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PREFACE

Dear readers,

In front of you is the Thematic Collection of Papers presented at the International Scientific Conference “Archibald Reiss Days”, which was organized by the Academy of Criminalistic and Police Studies in Belgrade, in co-operation with the Ministry of Interior and the Ministry of Education, Science and Technological Development of the Republic of Serbia, National Police University of China, Lviv State University of Internal Affairs, Volgograd Academy of the Russian Internal Affairs Ministry, Faculty of Security in Skopje, Faculty of Criminal Justice and Security in Ljubljana, Police Academy “Alexandru Ioan Cuza” in Bucharest, Academy of Police Force in Bratislava and Police College in Banjaluka, and held at the Academy of Criminalistic and Police Studies, on 3 and 4 March 2015.

International Scientific Conference “Archibald Reiss Days” is organized for the fifth time in a row, in memory of the founder and director of the first modern higher police school in Serbia, Rodolphe Archibald Reiss, PhD, after whom the Conference was named.

The Thematic Collection of Papers contains 168 papers written by eminent scholars in the field of law, security, criminalistics, police studies, forensics, informatics, as well as members of national security system participating in education of the police, army and other security services from Spain, Russia, Ukraine, Belarus, China, Poland, Armenia, Portugal, Turkey, Austria, Slovakia, Hungary, Slovenia, Macedonia, Croatia, Montenegro, Bosnia and Herzegovina, Republic of Srpska and Serbia. Each paper has been reviewed by two reviewers, international experts competent for the field to which the paper is related, and the Thematic Conference Proceedings in whole has been reviewed by five competent international reviewers.

The papers published in the Thematic Collection of Papers contain the overview of contemporary trends in the development of police education system, development of the police and contemporary security, criminalistic and forensic concepts. Furthermore, they provide us with the analysis of the rule of law activities in crime suppression, situation and trends in the above-mentioned fields, as well as suggestions on how to systematically deal with these issues. The Collection of Papers represents a significant contribution to the existing fund of scientific and expert knowledge in the field of criminalistic, security, penal and legal theory and practice. Publication of this Collection contributes to improving of mutual cooperation between educational, scientific and expert institutions at national, regional and international level.

The Thematic Collection of Papers “Archibald Reiss Days”, according to the Rules of procedure and way of evaluation and quantitative expression of scientific results of researchers, passed by the National Council for Scientific and Technological Development of the Republic of Serbia, as scientific publication, meets the criteria for obtaining the status of thematic collection of papers of international importance.

Finally, we wish to extend our gratitude to all the authors and participants at the Conference, as well as to all those who contributed to or supported the Conference and publishing of this Collection, especially to the Ministry of Interior of the Republic of Serbia and the Ministry of Education, Science and Technological Development of the Republic of Serbia.

Belgrade, June 2015

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SECURITY POSITION OF SERBIA IN EUROPE TODAY – CONCEPT OF SECURITY NEUTRALITY AND OPTIONS OF MODELING SERBIAN NEUTRALITY ACCORDING TO SWISS NEUTRALITY MODEL

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Abstract: The paper reviews the security position of Serbia in today's Europe in the light of Serbia's presidency over the Organization for Security and Co-operation in Europe (OSCE) in 2015. The authors specify the security position of Serbia as impartial and neutral in relation to the current (geo) political crises, such as the one in Ukraine, which allow Serbia to become a kind of a link between the European West and the European East, reinforcing the authority of our country in the international community. The authors consider the possibility of additional specifying and defining a neutral security status of Serbia modeled on Switzerland in the years to come, in the light of possible geostrategic and foreseeable developments at the European and global level. The consideration of the Swiss neutrality model is particularly interesting in the context of the scientific meeting dedicated to Dr. Archibald Reiss, the man thanks to whom Serbia and Switzerland have nurtured a bond for over a century.

Keywords: Serbia, security position, Europe, impartiality, neutrality, Switzerland, geostrategic developments.

INTRODUCTION

The paper we hereby present to the scientific community is dedicated to the memory of Dr. Archibald Reiss, an honourable Swiss man who indebted Serbia with his endeavours and who was its loyal friend, and after death an enduring guide in pursuit of humanistic values and civilization courses. This paper is not only dedicated to the memory of Dr. Archibald Reiss, but also to the Swiss-Serbian relations, the two nations very different in character, temperament and historical fate. By defining the security position of Serbia in today's Europe as its main topic, this paper poses the question of what the Serbs can learn from the Swiss, so that their historical position and fate could be more quiet, stable and peaceful than those from the previous two centuries in never-ending cycles of wars, great sufferings of the people and constant impoverishment of the country. Unlike Serbia and the Serbs, the historical position of Switzerland and the Swiss is one of steady diplomatic wisdom and constant progress in all segments of society, especially regarding the economic sector. However, these two nations are currently connected through their common denominator, the security segment of a nation's existence, which will be the topic of this paper's research. Both nations are neutral in military and security terms, i.e. both have adopted a neutral military security status, outside of the different systems of collective security, a significant difference being that the Swiss military and security neutrality has lasted several centuries, whereas the Serbian has only lasted a few years.³ Therefore we can conclude that the Swiss neutrality has stood the test of time, while the Serbian one is yet to be proved. More precisely, the Swiss neutrality is *active*, complete, certified and recognized by the world's leading diplomatic and military forces, while, in this sense, the Serbian neutrality appears *incomplete* and *passive*, because Serbia today is still, as it was in the past, torn between various diplomatic and military forces which regard its "neutrality" with suspicion. In that sense, this paper raises the question of whether it is possible to turn Serbian neutrality from passive into active following Switzerland's

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³ Switzerland completed its own neutrality after the Congress of Vienna in 1815, where it created a permanent basis, the one that would be upgraded in years and centuries to come, without significantly changing the concept. Serbia, on the other hand, defined its military and security neutrality with the resolution of National Assembly in 200, after which all other necessary security documents that would further define this concept were not defined, resulting in the fact that Serbian neutrality, aside from being in its infant years, seems unfinished

example, i.e. whether it is possible to take advantage of some of the experiences of Swiss neutrality for further reflection and institutional arrangements of Serbian neutrality.

