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Casper Tervo SERBIA-CHINA RELATIONS IN THE CONTEXT OF EU ENLARGEMENT

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ABSTRACT

In this bachelor's thesis, the influence of Serbia's extensive relationship with China is examined in the context of EU enlargement. The effect of this relationship on Serbia's membership negotiations in chapter 31 of the community acquis (Common Foreign and Security Policy) is evaluated. Serbia's alignment rate with EU foreign policy decisions has dramatically decreased in recent years but, as the findings prove, with little influence from China. However, Serbia's current relations with China are not compatible with membership in the EU. The thesis also concludes that China is not seeking to disrupt Serbia's accession process or to weaken the EU through bilateral relations with Serbia or the 16+1 framework. Finally, conclusive remarks and recommendations on reforms that could help acceding states with delicate relations with third countries are made.

Keywords: Serbia, China, EU enlargement, CFSP alignment, 16+1, CEEC-China relations

INTRODUCTION

Despite the fact that many years have passed since the EU last enlarged and the existence of widespread scepticism towards the Union and the enlargement policy, the EU is not resting on its laurels. There are five candidate countries that wish to join the Union at a future point. Three have started membership negotiations and two are still waiting on them to begin. However, all candidates remain in the very outsets of their accession processes. The EU and its citizens are still digesting the admission of 13 new members since Spring 2004. Any further enlargement seems unlikely during the next Commission's term.

One potential new member that could join towards the end of the 2020s is Serbia. It has been a candidate country since 2012. There is a sense of the EU being incomplete if the Balkan countries are not at some point admitted to the EU – they make a large gap on the map of EU members at the moment. Serbia, however, is enduring a rocky path to membership. The complexities of Southeast Europe are well documented and a bloody near history not forgotten. Serbia has work to do in fulfilling EU prerequisites of democratic and constitutional rule as well as securing a functional market economy. Having a peculiar foreign policy, Serbia's road to membership will also include tough negotiations on their foreign policy alignment. According to the Copenhagen criteria, a prospective member must also accept the legislation and obligations that the EU has passed, i.e. the community acquis. The acquis is divided into 35 chapters that include requirements on all aspects of society, e.g. economic policy, environmental policy and the Common Foreign and Security Policy (chapter 31). Under chapter 31, Serbia (and all other candidate countries) is required to align with EU foreign policy statements so that they align with them fully and do so well before accession. Effectively, this means that Serbia has to support the declarations, restrictive actions and security missions that the EU sees fit to make. A country's alignment rate can serve as an effective indication of how likely its accession perspective looks like.

Measurements for Serbia's alignment rate with EU foreign policy decision are found for the years 2008-2018. They have been done by Serbia itself (2008-2010), the European Commission

(2009-2016 & 2018) and ISAC fund (2016-2018), a Serbian non-governmental organization focusing on Serbia's foreign relations. The measurements show a clear trajectory of an alignment rate that has dramatically fallen in recent years. The rate stood at around 70% in 2008-2010 and rose to 99% in 2012, after which it fell to around 60% in 2014 and only 50% in 2017 & 2018.

Reasons for these changes in alignment are of course manifold – the EU has its say on many developments in world politics. The biggest impact is thought to result from Serbia's relations with its longstanding occasional ally Russia (ISAC 2016, 2017, 2018). Russia is an important partner to Serbia politically, economically and culturally. But there has been a growing importance of Serbia's relations with China during the last decade or so and that has not been scrutinized enough – the two countries have strengthened both political and economic ties substantially. This can be seen in the number of Chinese investments to Serbia, in the signing of a bilateral treaty, in high-level state visits, growing Chinese tourism in Serbia et cetera. The warming of these relations coupled with the decrease in foreign policy alignment with the EU provokes the question whether China has had influence on it. That is why it is justified to investigate Sino-Serbian relations in the framework of the enlargement policy and chapter 31 of the acquis.

Thus this thesis presents the hypothesis that *Serbia's relationship with China affects Serbia's EU accession negotiations*. It seeks to find out its scope and effect on Serbia's EU accession negotiations in chapter 31 of the acquis.

The thesis will begin by introducing the enlargement policy of the EU and how it is seen from a Chinese perspective. It will then present the relevant negotiation chapter (31) and its importance as well as introduce Serbia's alignment data in 2008-2018. China's influence on the alignment rate is evaluated. The subsequent chapter delves into political and economic relations between Serbia and China and takes a look of them in the framework of 16+1. Finally, conclusive remarks are made on the Serbia-China relationship's implication on Serbia's accession process.

1. EU ENLARGEMENT POLICY

There have been seven rounds of enlargement – the first taking place in 1973 when the UK, Ireland and Denmark joined and the last in 2013 as Croatia joined the EU. In between these rounds the EU, which started as an organization of 6 countries, has enlarged to a semi-federal entity of 28 states (soon 27 as Britain is exiting the Union). The most impactful round has arguably been the so-called 'Big bang' of 2004 when 10 countries of the East joined. Current accession candidates are Macedonia, Montenegro, Serbia, Turkey and Albania while Kosovo and Bosnia-Herzegovina are potential new candidates. (Lelieveldt & Princen 2011)

