. For example when Aleksandar Jablanović refused to step down and obstructed *SL* participation in Kosovo, he was given a job in the Serbian Government that forced him out of the *SL*.

In both Cyprus and Kosovo, the patron states could not simply dictate new preferences to the status quo local regimes and expect that they be implemented. Instead they supported new local-level leadership whose preferences aligned with their own, in order for them to receive the benefits of mediation, which in these cases was progress in EU accession. The cases, however, differed in how this strategy was pursued, influenced by local-level institutionalization and where the spoilers or veto players who needed to be removed existed. In Cyprus where the

TRNC had a developed political structure which the main spoilers were a part of, Ankara engineered a new coalition headed by a party that supported its preferences, and a coalition protocol that locked in those preferences for the junior partner. In Kosovo, where the Kosovo Serb institutions were fractured between political factions and largely informal or illicit, Belgrade created a new single institution which coopted existed political institutions and redirected resources and violence from deterring cooperation with Prishtina to supporting the *SL* as the sole conduit of representation in Prishtina.

## **8.2 Discussion of Ethics**

This study, interacting a theoretical framework with internally-valid case studies, is not intended to make a normative or prescriptive argument for conflict resolution. Rather the intention has been to identify patterns of local political competition relative to ongoing international negotiations and more specifically to identify mechanisms by which preferences and policies are altered as a product of negotiations. That being said these are two long-running conflicts that continue to both attract international attention and affect regional and local contexts. In keeping with understanding of protracted conflict (Azar et al. 1978; Crocker et al. 2004), conflicts in Cyprus and Kosovo have been costly in material terms and also in social terms and become defining factors of social solidarity and identity for groups within these states. Hence while desirable outcomes were attained in 2004 and 2013 (though the result in Cyprus was ultimately negative), it is necessary to consider the ethics of how these outcomes were attained, and the social impact of the “means” used to attain “ends.”

The theoretical starting point of this study was the liberal peacebuilding paradigm. While the intention of liberal peacebuilding has been the development or reconstitution of robust

institutional structures to contain conflict in non-violent means (Walter 2015, Matanock 2017), participation in the mutual institutional organization of a state after conflict is not an end in itself (Call 2008), but a means of achieving an end. The theoretical underpinning of mutual institution-building is that disparate social groups are afforded access to the state and governance and means by which to redress grievances non-violently (Barnett 2006; Call 2008). If institution-building fails, and groups are stripped of institutional access to the state, then they pursue extra-institutional means to redress grievances such as initiating conflict and/or secession (Walter 2015).

Findings outlined in the cases of Cyprus and Kosovo, and the context of the study more broadly, then raise ethical concerns. On the one hand, changes to local regimes in Cyprus and Kosovo in the context of mediation resulted in conditions more amenable to institutional settlements, namely institutional support within the TRNC for the Annan Plan and participation en masse by Serbs in Kosovo's 2013 elections. On the other hand, though, local-level leadership was engineered, and at times coerced by patron states to align with their preferences. This, in part, made local regime leaders more beholden to patron states than to local constituents. Where their preferences did not align with their patron states, patron states acted to remove them. For example Aleksandar Jablanović in 2015 or Mustafa Akıncı in 2020. Or consider interventions such as Turkey triggering the collapse of elected governments in the TRNC in 2006 and 2019 in order to facilitate governments whose preferences aligned with its own. Or consider the use of violence, intimidation, and threats of losing one's livelihood to deter opposition to the *SL* in Kosovo. While this did curb hardline nationalist voices in northern Kosovo, it also curbed moderate voices and led to the murders of moderate political leaders such as Šefko Salković, Dimitrije Janićijević, and Oliver Ivanović whose own popularity threatened the *SL*.



If the underlying purpose of liberal peacebuilding is to create access to the state for aggrieved groups, then the monopolization of communal representation by parties more beholden to external patrons than local publics corrupts this access. While the communal leaders in local regimes may commit to or support mutual institutions, the intended purpose of facilitating access to the state for groups is not realized. Instead, access to the state is mediated by party affiliation or loyalty, and more problematically, subservience to the preferences of an external patron. As one interview participant said, “our leaders were radical and corrupt before 2013, but at least they were ours and they listened to us.”<sup>509</sup>

### **8.3 Contributions of the Study**

A strength of the methodological approach employed in this study, in-depth process tracing, is the careful analysis of internally-valid case studies to locate and analyze nuanced mechanistic evidence, linking inputs to outcomes (Schmitt & Beach 2015; Beach 2016). The drawback is then generalizability and the external validity of findings beyond the analyzed cases themselves. In concluding this study, I consider the contribution of these findings to three broader fields of study in international politics: (1) understanding unrecognized states/entities; (2) internationally-led peacebuilding; and (3) international bargaining or negotiations.