Therefore, the paper will be divided into several thematic sections. The first part of this paper will consider the Swiss experience regarding security and political neutrality, emphasizing the main components, functions and purpose of Swiss neutrality and the historical context during which it developed and prevailed. The second part of the paper deals with the lessons from the Swiss concept of military and political neutrality intended for Serbia, especially in the context of Serbia's presidency over the OSCE in 2015 and the fact that Serbia and Switzerland will be initially chairing the OSCE together, after which Serbia will take the helm since Switzerland chaired the OSCE in 2014. The second part will not only deal with what Serbia can learn and apply in its concept of neutrality drawing from the Swiss experience of neutrality, but it will also focus on what Serbia can learn and apply from the Swiss experience of chairing at the OSCE. Finally, in this section, we will raise a question whether Serbia can use its chairmanship at the OSCE, (assigned to it in a package with Switzerland) in order to further define its concept of military and security neutrality, based on the Swiss model of neutrality. The main thesis with which we will access the aforementioned research is that military and security neutrality, in order to be stable, efficient and functional, need to be recognized by other countries, which should show confidence in it in the same manner the world's leading diplomatic and military powers have confidence in Swiss neutrality. However, some of them regard Serbia's neutrality as vague and imprecise, therefore not recognizing it in the full sense of the word. In the final remarks of this paper we will summarize all the conclusions we have reached while dealing with the topic of Serbia's (neutral) security position in Europe today, trying to reach final conclusions that would lead to a better, more precise and more functional definition of security and diplomatic position of Serbia in modern-day Europe.

SWISS EXPERIENCE OF SECURITY AND POLITICAL NEUTRALITY

Before we begin to explicitly describe the concept of Swiss neutrality, we will say a few words about the concept of political and military neutrality *per se* and the different models of neutrality known in recent history.

Neutrality as a political concept: the concept of political neutrality, or "neutrality policy", is a package which consists of *political measures and decisions* made in a neutral state during peacetime in order to preserve the credibility and effectiveness of the state's legally-binding neutral position. As certain well-known examples have shown in recent history, the policy of neutrality differs from one neutral state to another and depends on the state's specific situation and the particular historical and political context. On the other hand, states which are not neutral may consider neutrality either contribution to peace or a type of political hypocrisy.

Legal bases of the neutrality status in contemporary international law: Legal bases of the neutrality status in contemporary international law are defined by *the Law of Neutrality*, an integral part of international law. This law is defined by the *Hague Convention* of 1907 and is applied during international armed conflicts. *The Law of Neutrality* is not relevant in the case of an outbreak of internal armed conflict and during peacetime. In accordance with the provisions of this law, a neutral country has an obligation to remain neutral, i.e. impartial and not participate in armed conflict, the warring parties are not allowed to enter or pass through its territory, and a neutral state must defend itself in case of aggression. While it cannot export any military material to the belligerent sides, it has the right to maintain other types of economic and diplomatic relations. Neutrality can be permanent or *ad hoc*, i.e. temporary. It is especially crucial that the *warring sides* (or even the *current dominant diplomatic forces*) must recognize the status of neutrality of neutral states and must not occupy a neutral territory. This brings us to the most important issue related to the state's political and security neutrality status, which is that *such neutrality must be recognized by other states* and that, if it strives to be a real political fact, not simply a fictitious desire, it cannot be "self-proclaimed" on account of the lack of external objections to such neutrality. *The Law of Neutrality of 1907* was limited by *the Charter of the United Nations* from 1945, and in the case where the two obligations arising from these two documents are in conflict, the one stemming from *the UN Charter* will be applied.

Different contexts and models of neutrality in recent history: Throughout the centuries there have been different interpretations of "neutrality" in different countries identifying themselves as neutral, such as Denmark, Sweden, Finland, Ireland, Switzerland, or recently, Moldova and Turkmenistan, which proves that the concept of neutrality is very broad and ambiguous. The concept of neutrality in recent history has ranged from "active neutrality" (Switzerland) to "Cold War neutrality" (Austria, Finland) or "non-aligned neutrality" (Tito's Yugoslavia and other countries of the so-called Non-aligned bloc), getting new meanings in the new context of globalization and new security challenges which such context poses to different countries.

In recent history, the first complete and defined instance of neutrality was the example of Swiss neutrality, stabilized in 1815 after the Napoleonic wars and the Congress of Vienna, when Switzerland declared as a “permanent neutral state”. At that time, the decision had a legal basis and confirmed political dimension, as it was recognized by the dominant world powers of the time (France, Prussia, Great Britain and Russia). Since that time, depending on the different political circumstances at the global level, new types of neutrality have emerged, for example, Finnish and Austrian “Cold War neutrality”, which was different from Swiss neutrality primarily due to the fact that their *ad hoc* role was less active and evidently more passive in comparison to Swiss neutrality, which is proverbially known to be diplomatically proactive in terms of offering good diplomatic service to all interested and possibly conflicting parties, and mediation through a number of international organizations residing in its territory.⁴

As part of “Cold War neutrality” we also have a specific concept evident in the case of the former Yugoslavia (SFRY), which, in the mid-60s opted for a policy of *non-alignment*, which could not be defined as a classical concept of neutrality, but rather as a kind of idealistic *neutrality*, based on strong ideological “non-aligned” foundations and an ambition not only to have non-aligned countries refuse to join any existing bloc, but also form their own bloc at the global level. In this sense, the difference between *neutrality* and *neutrality* is that a state in the first case solely defines its own neutral status exclusively to gain individual state interest from it, while the second case represents a wider attempt to create a whole neutral (non-aligned) bloc of countries, aspiring to become a significant factor in world politics and world events. In this sense, for example, Ireland’s neutrality is different from the previously mentioned ideological “neutrality”, because it contains elements of a classical neutrality concept which does not go beyond the individual state interests. Namely, the neutrality of Ireland was a way to ensure the survival of the Irish state next to the powerful neighbour of Great Britain, and the reason for Ireland not joining NATO proved to be more than practical, without any ideological connotations, as Ireland could not afford enough material resources for membership. Finally, in the context of classical concepts of neutrality, we could mention Ukraine’s neutrality up until recently, whose *ad hoc* purpose was to establish the balance between the impact of the West and the East, which collapsed in the whirlwind of the recent civil war in that country, the result of which is the state’s currently undefined security status. Therefore, the case of Ukraine can serve as a negative example of an easy, sudden and tragic collapse of a state’s neutrality, which was poorly defined and insufficiently externally guaranteed.