1.1. Enlargement procedure and conditionality

The procedure of enlargement begins when a country sends a formal application. The European Council decides whether the application is acceptable or not. Applicants must adhere to the three Copenhagen criteria; politically they must have democratic institutions, rule of law and respect for human rights and minorities, economically they have to have a functioning market economy and be able to withstand the competitive pressure that membership in the EU entails. An applicant must also accept the legislation and obligations that the EU has passed, also known as the community acquis. It is divided into 35 chapters that describe the requirements of membership and presents the political, economic and monetary aims of the Union to which a candidate must commit. These criterion leave some room for political discretion - for instance, it is easy to judge whether a country has a democratic constitution but harder to assess how it functions in practice. There can also be region specific criteria. For instance, more conditions have been set for the Balkan countries than the countries that joined in 2004. These additional conditions stem from the near history of the countries in the region and the tensions that still exist. One relevant condition is that Serbia and Kosovo normalize their relations. Despite onand-off negotiations between the two parties no immediate agreement on normalization is in vicinity (Balkan Insight 30.4.2019). Serbia does not recognize the independence of Kosovo (along with EU members Spain, Romania, Slovakia, Greece and Cyprus), who seceded from Serbia in 2008, and treats it like a breakaway province. (Delreaux & Keukeleire 2014). In general, the EU expects the Western Balkan countries to have good neighbourly relations, crossborder cooperation, compliance with post-(Yugoslav)war peace agreements, protection of minorities, facilitating the return of displaced people and cooperation with the international criminal tribunal for former Yugoslavia. (Lelieveldt & Princen 2011) (Delreaux & Keukeleire 2014)

Once the European Council has given its blessing for an application it is for the Commission to give its opinion on whether to start accession negotiations immediately or to delay. If negotiations are initiated the Commission negotiates on behalf of the EU and when all negotiation chapters are closed an accession agreement is passed on to the European Council for approval. A positive decision on accession needs unanimity from the existing member states who also need to pass the accession agreement in their national parliaments. (Lelieveldt & Princen 2011)

It is necessary to take integration capacity into account, too. This refers to EU's capabilities to integrate new members, which might require reforms to its institutional, policy and financial structures (Lelieveldt & Princen 2011). The Union must be able to function properly and democratically, to achieve political targets and to finance activities still after admitting new members. The enlargement rounds so far have made the Union stronger, economically sterner, globally a greater force and stimulated new EU policies (Delreaux & Keukeleire 2014). However, qualms about integration capacity exist. In 2006, the European parliament called out that the Treaty of Nice (2003) had not made the Union ready for the accession of the Central and Eastern European countries (European Parliament 2006). The Lisbon Treaty (2009) tried to answer the shortcomings of previous treaties by, among other things, introducing new decisionmaking rules and increasing the use of the community method in Council (of the EU) decisions. However, the illiberal governments in Poland and Hungary that have challenged fundamental values of the EU, namely democracy, rule of law and freedom of the media, puts the level of EU integration capacity into question. This could hamper the membership bids of Western Balkan countries if the state of their democracy and constitutional rule is questioned and if they are feared to cause inconveniences within the Union, like Poland and Hungary. When membership is reached it is not certain that reforms made prior to accession become permanent and sustainable because a major incentive to maintain standards no longer exists.

Serbia applied for membership in December 2009 and was given candidate status in March 2012. The country had been a potential candidate since 2003 (ISAC 2013). Its tentative accession date is in 2025 but few find this a realistic timeframe (Euractiv 2019). Negotiations with Serbia are known to be difficult on many chapters on issues like agriculture, judiciary and fundamental rights, justice, freedom and security, environment, financial control and foreign policy.

1.2. Achieving structural changes in Serbia

Enlargement has arguably been the most successful foreign policy tool of the EU. It's used to foster peace and stability and to influence pleasant and sustainable structural changes in the immediate neighbourhood of the Union. This makes it a form of structural foreign policy. (Delreaux & Keukeleire 2014) A concrete reward and evidence of it functioning is the absence of war between EU member states and the Nobel peace prize which was awarded to the EU in 2012.

Structural foreign policy gets its power from conditionality. Conditions and conditionality can be divided into four groups; positive, negative, ex ante and ex post conditionality. Positive conditionality means that once a candidate has met conditions only then are benefits given, while negative conditionality means reducing, suspending or terminating benefits if conditions are not met or are violated. Ex post conditions are conditions that have to be met after an agreement enters into force. Conditions that must be met before agreement - like aligning ones foreign policy to the tune of the EU as required by chapter 31 of the acquis – are called ex ante. Ex ante conditionality can be very specific and allow for carefully detailed conditions to be monitored and examined. Admission to the Union of European states is a precious award and only offered to those states that fulfil the extensive criterion. (Delreaux & Keukeleire 2014). In the Balkans, EU's structural foreign policy operates in the framework of the Stabilization and Association Process, SAP (ISAC 2013). It's a partnership agreement between the EU and an individual prospective member and it acts as the framework of their relations until accession. SAP's are complementary to the enlargement policy and include trade concessions and financial assistance. They also include the creation a free trade area with the target country, help in approximating EU legislation and cooperation in all EU policies. The financial and technical pre-accession assistance and the benefits of membership give EU the leverage to push for structural changes in neighbouring countries. (Delreaux & Keukeleire 2014)