First, the study of unrecognized states/entities has developed in recent years beyond early conceptualizations as criminally governed black holes or satellites of regional powers in geopolitical rivalries (Kolossoff & O’Laughlin 1999; King 2001; Lynch 2004). While there are certainly elements of criminality and geopolitical rivalry entangled with unrecognized state/entities, more recent research has turned to their internal political institutions and

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<sup>509</sup> Author interview, Prishtina, 2020.

statebuilding. As in recognized states, unrecognized statebuilders require means of internal legitimacy (Bakke et al. 2014). Similarly, by constructing legitimate institutions that are representative of populations and capable of enforcing rules, unrecognized statebuilders are signaling their legitimacy to external audiences who have denied their sovereignty (Berg & Molder 2012; Berg & Vits 2018). However due to an international environment that is non-permissive for secession, these statebuilders rely on external patrons for economic survival, at times resembling external jurisdictions of larger states (Kanol & Koprulu 2017; Comai 2018). This study contributes a further understanding to factors shaping the political development of unrecognized states/entities. In addition to constraints of the international system and economic reliance on patrons, internationally-led peacemaking intended to resolve the conflicts from which unrecognized states/entities originated are another variable constraining the development of internal political systems in unrecognized states/entities. While Ishiyama and Batta (2012), for example, contend that dominant political parties emerge in unrecognized states because of persistent security fears, the findings of these cases illustrate that the rise of dominant political parties is in part facilitated by the preferences of external patron states who manipulate political competition for their own ends.

Second, the study of internationally-led peacebuilding is a well-developed field of scholarship, providing numerous explanations for the successes and failures of international peace projects. One such strand of research argues that peacebuilding, and more precisely institution-building is undermined by international actors with a preference for stability and limited time horizons (Barnett et al. 2014). In the interest of stability and expediency, international peacebuilders coopt loyal local allies rather than established local notables or leaders to head institutions (Lake 2016). These coopted actors may then capture institutions to

benefit their own supporters and patrimonial networks, ultimately detracting from the consolidation of institutions and deterring cooperation with institutions from other groups (Belloni & Strazzari 2014; Ejodus 2017; Jackson 2020). In the context of the Western Balkans, Florian Bieber (2018) terms this practice “stabilitocracy building” - or sacrificing the liberal democratic aspects of peacebuilding in favor of fostering stability. The findings of this study contribute another layer to this understanding of peacebuilding, in which state-level actors are encouraged to build local regime “stabilitocracies” in pursuit of international peace settlements. Hence, while the EU may be content supporting Aleksandar Vučić and the *SNS* in Serbia, despite their autocratic practices because they provide stability (Bieber 2020), Vučić in turn must maintain that image as a pillar of stability by creating stable sub-state conditions, thereby curbing the democratic characteristics of dissent and opposition that would traditionally breed instability (see Diamond 1990).

Lastly, following these observations about peacebuilding, this contributes to existing understandings of international negotiations and their relations to domestic-level politics. Classical liberal scholars of international politics have argued that states’ preferences originate within domestic coalitions who appoint interlocutors to represent them internationally (Moravcsik 1993, 1997). As Robert Putnam (1988) theorizes, this creates a “two-level game” in which the set of possible agreements an interlocutor can reach in international negotiations is constrained by domestic preferences. A narrow set of domestic preferences means that an interlocutor can agree to fewer possible agreements, and likewise a broader set of domestic preferences equates to more possible agreements at the international level. As noted in Chapter 2, the intention of manipulative mediation can be to expand this set of domestic preferences to overlap with possible agreement by “compensating” the costs of concessions to alter decision-

making logic (Carnevale 1986). The contribution this study makes to this field is that in territorial conflicts a third level of this “game” exists, at which local regime leaders have their own degrees of agency and veto power. In order to reach a settlement, not only must the international and domestic levels align, but also the sub-national or local regime level to avoid spoiling. Accordingly, patron states seek to reduce the possibility of spoiling by favoring local regime-level leaders whose preferences align with their own.

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