The concept of Swiss neutrality as an exemplary model of continuous and effective neutrality: As mentioned earlier, in the context of this paper, out of all the known neutrality models in history, the Swiss concept of political neutrality is especially interesting to us, not only because both this paper and the scientific meeting where it will be presented are dedicated to the memory of Dr. Archibald Reiss and the Serbian-Swiss friendship, but also because the concept of Swiss neutrality is the most enduring one in the history of the modern world, and the longevity certainly testifies to the effectiveness and practicality of the model. In the following passages, we will present the basic elements of the Swiss political neutrality and security model.⁵ Then, in the next part, we will focus on the possibility of such a model serving as an example for the security position of Serbia and examine whether Serbia can, rounding off its currently rather unfinished neutrality model, adopt something similar to the Swiss model of neutrality, naturally not by copying it, but rather by using creative means.

Historical context, the political and legal definition of Swiss neutrality, its purpose and its security aspect: The neutrality of Switzerland is the result of a specific historical development, i.e. specific historical tradition and numerous adaptations to external and internal circumstances. Swiss neutrality was guaranteed for the first time in 1815 by the world’s most important diplomatic powers of the time (Austria, Great Britain, Russia, France and Prussia) at the Congress of Vienna, which finally resulted in the signing of *the Act on the Neutrality of Switzerland* as an official act confirming its neutrality, which would then be upgraded and confirmed in the future in all subsequent diplomatic documents, eventually resulting in the fact that Swiss neutrality has remained confirmed and guaranteed by all the relevant world factors until the present day, so that no one questions it anymore. The fact that Swiss neutrality was officially diplomatically confirmed and guaranteed makes this neutrality *active* in the full sense of the term. In the beginning, neutrality was the only way to preserve the Confederation made up of different entities with different cultural and religious traditions. The only possible way to reconcile them and integrate them was solely by applying the concept of non-participation in the dominant religious and political conflicts of the time, due to which, for a variety of centrifugal forces, the Confederation would certainly divide and disintegrate. Therefore, one of the first functions of Swiss neutrality was internal integration of disparate Confederation, after which other positive aspects of neutrality continued to be gradually discovered. The Swiss, using their fantastic ability

⁴ Precisely because of its neutral military and political status, Switzerland is a home to a number of international organizations that provide the so-called good services to the global community – from the International Committee of the Red Cross, over the World Health Organization, up to the International Labour Organization and a dozen of other international organizations, which found a place there. The list of all international organizations residing in Switzerland on the website https://www.eda.admin.ch/content/dam/eda/en/documents/topics/OI-Geneva_en.pdf

⁵ About Swiss neutrality we report from the paper of Veronique Panchoaud (2009)

of social learning and adaptation for decades, and even centuries, further learned how to use neutrality to realize their external and internal interests. One consequence of this historical development was the fact that over time, *other states recognized Switzerland's neutrality and had confidence in it*, which helped it to become permanent and stable.

According to the Swiss authorities and supporting documents that regulate this issue, Swiss neutrality implies that neutrality is *self-determined, permanent and armed*. According to the traditional understanding of the Swiss, neutrality represents the cornerstone of foreign and security policy, which ensures *the independence of the state and the integrity of its territory*. The Swiss Constitution states that the Federal Assembly (Parliament) is responsible for taking measures to safeguard external security, independence and neutrality of Switzerland (Article 175), and that the Federal Council (government) is responsible to take measures to safeguard external security, independence and neutrality of Switzerland (Article 185). Neutrality is further mentioned in the section of the Constitution entitled "Federal authorities", but not in the sections about the aims of the Confederation or the foreign policy principles. The Constitution maker's idea was to emphasize the role of neutrality not only as an instrument of foreign and security policy, but also as the heart of the Swiss political system, which, as we have mentioned, draws its internal coherence and stability from this concept. Switzerland's neutrality policy is based on four elements from which it draws its legitimacy and legality: *the Law of Neutrality*, the national interest, the international situation, its tradition and history. The special feature of Swiss neutrality concept is that it is active, not passive, in the sense that it does not exclude different diplomatic resources to better align the state interest with the interests of other states.

Thus, the Swiss policy of neutrality is neither a fundamental obstacle for participation in economic sanctions nor for a membership in non-military international organizations. For example, the recent admission of Switzerland in the UN does not mean that it has an obligation to participate in military operations, which makes the admission to this organization in accordance with neutrality. According to *the Law of Neutrality*, Swiss military personnel can be sent abroad only if the mission takes place in accordance with a mandate of the UN or the OSCE, or with the permission of the warring parties, and in accordance with Swiss neutrality. *The Law of Neutrality* strictly prohibits the Swiss Armed Forces members from participating in peace enforcement combat. However, it exclusively connects them with Peace Support Operations (PSO) if they are based on a UN Security Council mandate or performed with the consent of the warring parties. In accordance with the provisions of *the Law of Neutrality*, it is also possible to participate in international military cooperation (training and weapons), but only if it does not assume an obligation to provide assistance to any party in the event of war. Participation in international programs and membership in international organizations is possible if there is no obligation to provide military assistance to anyone or if any other commitment taken contradicts the provisions of *the Law of Neutrality*.