However, Europeans are not the only one's active in the Balkans and Serbia. New emerging actors, China in the vanguard, have decreased western monopoly on assistance and investment in the Balkans. Sino-Serbian relations have strengthened extensively during the last decade and has lead to increased Chinese investments in the country (Dimitrijević 2017) (European Parliament 2017) (Pavlicevic 2011 & 2018) (Šteinbuka et al. 2017). The difference of Chinese investments to Western is the absence or weakness of conditions and constraints. Chinese aid and investments can also be more effective in their results and more visible for the common people. For instance, 21% of Serbians thought that China was the largest investor in Serbia in 2016 when in fact the EU's figure was multiple times bigger (European Parliament 2017). While Russia is well known to be a major influence on Serbia it is not the only one - Serbia's foreign policy has a strategy of four pillars (the EU, the US, Russia and China) and relations with the each pillar are of paramount importance (ISAC 2013). Chinese influence on Serbia on the other hand has not gained as much attention. That is why this thesis seeks to find out if and how Sino-Serbian relations have an effect on the latter's EU path. This will be done by analysing Serbia's alignment with EU foreign policy decisions in 2008-2018. The subsequent chapter will examine different dimensions of EU enlargement from a Chinese perspective.

1.3. A Chinese perspective

China's official policy papers on their positions on EU offer many friendly words about their European counterparts. The versions in 2003 and 2014 touched EU enlargement only briefly. They state that European integration is irreversible, progressive and that the EU's role will continue to grow regionally and internationally. Because the fifth enlargement round in 2004 was topical, the policy paper of 2003 says that China should be compensated for possible economic losses that the enlargement may cause (MFA PRC 2003 & 2014). The most recent policy paper from 2018 is slightly more elaborate on the matter of enlargement. It highlights the global role of the EU and reminds of EU's importance for China as a foreign policy priority. In spite of Brexit, China seems confident of the ability of Europeans to prosper in the future. More importantly, regarding enlargement, the paper declares that China "supports the European integration process" and is committed to developing ties with EU institutions, member states as well as other European countries. The paper also singles out the "win-win" cooperation between China and the CEE countries and welcomes EU to participate in it in a constructive manner

(MFA PRC 2018). When it comes to Serbia, China has expressed "understanding of Serbian efforts to integrate into the European family" – an indication of support for approximation to the EU and a reassurance that it is not attempting to advance its own interests to the detriment of EU (Pavlicevic 2011).

According to Song Xinning, China did not put much focus on enlargement prior to the 'Big bang' of 2004. The general view on enlargement during the Cold War era was positive as it was seen to counter balance the Americans and the Soviet Union. The importance of the fifth enlargement round was acknowledged also in China, as was one of its underlying reasons – constraining Russia. From the viewpoint of China, the positive sides of EU enlargement trump the negative ones (Xinning 2008). As the EU grows in membership so does its market size. When regulations and trade rules are the same or very similar in each member state it is easier for third parties to interact and trade with the block. EU also brings political stability and security which benefits China, too. In a world where multilateralism and inter-dependence has over the long term increased and a shift towards multipolarity begun, many Chinese seem to think that a strong EU is a possible companion in countering US hegemony and unipolarity (CESifo Forum 2005) (Turcsányi 2017). Most Chinese EU specialists see that EU enlargement will benefit EU-China relations and China's position in the world and provide more opportunities than challenges (Xinning 2008).

Negative impacts do exist, though. EU struggles to act in a unified manner in global politics and its inner conflicts and structural constraints can make decision-making slow and challenging. Also, former communist countries that join the EU could hold grudges against China and increase criticism of Chinese actions on its minorities in Tibet and Xinjiang. Economic issues will rise, too. New EU members can have similar economic structures and have the same comparative advantages as China. It might lose small amounts of foreign direct investments to the new EU states. The downside of converging regulations and standards within Europe is that it also concerns anti-dumping measures that affect China. Finally, WTO rules requires negotiations on possible compensations to third parties if the acceding country must raise higher tariff rates than what it had before accession. China is not the only country that is affected by the increased tariffs. Especially many members of the Cairns group (group of big agricultural exporters) demanded compensations for their products following the 2004 enlargement round. (HKTDC 2006) (European Parliament 2016) (Xinning 2008).

2. CHAPTER 31 OF THE COMMUNITY ACQUIS

This chapter will move on to Serbia's foreign policy alignment and starts by introducing chapter 31 of the acquis which regulates the foreign policy alignment of candidate countries. After that Serbia's progress in the said chapter is presented and its meaning analyzed. Like it was explained earlier, one of the criteria for membership in the EU is accepting the full community acquis, which is divided into 35 chapters. The chapters set the tone for reforms that have to be met before, or in some cases after, accession. Progress in the chapters is reviewed in Commission screenings and assessed regularly until a chapter is fully closed. Chapter 31 of the acquis reads as follows:

"The common foreign and security policy (CFSP) and the European security and defence policy (ESDP) are based on legal acts, including legally binding international agreements, and on political documents. The acquis consists of political declarations, actions and agreements. Member States must be able to conduct political dialogue in the framework of CFSP, to align with EU statements, to take part in EU actions and to apply agreed sanctions and restrictive measures. Applicant countries are required to progressively align with EU statements, and to apply sanctions and restrictive measures when and where required." (Chapters in the acquis ...)

When EU makes a declaration on a foreign policy issue they often ask relevant countries to support them, i.e. align with EU foreign policy. Declarations are not only made in the framework of CFSP but also in multilateral fora like the United Nations, Council of Europe and OSCE (ISAC 2013). The requirement of 'progressive alignment' means that alignment has to occur in due time before accession, or ex ante (Hillion 2017). Like chapter 31 explains, a country must also be able to participate in the CSDP (Common security and defence policy) operations and military missions as well as to have the means to apply sanctions and restriction measures. Serbia's progress in chapter 31 has been inconsistent. While its alignment rate in 2008-2010 was on average 71% it didn't have a system for dispatching civilians to peace missions nor legislation that would have allowed it to set international restrictive measures against third countries. These capabilities were only introduced in 2016 (ISAC 2016). After Serbia's alignment rate spiked at 99% in 2012, the rate fell to the level of 50-60% in 2014-2018. But during this period it introduced the above-mentioned CSDP and restrictive capabilities that were lacking to its

legislation. Serbia is in close cooperation with NATO despite the organization's bombings during the Kosovo war. It has a status as a Partnership for Peace country (along with e.g. Austria, Sweden, Finland) but membership in the alliance seems unlikely even in the long-term because of the effect it would have on their relations with Russia. NATO membership, though, is not a prerequisite for EU membership although most EU countries (22 out of 28) are members of both organizations.

Serbia is well aware, of course, of the prerequisites of chapter 31 even though leading politicians have made conflicting statements. As per Ivica Dacic (B92 2014), a former foreign minister, Serbia needs Russia and China especially in the United Nations Security Council where they as permanent members hold vetoes. Thus they can block any approximations of Kosovo towards the UN. Dacic also said that alignment with EU declarations should happen fully only at the end of membership negotiations, which goes against the meaning of chapter 31. Also, the current Serbian government insists that joining the EU is not irreconcilable with maintaining friendly relations with Russia and China, which is a brave statement (European parliament 2017). In Serbia's national strategy for accession to the EU they describe their duties and what is expected of them in regard of foreign policy alignment. The document states that Serbia "will tend to align its foreign policy as much as possible with the principles of CFSP" and to "develop multilateral cooperation with neighbouring countries". It also allocates room for strengthening relations and bilateral cooperation with other international actors, especially the US, Russia and China (EIO 2005). In its answers to the screening questions regarding chapter 31, Serbia states that they have good cooperation with China at the multilateral level, especially within the UN (MEI 2011). Screening questions are found from the queries that the European Commission send to potential new candidate countries. A set of questions on each negotiation chapter must be answered thoroughly and they have an important role in convincing the Commission to recommend the advancement of negotiations.

2.1. Serbia's alignment rate with EU foreign policy statements

In 2008 Serbia aligned with 71% of EU declarations on CFSP. The total amount of EU CFSP declarations amassed to 165 of which Serbia were asked to align with 147. It aligned with 104 and failed to align in 43 cases. These figures are from Serbia itself, from its membership screening questions prior to being given official candidacy. The first European Commission

progress reports on Serbia's membership talks were published only in 2009. Considering that the figures in the screening report for the years 2009 and 2010 are lower than what the Commission estimated for the same years, it seems that the data for 2008 is reliable. The Commission progress reports are lenient toward Serbia as they only include declarations that have been deemed "relevant". In 2009, the first year with figures from the EC, Serbia's foreign policy alignment with the EU was set at 73%. It aligned with 93 out of 128 declarations during the reporting period. The following year brought a slight decrease of 4% as Serbia aligned with 51 of 74 declarations. Regarding harmonization of foreign policy in 2008-2010 the Serbs complained about the lack of time to prepare positions and claimed that this gave an "unrealistic picture" of their alignment statistics (MEI, 2011). This complaint reveals that they are in need of improvements in their capabilities to practice political dialogue – one of the conditions of chapter 31.



Figure 1. Serbia's foreign policy alignment, % Source: European Commission 2009, 2010, 2012-2016, 2018; *Source: MEI 2011; **No percentage was specified by European Commission 2011;***Source: ISAC 2018

The progress reports take an exception in 2011 as it does not specify a percentage for Serbia's alignment. The Commission settles for a verbal evaluation of "Serbia has in most instances, when invited, aligned itself with Council decisions, EU declarations and démarches". The 2011 report was special in another way too – it was the first to include analysis on the state of each accession chapter. The year 2012 was the best for EU-Serbia relations in terms of CFSP alignment. Serbia reached a 99% alignment rate – a percentage it has not reached since. A year later the figure was high too but 10% lower. The downward trend, however, continued in 2014 as

alignment fell to 62%. A change of almost 40% happened in just two years. For the next two years alignment stayed stable with 65% and 59% in 2015 and 2016, respectively. However, in 2016 Serbia reached the lowest rate of foreign policy alignment of all the Western Balkan countries (ISAC 2016). No Commission progress report was made in 2017 so to fulfil the gap I've used the analysis of ISAC Fund, which recorded an alignment rate of 46 percent for said year. In 2018 the EC progress report returned and evaluated Serbia's alignment to 52%.

The aforementioned sources were chosen in order to give as whole picture of the development of Serbia's alignment as possible. It begins with a self-evaluation (answers to screening questions) and continues with an impartial assessment (EC progress reports) and is supported by a civil society actor (ISAC). Even though ISAC analysis exists also for 2016 and 2017 the EC reports are favoured in this data. This is because they can be found for nearly every year and provide a stable source for evaluation and stable evaluation criteria. ISAC reports have different results than the EC has for most of the years but they follow the same trend. They evaluated that Serbia's foreign policy alignment figures were only 51% in 2014, as high as 74% in 2015, 66% in 2016, 46% in 2017 and 52% in 2018 (ISAC 2016, 2017 & 2018). Their cumulative difference to EC reports is 27%, which is an average of 5,5% per year.