Functions of Swiss neutrality: According to Riklin (1991), Swiss neutrality has five basic functions:

- 1) *Integration* or preservation of the internal cohesion of different cultural and religious groups in order to establish a lasting and stable peace between them and neutralize all external disruptive centrifugal forces affecting the group
- 2) *Protection* or the possibility of non-inclusion in the wars fought in the vicinity and the preservation of the status of an independent and neutral state
- 3) *Economic interest* or the possibility of doing business with all parties in a possible armed conflict⁶
- 4) *European balance*, or creating a situation in accordance with the geopolitical interests of major powers on the Continent, and not doing anything contrary to the interests of the leading powers
- 5) *Good service*, or an opportunity to offer mediation or negotiation services and demonstrate solidarity, the result of which are the state's multiple benefits

The attitude of the Swiss towards their neutrality: The vast majority of the citizens of Switzerland are very fond of neutrality (according to various researches conducted in the last ten years, about 89% of the population has an affectionate attitude towards this concept), which for them represents a part of self-perception and their national identity. Nevertheless, the Swiss citizens and participants in the political and social life experience the term "neutrality" in very different ways. On the one hand, there is the point of view which sees neutrality as *a pillar of sovereignty*, while on the other hand there are those who mainly see neutrality as *an instrument for active foreign policy*. There are differences in the perception of neutrality regarding the political affiliation of the Swiss. Thus, for example, Swiss Social Democrats interpret neutrality primarily as *active neutrality in the function of public diplomacy*, or an active foreign policy, placing an emphasis on *solidarity, human rights and multiculturalism*, which entails diplomatic, and sometimes security participation in various international initiatives promoting these values, adding certain activist bias to

⁶ In accordance with that, during World War II, Switzerland, for example, made business with all the conflicting parties, and they made business with each other with it serving as the mediator, the very important segment of this mutual business was trading in gold. However, it should be noted that during World War II there was a very serious violation of Swiss neutrality and, in the opinion of the Allied countries, biased actions in favour of the Axis powers, resulting, by the end of the war, for Switzerland to be placed on the list of enemy states by the Allied countries.

the neutral status.⁷ On the other hand, the Swiss right parties, e.g. Swiss People's Party (SVP) and its sympathizers, are inclined to believe that cooperation regarding security issues makes Switzerland dependent. This is the reason they advocate a detailed assessment of the current Swiss Armed Forces' involvement abroad and their exact costs. Therefore, there is a certain noticeable distance towards leaving the framework of neutrality in any, even the smallest, interventionism - they see neutrality primarily as *a pillar of Swiss sovereignty*.

The relationship of Switzerland with NATO and activities in the Partnership for Peace: The relationship of Switzerland towards the North Atlantic Treaty is not negative and hostile, but would be rather characterized as reserved. It is well known that NATO launched the program "Partnership for Peace" (PfP) in 1994 in order to establish better cooperation with countries that are not explicit members of the Alliance. Switzerland joined the program in 1996, and together with other members of the program (including Serbia) is currently a member of the Euro-Atlantic Partnership Council (established in 1997), a security-political forum which provides guidelines for practical cooperation within the Partnership for Peace. Swiss participation in the Partnership for Peace is in line with its neutrality, since the Member States of this program are not obliged to join NATO. Moreover, there is no obligation to provide military support in case of any possible armed conflict, as this program is based on voluntary obligations. Simply put, the position of Switzerland in relation to the Alliance is reserved, but with a high degree of mutual trust, placing Switzerland in the so-called "first ring" of countries within the Partnership for Peace, which the Alliance treats in a friendly manner and with trust. Namely, within the framework of the Partnership for Peace, there are "three rings" of countries according to their openness to the structures of NATO,⁸ not in terms of explicit membership and participation in military operations, but rather in terms of supporting other activities of the Alliance and building a relationship of trust. The "first ring" includes the countries such as Switzerland, but also Austria, Sweden, Finland, Ireland and Malta, which the Alliance treats as completely amicable in terms of commitment to common (Western) values. Regardless of not having the explicit membership in the Alliance to promote these values, the level of cooperation and trust with these countries is very high. The "second ring" mainly comprises the countries in transition, just like Serbia, Bosnia and Herzegovina, Macedonia, Montenegro and many countries of the former Soviet Union, which the Alliance sees as potential, but insufficiently stabilized partners. And finally, the "third ring" of the Partnership for Peace includes, first of all, Russia and the states of the former Soviet Union that openly gravitate around it, which the Alliance sees as a great unknown and a potential security challenge. Switzerland has a stable position in the aforementioned "first ring" of the Partnership for Peace, using all the benefits arising from such "trust status" with the Alliance. Respecting its own neutrality, Switzerland managed to build a significantly credible relationship with the dominant military alliance of today, using it as an instrument for military exchange of knowledge, experience and information. For example, NATO regularly invites Swiss representatives to participate in certain courses and exercises, and vice versa. The key areas of Switzerland's cooperation with the Alliance within the framework of the Partnership for Peace program are: improvement of interoperability, planning procedures in civil emergencies, provision of assistance during natural disasters, creating democratic and efficient security structures, adherence to humanitarian law and the law of armed conflict, usage of small arms and light weapons as well as education and provision of IT services. The most important activities and contributions of Switzerland in the Partnership for Peace regard the following areas: peace support operations (PSO), courses and training, regional cooperation projects, the International Relations and Security Network (ISN). Switzerland is also extremely active in the so-called "Partnership for Peace" Consortium. All in all, Switzerland has succeeded in building a relationship of trust with the NATO alliance, preserving its neutral status, and, through the Partnership for Peace it has established direct and open contacts with key stakeholders in European security (the USA, France and Great Britain). The attitude of Swiss society towards NATO is not uniform, and there are big differences in the perception of favorable relations with the Alliance between the different parts of Swiss society and political parties. A very influential Swiss political party, representing the most conservative social circles, suspicious of NATO and the state's abundant usage of the Partnership for Peace, is Swiss People's Party (SVP). They believe that the participation in the PfP program means that there are numerous military exercises of Swiss soldiers abroad and foreign troops in Switzerland, which, in their opinion, represents a violation of the original idea of neutrality. Therefore, in accordance with their position, they believe that Switzerland should discontinue its participation in PfP as soon as possible. Other Swiss political parties, ranging from liberals and social democrats to moderate conservatives, have no problem with this, and many of them, for example, the

⁷ Of course, the Swiss Social Democrats do not go beyond *the Law of Neutrality* in their activist proceedings, but interpret the spirit of that law in accordance with their own values of promoting human rights and multiculturalism whenever a diplomatic opportunity arises.