2.1.1. Alignment on declarations regarding China

In 2008 Serbia did not align with three declarations regarding China – statement on universal suffrage in Hong Kong, unrest in Tibet and one regarding detention of Chinese human rights defenders. The following year included more China related declarations and six of them were not followed by Serbia. These touched issues like Taiwan, Liu Xiaobo (a human rights defender who was tried by China) and executions in Tibet and Xinjiang. During 2010, Serbia only failed to align with one declaration that regarded China - about the human rights situation in China (MEI, 2011). However, it boycotted the Nobel peace prize award ceremony when it was awarded to Xiaobo (Pavlicevic 2011). In 2011 and 2012 EU declarations did not include anything that targeted two of Serbia's foreign policy pillars, China and Russia. The year 2012 was also remarkable in terms of Serbia's alignment. A 99% rate was achieved, albeit largely thanks to a stable international situation – something that has been lacking in the past few years. Without the deteriorated relations between the West and Russia, Serbia's alignment rate would likely be higher. The decreasing alignment rate has exposed Serbia and how it is willing to play its cards

when it comes to the four pillars – despite the governments assurances that convergence with the EU is not irreconcilable with maintaining friendly relations with Russia and China, the opposite seems to be true.

In 2015 the EC progress report noted that Serbia had strengthened its relations with China. The good nature of the relations were epitomised by Serbia getting the chance to organize the 16+1 summit that year (Musabelliu 2017). Also, Serbia's president visited Beijing for the celebration of victory in World War II, along with a delegation of Serbian soldiers who took part in a parade. China was not directly or indirectly the subject of European declarations during this year (ISAC 2016). In 2016 Serbia strengthened economic ties with China. The Chinese president Xi Jingping paid a three-day visit to Serbia, an unusually long state visit. During his visit the two countries signed cooperation agreements in infrastructure, education, culture and health (ISAC 2016). This prompted the EU to remind Serbia that the agreements done with China have to follow EU rules on state aid, public procurement, rail safety and interoperability (European Commission 2016). In 2016 Serbia failed to align with one EU position regarding an international dispute in the South China Sea where as China blocked Kosovo's membership bid in the UN (ISAC 2016). Improvements in economic and political ties followed suite: a Chinese state-owned company took over an unprofitable steel mill in Smederevo and visa requirements for Chinese citizens were abolished. Serbia is now the only European country to have no travel restriction for China. (Dimitrijevic 2017) (ISAC 2016)

In 2017 Serbia made it clear that declarations that mention its foreign policy priorities – China and Russia – are always problematic (Pavlicevic 2018). Declarations on all other topics were aligned without much hesitation (ISAC 2017 & 2018). Serbia's actions on Myanmar remain open to interpretation. EU compiled three declarations on Myanmar in 2017. On the one hand, Serbia complied with two declarations that dealt with restrictive measures against Myanmar, but on the other hand it abstained from a declaration regarding violence against the Rohingya, in the state of Rakhine. The Myanmar army began an intervention in August that led to hundreds of thousands of people to flee to the neighbouring Bangladesh. A possible explanation for Serbia's failure to align can be found from support that China and Russia provide for the Myanmar came in 2018. The declaration called to extend the restrictive measures that Serbia had voted for in 2017. It included demands for the restriction of arms exports and prohibition of military cooperation (ISAC 2018). Also in 2018, the EC progress report included another notion of the

strengthening political and economic ties of Serbia and China and that the country was an active supporter of the Belt and Road initiative (European Commission 2018).

2.2. Why aligning with EU CFSP is important

Like it was established earlier, the conditionality of chapter 31 is of ex ante – a candidate member must meet the requirements before it can be admitted (Hillion 2017). Alignment with EU declarations must also be progressive, meaning that it increases over time. CFSP alignment is a powerful way to portray one's place and standing in the world, to show eagerness to join and commitment to European values. Aligning with EU CFSP can bring safety and stability to a candidate country's accession process (ISAC 2013). CFSP declarations often call out violations of international law, human rights, basic democratic rights and by joining these calls a candidate country shows support and belief for these fundamental European values. Living by these fundamental norms is a basic precondition for membership. (Sai 2017)

If a country that is seeking membership fails to align with EU foreign policy declarations it can put their reliability as a partner in foreign policy in question. It can also beg the question whether said country truly commits to European values and is willing to show solidarity in difficult times. Non-alignment or divergence from EU positions sends a message of belittlement towards EU's norms and values. An uncommitted member state could disturb the functioning of EU foreign policy because all major decisions are done by unanimity. This could challenge EU's ability to pursue its foreign and security policy goals effectively and undermine cohesion within the Union. The EU has had troubles in speaking with a single voice and conveying the same message and new members would not be expected to further exacerbate these challenges. (Sai 2017) (ISAC 2013).

The Common foreign and security policy of the EU and EU's global role are topics that have gained greater interest and support in the past years. This has become evident following a period of turbulence in world politics – the war on Ukraine, Brexit and the presidency of Donald Trump. EU cooperation in defence has taken steps forward and a greater role for the EU in foreign and security affairs is called in speeches of prominent leaders. In a time when suspicion and scepticism on European integration has increased, consolidating EU's international role has become a likely motor for further integration and a source for support for the Union (Bickerton

2010). This further highlights the importance of EU maintaining functionality as a foreign and security policy actor. In the case of Serbia the lack of a convincing membership perspective has been used as a reason for the falling alignment rate. Despite the Commission declaring that the country could tentatively join the EU by 2025 the rate has not improved (Euractiv 2019). That Serbia has a very low and decreasing alignment rate of 52% (2018) just 7 years before a possible accession date indicates that membership is not likely in the timetable set by the EU. For instance, Romania, Bulgaria and Croatia aligned fully with EU foreign policy long before their accession date and are as members supportive of EU foreign policy. (Sai 2017)

3. SERBIA-CHINA RELATIONS

This chapter will focus on the Serbia-China relationship from political and economic perspectives as well as in the framework of the 16+1, a cooperation body initiated by China to advance its Belt and Road initiative in the countries of Central and Eastern Europe.

3.1. Political relations

Serbia-China relations can be examined from 1947 onwards when Yugoslavia recognized the Republic of China. Yugoslavia was under communist rule and China in the midst of a civil war and about to be ruled by communists. Two years later, when the Chinese Communist party had overcome the war as a winner, Yugoslavia was among the first countries that recognized the People's Republic of China. After that the two remained in good relations all the way through Yugoslavia's relative isolation following the famous Tito-Stalin split and even after the breakup of Yugoslavia Sino-Serbian relations were maintained. China supported Serbia in the Kosovo War against NATO and the accidental bombing of the Chinese embassy in 1999 strengthened the bond between the two countries. (European Parliament 2017)

Serbia is one of three Central European countries (along with Poland and Hungary) to have agreed on a strategic partnership with China (Pavlicevic 2019). The deal, signed in 2009, serves as the foundation of their relations and has established frequent and intensive high level state visits and political dialogue. Since the agreement was signed many common projects in energy, agriculture and transportation have been initiated (Dimitrijevic 2017). The two countries share a common challenge in secession – Serbia does not recognize Kosovo's independence and China is battling with similar issues in Xinjiang, Tibet as well as Taiwan. From a Chinese perspective, an independent Kosovo would set an unwelcome precedent which is one reason why China supports Serbian claims over Kosovo. Serbia returns the favour by supporting the 'One China' policy and treating issues in Tibet and Xinjiang as merely internal affairs of China (MEI, 2011) (Dimitrijevic 2017). Another similarity is that Kosovo and Taiwan are protectorates of Western powers - Kosovo of the EU and Taiwan at least a semi-protectorate of the US (Delreaux, Keukeleire 2011).

Serbia wants to retain its 'four-pillar' foreign policy which consists of EU convergence while maintaining friendly relations with the US, Russia and China. There is a separate council for the coordination of relations with Russia and China – a testament of their importance to Serbia – and it is headed by former president Tomislav Nikolic (Pavlicevic 2011). Serbia has vowed that their relations to Russia and China are not irreconcilable with EU membership but some problems would be likely to arise as the Union has decisions on how to conduct relations with third countries (Turcsányi 2017). Practically no EU declaration mentioning China gets endorsed by Serbia. Between 2008-2011 it refused to join many declarations that were either targeted straight at its Asian partner or its important allies. During this period Serbia did not align with 26 declarations that criticised Iran, Sudan, Zimbabwe, Myanmar and North Korea (Pavlicevic 2011). Similar patterns are found from Serbia's alignment record after 2011 (ISAC 2016, 2017, 2018). In addition, Serbia has agreed on policies that could hamper EU goals in foreign policy. For example, a proposal to co-produce arms and exploring the global arms market can lead to arms trade with regimes that have poor human rights records. Because there is an EU arms embargo on China (ever since the violent suppression of the 1989 Tiananmen Square protests) this could also help China to find other sources for weaponry (Pavlicevic 2011).

Serbia's benefits from their partnership with China are political and economic. China does not hesitate to support Serbia in keeping Kosovo without general recognition as long as it's of importance to Serbia. It also profits from geography - being a central piece of the Belt and Road Initiative (BRI) gives Serbia a chance to become more integrated in its imminent region and to grow its international standing (Dimitrijevic 2017). Its role as a neutral or non-aligned country between West and East can also be reinforced. Pavlicevic argues (2018) that there are similarities between Sino-Serbian relations and with the relations of China and some African countries. Granting state-to-state loans and practicing diplomacy on a high level has granted China access to natural resources, markets and ensured political support. This is the modus operandi of China's global development agenda. The risk and fear is that these loans are used as leverage to force certain decisions or policies. Also, they do not include the same conditions for reforms as EU assistance does and China lacks an interest in advancing democracy and political rights (Zuokui 2017). From Serbia's viewpoint, increasing China's role in their economy can shield it from economic shocks or political crises for instance from Russia and Turkey, as risks are more spread and sources of funding diversified (Bastian 2017).