⁸ Specific knowledge and information on the functioning of the Partnership for Peace, as well as on the status which different countries have in this program, and in NATO itself, was collected by one of the authors of these lines, Dr. Neven Cveticanin, during the duty he had as a member of the delegation of the National Assembly of Serbia in the Parliamentary Assembly of NATO, during his parliamentary mandate in the National Assembly of Serbia

Liberals (FDP) and Moderate conservatives (CVP) argue that the participation of Switzerland in the Partnership for Peace should be intensified.

Perspectives of Swiss neutrality: According to Riklin (1991), five previously listed functions of neutrality have lost importance after 1989 and the drastic changes in the world order. However, in the light of new circumstances in Europe and the world, caused by the conflicts in Ukraine and new deterioration of the relations between the East and the West, as well as the escalation of international terrorism, Swiss neutrality would again be able to get value and expediency. What is indisputable, regardless of the global context, is that the neutral status gives Switzerland unquestionable reputation in international relations due to which it is very gladly seen as an intermediary between the various warring parties. Moreover, its territory very often serves as a meeting point for various peacekeeping and mediatory diplomatic conferences. Furthermore, the status of a neutral state can be an advantage in the 21st century in the context of increasingly frequent terrorist threats and attacks and possible tensions that may occur in the future due to water resources. All this suggests that Switzerland's neutral security status not only provides prestige, but also clear benefits when it comes to representing national interests, i.e. interests of its own citizens. This is why the Swiss model of neutrality can be exemplary for Serbia and for that reason we will analyze which specific lessons Serbia can draw from the Swiss neutrality model, in order to strengthen its diplomatic position and international reputation.

LESSONS FOR SERBIA GAINED FROM THE SWISS CONCEPT OF NEUTRALITY, SECURITY POSITION OF SERBIA AND SERBIAN PRESIDENCY AT THE OSCE IN 2015

The application challenges of the Swiss neutrality model in Serbia: Describing Swiss neutrality, we have mentioned that the neutrality model was the product of a specific historical development of Switzerland and its specific historical tradition, which created a national identity and mentality. The historical development, traditions and mentality differ significantly, if not entirely, from the historical development, traditions and mentality of Serbian society, which immediately creates aporias in the attempts to apply the Swiss neutrality model to Serbia. In the following paragraphs, we will list the key differences in historical development, traditions and mentality between Swiss and Serbian societies, which lead to aporias regarding the explicit application of the Swiss model of neutrality to Serbia. However, even if it is not reasonable and realistic to expect explicit, literal and copied application of the Swiss neutrality model in Serbia due to significant differences in the historical development, traditions and mentality, it does not mean that it is impossible to upgrade Serbian, for now merely proclaimed neutrality, using certain segments of the Swiss neutrality model, so that it would make a transition from its *passive* to an *active* phase.

The first aporia to emerge when we think about the possibilities of the Swiss neutrality model application in Serbia is the fact that there is a significant difference between Switzerland's and Serbia's so-called historical-security positions. Namely, in the past few centuries, Switzerland has been the place where the most important European and world powers have consulted and communicated with one another. The Swiss security buffer zone has successfully been used by all - from the Swiss themselves to a variety of global forces - as the existence of such security buffer zone has worked well for everyone. On the other hand, Serbia and the Balkans in general, measured according to the so-called longevity processes, were the areas where the great powers "arm-wrestled" and where they prevailed. Thus, not only did Serbia and the Balkans lack the function of a secure, calm and peaceful buffer zone, but, on the contrary, they were always a gunpowder keg which caused large European fire, while the world powers struggled to overpower one another. Therefore, the main question is whether Serbia and the (Western) Balkans in general can, in the distribution of world interests and plans, become an area where the leading world powers would not overpower each other, but gather to communicate, as it is the case with Switzerland, i.e. the "Swiss security buffer zone" which has acted, both in a literal and metaphorical sense, as the place of communication between various influential world powers for centuries.

The second aporia to emerge when we think about the possibilities of application of the Swiss model of neutrality in Serbia is that Serbia and other Western Balkan countries have not had a tradition of neutrality.⁹ Thus, Serbia has, in particularly dominant conflicts of the time, been explicitly either on one or the other side of conflicting parties, rarely staying on the sidelines, reserved and neutral like Switzerland. The only exception was the socialist Yugoslavia (SFRY) with its non-aligned policy, but as stated in the introduction of the first chapter where we underlined the difference between *neutrality* and *neutrality*, the Yugoslav model of non-alignment did not represent a security-political neutrality in

⁹ Except for the Renaissance Republic of Dubrovnik of a long time ago, which is perhaps the only instance when a Balkan polity maintained its existence more through diplomacy than through arms, wisely acting "neutral" towards all dominant conflicts of that time and even, as Switzerland, profiting on them by trading and doing business with all the conflicting parties.

the classical sense, but it aspired to create a third bloc, in the space between the conflicting parties of Cold War. This third bloc had global aspirations, too, nevertheless fraught with ideological connotations. What makes Swiss neutrality efficient, expedient and enduring is the fact that it is not an ideological project as that of the non-alignment of Tito's Yugoslavia, but, first and foremost, a pragmatic project, which has eventually become acceptable among various world powers, exactly due to its own pragmatism. Therefore, the neutrality of Serbia, if it strives to be sustainable and expedient, should not be based on the model of non-aligned socialist Yugoslavia, since it might mean that Serbia allegedly has some kind of global pretensions for which there is no ground in the current position of the country. On the contrary, the concrete situation dictates Serbia to concentrate on its own individual national interest and remain within the mandate of this special national interest. It is in this segment that Switzerland can serve as an exemplar to Serbia providing the example of *unpretentious pragmatic neutrality* as opposed to any *idealistic neutralism* such as Tito's policy of non-alignment.

The third and very important aporia which emerges when we think about the possibilities of application of the Swiss model of neutrality on Serbia is that Serbia is a highly indebted country in terms of external debt and therefore financially dependent on different sides and forces to which it owes a debt. By contrast, Switzerland is not an indebted country in relation to government debt, so in this sense, it is free and independent, which allows it to remain within the bounds of the classical neutrality model. This means that one of the main principles of a true, and not merely proclaimed neutrality of Serbia, is the reduction and eventual complete regulation of external debt, which is not an easy task and is an issue of economic parameters which we will not discuss here, as that is an entirely different topic. Here we can only add a specific conclusion that the high external indebtedness of the country and consistent implementation of the neutrality policy are mutually exclusive.

The fourth aporia, which emerges when we think about the possibilities of application of the Swiss neutrality model on Serbia, is the proclaimed strategy of Serbia to join the European Union in full capacity. Namely, the European Union has since 1992 and the Maastricht Treaty also been a security union with the Common Security and Defence Policy (CSDP). The Treaty of Lisbon of 2007 went even further in its Article 42.7 which relates to regional solidarity in the case of a terrorist attack, thus excluding any possibility of consistently remaining within the frame of the classical neutrality model of those states which are a part of this common security and defense policy. Additionally, the European Union has, with the introduction of the Petersberg tasks in the Treaty of Amsterdam in 1997, shifted from peacekeeping to ensuring peace, and today the former neutral countries, such as Finland and Sweden, are very active in their endeavours to turn CSDP into a means for effective international crisis management which, to some extent, excludes the consistent application of the classical neutrality model. However, within the European Union there are countries that have retained a wider space for its security neutrality such as Austria. Hence the claim that the EU membership excludes the neutral safety status should be taken with reserve. Therefore, it is possible that Serbia maintains its proclaimed strategy to join the European Union and, at the same time, develop a model of security neutrality, but then the model of Serbia's neutrality should be based on the Austrian, and not on the Swiss model, which is a different theme and not a subject of this paper. This paper tries to imagine Serbia's neutrality according to the Swiss model, or even contemplate which segments of Swiss neutrality could be applied to Serbia, and therefore starts from an assumption that for the implementation of such neutrality it is not necessary for Serbia to become an explicit member of the EU.

Be that as it may, there are many obstacles to the Swiss neutrality model application in Serbia, caused by Serbian history, tradition, mentality, geographic and economic position. However, as we have mentioned earlier, this paper does not strive to offer a pretentious formula by simply copying the Swiss neutrality model in Serbia, but rather try to analyze which segments of the Swiss neutrality model Serbia could adopt to further round its, for now, merely proclaimed neutrality, and transition from its *passive* to an *active* phase. Swiss experiences can be useful to Serbia, especially the insight that, in order for a neutral status to be expedient, it needs to be recognized by the leading world powers in the same manner the neutral status of Switzerland is recognized and respected. Serbia could use its shared chairmanship of the OSCE in 2015 with Switzerland, which chaired the OSCE in 2014, to tie its security position to Switzerland's, and to, in that sense, further define its own neutrality, which will be discussed in the following passages.

Serbian Chairmanship of the OSCE and the possibilities of using the presidency to define the model of neutrality of Serbia according to the Swiss model: As it is known, Ministerial Council of the OSCE's decision of 10 February 2012, decided that the Republic of Serbia would chair the OSCE in 2015 as part of a joint candidacy with Switzerland, which had chaired this organization in 2014. Switzerland and Serbia agreed to, for the first time in the history of the OSCE successively assume the presidency of this organization. The fact that Serbia is in this way "attached" to Switzerland, a country traditionally known for its neutrality and objectivity in international relations, is very favourable for Serbia and its international position due to the current crises. This does not only allow Serbia to learn from the Swiss experience, but also to define its own neutrality better and to try to transit from its "passive" to an "active" phase after the Swiss model.

The adoption of Decision on the presidency of the OSCE represents a success and a great responsibility for Serbia in the field of multilateral diplomacy, as, ever since it regained its independence, Serbia has rarely had the opportunity to “swim” in the waters of multilateral diplomacy. This is a double-edged sword as it can be beneficial, but it could also cause damage if Serbia is not diplomatically skillful during its chairmanship of the OSCE. A particular challenge for Serbia stems from the fact that in 2015, which marks the forty-year anniversary of the Helsinki Final Act, a consensus of the OSCE States on a new strategic framework of the Organization should be reached, as a result of the reform process which is underway. Furthermore, the OSCE undoubtedly rose in importance after the Ukrainian crisis, which set new challenges before the Organization, and especially for the country at its helm - Serbia - in the year when the crisis should show the direction in which it should go - whether decrease or inflate. In accordance with *the Joint Work Plan* drawn up in collaboration with Switzerland (which we shall discuss later), Serbia may have to appoint *special representatives for existing long-term conflicts*, i.e. appoint a representative for the conflict in Ukraine. It is also expected from Serbia to, as the chairman of the OSCE, coordinate so-called trilateral contact group for resolving the Ukrainian crisis, which consists of the OSCE, Ukraine and Russia. Furthermore, there is an intention to form the so-called Panel of eminent personalities within the OSCE, made up of selected diplomats and influential people in the global community, the aim of this Panel hence being to restore confidence among the member states of the Organization, which is yet another task for the Serbian presidency in the OSCE which requires skillful coordination.