3.2. Economic relations

Economic relations between Serbia and China are notably asymmetric, which derives from the huge difference of their economies (Dimitrijevic 2017). In 2009, Serbia announced China as its biggest partner in Asia. Total trade amounted to nearly 900 million euros but Serbian exports were only about 6,5 million (MEI, 2011). The excitement that China's interest in Serbia would cause was not apparent yet but cooperation in a number of major infrastructure projects were in plans. The excitement began to emerge in the aftermath of the 2014 China-CEE summit in Belgrade. China's interest in the region was described as a game changing moment and as the "beginning of better times". The local Serbian media wrote extravagant pieces on Chinese investment as life-saving and China as a saviour for the bleak Serbian economy. China was said to save Serbian companies, industries and regions in distress. Hopes were placed especially on agricultural cooperation and the export of meat products to China (Bastian, 2017) (Pavlicevic 2018). Statistics show that in 2016 China was Serbia's 4th largest trading partner but that the balance is still heavily tilted in favour of China. China is Serbia's second largest source of imports but not among the ten biggest export destinations of Serbia. Trade have increased by 600 million from 2009 and was thus 1,5 billion euros in 2016 (Bastian 2017).

Serbia-China relations have yielded a number of major infrastructure projects. The Pupin bridge in Belgrade over the Danube was built by China Road and Bridge Corporation, a state-owned enterprise. It is the largest infrastructure investment by China in Europe with a price of 170 million euros (Dimitrijevic 2017). In 2016 Hebei Iron and Steel group, the world's biggest steel producer, bought a bankrupt steel mill in Smederevo. The mill was bought from a US company for a nominal fee of 1 dollar in 2016, then privatized and sold again to the Chinese for a sum of 46 million euros (European Parliament 2017). Dimitrijevic finds that the acquisition of the Smederevo mill is the most important Chinese investment in Serbia to date because of its decreasing effect on Serbian trade balance with China and it increased Serbia's GDP by 1 % (2017). In 2016 a Chinese bank offered to fund 85% of the Belgrade-Budapest high-speed railway link. The project had been without necessary funding for more than a decade. However, major delays have hit Chinese investments in the Balkans, including the railway, after EU started investigations on their financial viability and compliance with EU regulations. Commission alleges that Hungary violated EU laws when a proper public tender was not initiated for the 2,9 billion railway undertaking. (Bastian 2017) (Dimitrijevic 2017) (European Parliament 2017) (Steinbuka et al. 2017)

From the Chinese viewpoint Serbia is not a gold mine or a game changer – the market is small and the country is land-locked. Chinese companies can, however, build bases in Serbia and manufacture products destined for Europeans who have high purchasing power (Dimitrijevic 2017). Also, Serbia's labour force is relatively skilled compared to its cost (Turcsányi 2017). This way they can avoid anti-dumping regulations when exporting 'via' Serbia and learn important lessons on technical conditions that are required in the EU market. So, what Serbia lacks in size it can make up with connectivity with the EU, Turkey and Russia. This coupled with a relatively stable political life gives Serbia an edge that allows it to play a central role in relations between China and CEEC's, something that has been repeatedly emphasized by the Chinese president Xi Jingping. (OBC Transeuropa 2017) (Pavlicevic 2018)

3.3. The 16+1 framework

When dealing with Serbia-China relations they should also be examined in the framework of the 16+1. It is a political platform between 16 Central and Eastern European countries and China established in 2012 and is a part of the Belt and Road initiative (BRI) - a massive undertaking of huge importance initiated by Chinese president Xi Jingping in 2013. With a budget of 1400 billion euros, China seeks to strategically mould the future world to its own liking, to strengthen its international role and to facilitate trade. It is promoting economic integration and connectivity in Eurasia by supporting infrastructure projects, investments and cultural exchanges. BRI is a tool to gain more influence on global value chains and rules for the global economy. The initiative covers at least 65 countries and can bring economic profits to all of them, including Serbia. It is set to rival the post-World War II Marshal Plan in its scope. China will benefit economically from BRI by opening new markets for its exports and negotiating new trade agreements. (Dimitrijevic 2017) (Musabelliu 2017) (Steinbuka et al. 2017). The Chinese see it as a chance to engage in mutually beneficial and win-win cooperation (MFA PRC 2018) (Zuokui 2017).

China's relations with CEEC's have picked up speed only recently, during this century. During the Cold War they were either complicated or non-existent. Especially in the early post-Cold War years CEEC's were focused on European integration and joining NATO (Xinning 2008) (Turcsányi 2017). They were in a transitional phase and inward looking. Neither was China interested in the region then – it was the European Commission, the European Bank of Reconstruction and Development and Russia who were active in the region prior to the arrival of

the Chinese (Pavlicevic 2018). China became active in CEE through the BRI and the 16+1 cooperation and thus relations between China and CEEC have become important to Chinese foreign policy (Steinbuka et al. 2017). This has raised concerns in the EU and its Western member states. The annual high-level conference of the 16+1, often organized very close to the annual EU-China summit, is a source of annoyance in many Western European capitals (Turcsányi 2017). More importantly, Chinese investments in the region have spiked in recent years and increased at a high pace (European Parliament 2017), China is creating a separate structure of countries consisting of EU members and prospective members and some of them have adopted positions on international affairs that are favourable to China (Steinbuka et al. 2017). EU fears that China is trying to use a divide-and-rule policy to create wedges within the Union and thus cause inefficiencies in EU policies, e.g. in foreign policy (Musabelliu 2017) (Steinbuka et al. 2017). Even though the EU has officially largely ignored the 16+1, behind the scenes it has put pressure on CEEC's to restraint cooperation with China by, for instance, delaying the Belgrade-Budapest railway connection (Pavlicevic 2019).

China has sought to dispel European concerns regarding its relations with CEEC's, including Serbia, on numerous occasions. In the fourth 16+1 summit held in Suzhou in 2015, the Chinese Prime Minister Li Keqiang pronounced that his country was supportive of European integration and was not aiming to cause any fragmentation of the Union (Dimitrijevic 2017). Within the same context, president Xi Jingping declared that there are 'three no's' in the BRI – not interfering in the internal affairs of cooperation countries, trying not to increase influence towards participating countries and not pursuing hegemony or dominance over them (Musabelliu 2017). More recently, the 2018 policy paper on the EU states that "China supports the European integration process" (MFA PRC 2018). In addition when it comes to Serbia as an individual country, China has proclaimed its respect for Serbia's EU accession process (Pavlicevic 2017) as well as Pavlicevic (2019), Turcsányi (2017) and Zuokui (2017) argue that China has no intention, motivation, incentive or even the capabilities to weaken the EU. This is because China's strategy is not based on a zero-sum game but on gaining mutual benefits and win-win cooperation – a strategy that derives from favouring a multipolar world system (Turcsányi 2017).

4. CONCLUSIONS & RECOMMENDATIONS

This thesis has established that Serbia has an extensive relationship with China. In fact, among CEEC's it is commonly thought to be China's closest partner (Pavlicevic 2019). The two countries have strong political and economic bilateral relations and cooperation in multilateral fora, namely the UN and the 16+1 framework. China provides Serbia with political support in their row with Kosovo and high-profile infrastructure projects. Meanwhile, Serbia is negotiating accession to the EU and has a remote chance of becoming a member in 2025. Serbia's prospects, though, are undermined by slow progress - for instance, it is failing to fully align with EU foreign policy, as required by chapter 31 of the acquis. The extent to which a candidate country follows the EU line is indicative of its accession progress and in Serbia's case the outlook is not promising. In recent years it has aligned only with about 50% of EU foreign policy statements, which is due mostly to the decline in EU-Russia relations (ISAC 2016, 2017, 2018). It is a remarkable drop from a high of 99% in 2012 (European Commission 2012). A possible shortterm easement to Serbia's poor alignment rate could be found from a settlement of the Kosovo row. While Russia and Kosovo are the most influential source of Serbian alignment, they are not the only ones - China has an effect too, even if it's marginal on absolute terms. During 2008-2018 Serbia was asked to align with hundreds of EU foreign policy statements and 11 times it failed to do so because a statement was aimed directly at China. However, on many more occasions it failed to align with statements directed at a Chinese ally. China is not looking to increase its influence on Serbia and derail its membership perspective because it doesn't stand to lose much, if anything. A larger European market with uniform regulations and a stronger European union is in Chinese interests. However, China's actions have consequences. A lack of European sources of investment means more competition for Chinese investment. This has already led to divisions and rivalry between European countries and can influence decisions regarding China, e.g. in conducting trade negotiations or its market economy status (Steinbuka et al. 20179) (Turcsányi 2017).

This thesis set the following hypothesis: *Serbia's relationship with China affects Serbia's EU accession negotiations* and set to find out its scope and effect on negotiations in chapter 31 of the acquis. It can be said unequivocally that Serbia-China relations have implications for Serbia's EU approximation. In the context of chapter 31 it looks minimal but is nevertheless significant. This is because Serbia, due to its extensive relationship with China based on a strategic partnership and multilateral cooperation, categorically ruled out participating in statements

criticising China (Pavlicevic 2018). Despite that EU is a major player in Serbia (accounting of 82% of foreign investments and 64% of all trade) and dwarfes China, the country is untouchable (European Parliament 2017). In the long-term, Serbia has to align more with the EU if it wants to progress in EU membership negotiations and on the other hand move further away from China. A candidate that categorically refuses to criticise a country like China would not fit the Union because as of now, all foreign policy decision need unanimity. A country is not admitted if it would block political dialogue with a major power. As a member of the EU, Serbia would have to conform to rules on third country relations, which would affect their relationship with China. As Chinese investment in Serbia and its immediate region increases so does its influence. This could cause problems in the future. If Serbia aligns poorly with EU foreign policy statements now then why would it comply as a member? Paradoxically, a country has more freedom in its foreign policy as a member of the EU than as a candidate country (Hillion 2017). EU has little leverage to force a member state to compliance but on a candidate country the pre-accession conditions do have an effect.

Some have expressed fears that Serbia could be a Chinese Trojan horse inside the EU, if admitted to the Union (Politico 2018). The theory presumes that China, after having collected goodwill and leverage over Serbia, decides to cash in on its relations with Serbia in order to influence EU policy-making. A way to prevent said scenario could include three dimensions: 1) extending qualified majority voting to foreign policy decisions in the Union framework and in multilateral fora like the UN, 2) setting stronger rules on conducting relations with third countries (common policies) and 3) streamline representation in foreign policy by emphasizing supranational foreign policy in place of national policies and increasing integration in national diplomatic corps. These reforms would offer a solution for dealing with asymmetrical power relations and to dispel concerns on outside influence on EU functioning. Pressurising individual member states to vote in certain ways might decrease as decisions would only need the backing of a (qualified) majority and not everyone's blessing. Reforms of this mould could become necessary in order to maintain the integration capacity of the Union. They could even help maintaining friendly relations with third countries.

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