In the context of these not at all easy challenges and tasks which will be set before Serbia during its chairmanship in the OSCE, a very favourable circumstance is that Serbia is chairing in the package with Switzerland, that is, in the package with the state of neutral security status of a great international reputation. Serbia can use this principle not only to continue to chair the OSCE strictly adhering to *the principle of continuity* in the same impartial manner in which Switzerland did it, but also to use its presidency to further define its own neutrality according to the Swiss neutrality model. The guide and support to this endeavour could certainly be the so-called *Joint Work Plan* for the presidency of the OSCE, formulated by Switzerland and Serbia, and presented on 2 July, 2013 to the Permanent Council of the OSCE in Vienna.¹⁰ This plan refers to “*the common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok*”, which is a cleverly composed inclusive and impartial formulation providing the chairperson duo of Switzerland and Serbia a neutral approach to existing crises (above all the crisis in Ukraine) and a fair relationship with partners in the West and the East. Moreover, the section of the *Joint Work Plan* devoted to *the management of conflicts during the entire conflict cycle* states that “our presidency will support all necessary means to increase efforts to resolve existing conflicts in the area of the OSCE in a peaceful manner, within the agreed formats, and support all efforts to prevent the outbreak of new crises”, emphasizing the intention that we intend “to appoint special representatives for existing long-term conflicts, with a mandate covering both consecutive periods of our presidency” which we have already discussed when we mentioned that this task can now be given to non other Serbia. As one of the priorities, this document states the intention “to strengthen the capacity of the OSCE to respond effectively in situations of tension or crisis” as well as to “support the practical application of facilitation and mediation in dialogue in the field, including through capacity building for mediation support”. Beyond the diplomatic vocabulary, it is clear that Switzerland and Serbia devised a moderate and pragmatic platform for the presidency of the OSCE in 2014 and 2015, which is largely based on neutral security status shared by the two countries. However, since the neutrality of Switzerland is confirmed and recognized, and that of Serbia is for now only declaratory, it is reasonable to assume that the pressure on Serbia to be biased toward one or other side in the current conflict will be higher than it was on Switzerland, so Serbia will have to manage these conflicts skillfully. The most optimal option for Serbia is to hold the positions that were held by Switzerland and not in the least depart from the ways of chairmanship employed by Switzerland in the OSCE. In all this, Serbia should take advantage of the fact that *the Joint Work Plan* envisages that Switzerland and Serbia “*coordinate our positions*”, and that the two sides are willing to “*help networking of Swiss and Serbian institutions and non-governmental organizations with an aim to include them in our preparations*”. This means that *the Joint Work Plan* envisages a constant and continuous communication between Swiss and Serbian institutions, which Serbia can use for the absorption of Swiss experiences and attitudes not only in terms of chairmanship of the OSCE, but also in terms of further defining its neutral status modeled according to the Swiss model, so that what was tolerated to Switzerland during its presidency of the OSCE also be tolerated to Serbia - to be impartial and neutral in dealing with major security threats and challenges of which the most important is the crisis in Ukraine. What can help Serbia to have a successful presidency of the OSCE are good relations it already has with Brussels and Moscow, as well as its own experience of a post-conflict society. In addition, Serbia has to take into account the fact that after it, the OSCE will be chaired by Germany in 2016, and that, according to an established custom within the OSCE, it has to be active in 2015 in the so-called triad consisting of past, present and future chairmen of the OSCE, or in other words Switzerland, Germany and Serbia, which requires the effort of preparing tripartite consultations between the aforementioned countries.

¹⁰ The content of this *Joint Work Plan* can be downloaded from the website of the Ministry of Foreign Affairs of Serbia <http://www.mfa.gov.rs/sr/index.php/teme/oeps-2015--predsedavanje-srbije?lang=lat>

All in all, the presidency of Serbia over OSCE sets an unusual diplomatic challenge facing our country, which will require a lot of skills and abilities to overcome them. The best ally in carrying out this delicate task, can be - a clear plan - and a strategy not only to stay within the minimalist action plan to chair the OSCE without mistakes and blunders, but also to fit our own chairmanship at the OSCE into the broader vision of our own security in the sense of promoting neutral security status and lobbying for its recognition by the dominant world powers. What works in our favour in this task is that we chair the OSCE together with Switzerland, a country neutral in terms of military and security, which leaves room to take root in this riverbed of neutrality which Switzerland has already carved out for us, of course, having in mind all the limitations when it comes to application of the Swiss neutrality model on Serbia as previously discussed. Finally, during the crisis in Ukraine and the growing gap between the West and the East, the confirmed neutrality of Serbia may perhaps be acceptable for both sides, because the West would certainly not like to witness closer military-security connection between Serbia and Moscow (nor it would suit Serbia for practical geographical reasons, since it would be in the ring of states that are either members of NATO or gravitate around the Alliance), and, on the other hand, Serbia's direct membership in NATO would neither suit Moscow (although Moscow certainly does not have the same problem with this as with the eventual membership of Ukraine in NATO, since the Ukraine belongs to the first ring of defense of its interests, and Serbia just in the second or maybe even third). In addition to all that, the interest of the West is not to repeat hasty mistakes made in the case of Ukraine in the time before the open crisis, especially not when it comes to Serbia, because it would, in that way, get a neuralgic point within its tissue (since Serbia is surrounded by countries that gravitate towards the West which now extends all the way to divided Ukraine) and weaken its own coherence. Therefore, it might be in the interest of all parties that Serbia be granted a neutral military-security status, which cannot be reached if Serbia does not devise its neutral position better and more concretely and if it does not specifically lobby at the most important world powers with a clear plan, wisely interpreting the interests of these powers, skillfully corresponding to these interests. Finally, Serbia could use its presidency over the OSCE to skillfully promote its own security interests, which, given the geographical location and the historical tradition of Serbia, lie exactly in the fact to be a fair, impartial and neutral mediator in both the Ukrainian crisis, and all other possible misunderstandings between the West and the East, i.e. the dominant Western powers and Russia. The current neutral security status enables that to Serbia, and in the conclusion of our paper, we will give final conclusions about the perspectives of the neutral security status of Serbia in this dynamic world that is ever changing.

CONCLUSION

The ancient Chinese Taoist philosopher Lao Tzu said in one of his famous maxims that "a journey of a thousand miles begins with a single step". A confirmed and guaranteed neutral security status of Serbia is like a journey of a thousand miles, as Serbia's current neutrality is purely declarative, i.e. it is neither specifically guaranteed, nor recognized by any diplomatic force and a thousand diplomatic miles would need to be crossed in order for its security neutrality to be fully and realistically realized. This journey needs to begin with small, but sure steps and the fact that Serbia will be chairing the OSCE in 2015 represents an opportunity to move in that direction. The very important detail is that Serbia is chairing this distinguished organization alongside Switzerland, and after it, exploring the opportunity to learn from the Swiss diplomatic experience and its fully rounded neutral security position. In this paper, we have emphasized numerous real aporias in the application of the Swiss neutrality model in Serbia, as we have seen that these societies have different historical traditions. We have also pointed out that it would be not only unrealistic, but also presumptuous to expect the Swiss model of neutrality copied and applied literally in Serbia. On the other hand, we have pointed out that this does not mean that the possibility of applying certain segments of the Swiss neutrality model to Serbia should be rejected and that Serbia should learn from the experience of Swiss neutrality. The most important lesson Serbia can learn from the Swiss neutrality experiences is that neutrality can be expedient and realistic only if it is recognized and guaranteed, as the Swiss neutrality was guaranteed for the first time in 1815 by the world's most important diplomatic powers of the time (Austria, Great Britain, Russia, France and Prussia) at the Congress of Vienna. This finally resulted in the signing of *the Act of Neutrality of Switzerland*, which would be updated in the future and verified by all the subsequent diplomatic documents. Swiss neutrality has remained confirmed and guaranteed to this day by all the relevant world factors, so that no one questions it today. This leads us to the conclusion that the neutrality of Serbia, in order to be realistic and expedient, needs to be confirmed and guaranteed by the leading forces of our time (specifically, in our case, the most influential forces in our region - the United States, Russia and the European Union) by a neutrality Act of Serbia of some kind. If this is not possible or if it is not in the interest of the said forces (or some of them, which is enough to destroy the entire construction and make it unsustainable), then it would be valuable to consider whether it is better to stay in such a declarative, unguaranteed and unrecognized neutrality or to transit to a system of the so-called collective security, which is another topic for a new research.

However, as the current security status of Serbia, no matter how declarative, is still neutral, Serbia could check with the most influential international diplomatic centers whether this current declaratory neutrality status can be turned into a defined and guaranteed neutral status, i.e. whether it can transit from its *passive* into an *active* phase. If this proves to be unrealistic and unsustainable, Serbia can search for other solutions to define its security situation. In the opinion of the authors of this paper, it would certainly be better for Serbia to find a way to define its own neutrality, rather than to seek other solutions for its security status through the systems of collective security, which, in the world we live in, can result in more problems than benefits. This primarily refers to the fact that the image of a neutral country can be an advantage in the context of terrorist threats which are a certainty of the century we live in. Simply put, neutral Serbia, if confirmed and guaranteed, would just be a “state minding its own business”, away from all major global conflicts, regardless of whether they are as direct as the one in Ukraine or diversified as aforementioned terrorist threats. This is exactly the position which we have least frequently occupied in the past, as we were very often dragged in, even against our will, into the maelstrom of conflicts in which we paid high prices on the behalf of others. Neutral status ensures one’s position as an island of peace in an increasingly unstable world. Nevertheless, as it was mentioned, in order to be expedient, this status cannot be self-declared, but recognized and guaranteed. Moreover, “this status” needs to be “armed” just as the neutrality of Switzerland is “armed”, as every Swiss citizen is a soldier, with basic military training and weapons for possible defense of neutrality.¹¹ Still, this is another topic, delving into purely military aspects of neutrality.

Finally, a realized neutrality in Serbia, if it ever came to be, would have the same function as it does in Switzerland, which is the internal integration of the country with its diverse cultural and historical heritage, where various parts of the country gravitated towards different historical and cultural traditions (e.g. Vojvodina toward Central Europe, Šumadija toward the so-called “hard” Serbian national identity, Sandžak toward Turkey, etc.) Indeed, Serbia is not as ethnically and religiously diversified as Switzerland, but it is still significantly culturally diversified in comparison with, in this sense, homogeneous countries, such as Greece or Turkey. Here, the main mentality opposition is between the “Central European” Vojvodina, “insurrectionist” Šumadija as “the heart of Serbia” with its characteristic mentality, Islamized Sandžak and Eastern Serbia, as a special mentality environment. Therefore, in order not to have problems between these parts of the country in future (especially Vojvodina and Sandžak and the rest of Serbia), not only would it be optimal for Serbia to be modeled on the civil grounds of the so-called constitutional patriotism, but a fully rounded neutral status of Serbia would be the main support to such constitutional patriotism. It would then, as in Switzerland, balance out any possible external centrifugal forces, which have always negatively affected the stability of Serbia. This way, such a rounded neutral security status would help additional internal integration of a country, incomplete in the sense of forming an integrated society and the state, providing calm waters suitable for internal institutional arrangements and completeness of Serbia as a state and society in every sense.

In general, the benefits of a rounded neutral security status of Serbia would be manifold and extremely beneficial, but, ultimately, the question remains whether Serbia can reach the position where it could fully round its neutral status and security, formed on the real grounds or if it will be forced to join a system of collective security. This question cannot be answered in this paper, as it does not depend on theoretical assumptions. The answer to that question depends on the diplomatic skills of Serbia, the realistic international situation and the interests of various world powers in this area. In this paper, we have only presented a thorough analysis of Serbia’s neutral security status, using the example of Swiss neutrality as the exemplar towards which it would be good to strive, with realistic consideration of specific differences in tradition and positions of the two countries, but with a concrete conclusion that if any country wants its neutrality to be effective and expedient, it needs to be recognized and guaranteed.

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¹¹ Tito’s “non-aligned” Yugoslavia is a worse example of “armed neutrality” than Switzerland’s, because even though it was armed, it did not prevent it to burst at all seams, both external and internal, turning weapons as a means in one, in its essence, tragic civil war

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