



ACTA HISTRIAE

32, 2024, 3



UDK/UDC 94(05)

ISSN 1318-0185
e-ISSN 2591-1767



Zgodovinsko društvo za južno Primorsko - Koper
Società storica del Litorale - Capodistria

ACTA HISTRIAE

32, 2024, 3

KOPER 2024

ISSN 1318-0185
e-ISSN 2591-1767

UDK/UDC 94(05)

Letnik 32, leto 2024, številka 3

Odgovorni urednik/

**Direttore responsabile/
Editor in Chief:**

Darko Darovec

Uredniški odbor/

**Comitato di redazione/
Board of Editors:**

Gorazd Bajc, Furio Bianco (IT), Flavij Bonin, Paolo Broggio (IT), Stuart Carroll (UK), Àngel Casals Martínez (ES), Alessandro Casellato (IT), Dragica Čec, Lovorka Čoralić (HR), Darko Darovec, Marco Fincardi (IT), Darko Friš, Aleksej Kalc, Borut Klabjan, Urška Lampe, Amanda Madden (USA), John Martin (USA), Robert Matijašić (HR), Aleš Maver, Darja Mihelič, Edward Muir (USA), Jeppe Büchert Netterstrøm (DK), Žiga Oman, Egon Pelikan, Luciano Pezzolo (IT), Jože Pirjevec, Claudio Povolito (IT), Marijan Premović (MNE), Colin Rose (CA), Luca Rossetto (IT), Vida Rožac Darovec, Tamara Scheer (AT), Polona Tratnik, Boštjan Udovič, Marta Verginella, Nancy M. Wingfield (USA), Salvator Žitko.

Uredniki/Redattori/

Editors:

Žiga Oman, Urška Lampe, Boštjan Udovič, Jasmina Rejec

Prevodi/Traduzioni/

Translations:

Cecilia Furioso Cenci (it.), Žiga Oman (angl.)

Lektorji/Supervisione/

Language Editors:

Žiga Oman (angl., slo.), Cecilia Furioso Cenci (it.)

Izdajatelj/Editori/

Published by:

Zgodovinsko društvo za južno Primorsko - Koper / Società storica del Litorale - Capodistria® / Institut IRRIS za raziskave, razvoj in strategije družbe, kulture in okolja / Institute IRRIS for Research, Development and Strategies of Society, Culture and Environment / Istituto IRRIS di ricerca, sviluppo e strategie della società, cultura e ambiente®

Sedež/Sede/Address:

Zgodovinsko društvo za južno Primorsko, SI-6000, Koper-Capodistria, Garibaldijeva 18 / Via Garibaldi 18, e-mail: actahistriae@gmail.com; https://zdjp.si/en/p/actahistriae/

Tisk/Stampa/Print:

Založništvo PADRE d.o.o.

Naklada/Tiratura/Copies:

300 izvodov/copie/copies

Finančna podpora/

Supporto finanziario/

Financially supported by:

Javna agencija za znanstvenoraziskovalno in inovacijsko dejavnost Republike Slovenije / Slovenian Research and Innovation Agency

Slika na naslovnici/

Foto di copertina/

Picture on the cover:

Ministrska predsednika Jadranka Kosor in Borut Pahor leta 2010 / I primi ministri Jadranka Kosor e Borut Pahor nel 2010 / Prime ministers Jadranka Kosor and Borut Pahor in 2010 (foto/photo: Stanko Gruden, STA, Wikimedia Commons).

Redakcija te številke je bila zaključena 30. septembra 2024.

Revija Acta Histriae je vključena v naslednje podatkovne baze / Gli articoli pubblicati in questa rivista sono inclusi nei seguenti indici di citazione / Articles appearing in this journal are abstracted and indexed in: CLARIVATE ANALYTICS (USA): Social Sciences Citation Index (SSCI), Social Scisearch, Arts and Humanities Citation Index (A&HCI), Journal Citation Reports / Social Sciences Edition (USA); IBZ, Internationale Bibliographie der Zeitschriftenliteratur (GER); International Bibliography of the Social Sciences (IBSS) (UK); Referativnyi Zhurnal Viniti (RUS); European Reference Index for the Humanities and Social Sciences (ERIH PLUS); Elsevier B. V.: SCOPUS (NL); DOAJ.

To delo je objavljeno pod licenco / Quest'opera è distribuita con Licenza / This work is licensed under a Creative Commons BY-NC 4.0.



Navodila avtorjem in vsi članki v barvni verziji so prosto dostopni na spletni strani: <https://zdjp.si>.

Le norme redazionali e tutti gli articoli nella versione a colori sono disponibili gratuitamente sul sito: <https://zdjp.si/it/>.

The submission guidelines and all articles are freely available in color via website [http: https://zdjp.si/en/](https://zdjp.si/en/).



VSEBINA / INDICE GENERALE / CONTENTS

Andreja Jaklič & Magdolna Sass: Foreign Direct Investment in Central and Eastern Europe After Two Decades of EU Enlargement: Slovenian and Hungarian Perspectives 321
Gli investimenti esteri diretti in Europa centro-orientale dopo due decenni di ampliamento dell'UE: prospettive slovene e ungheresi
Tuje neposredne investicije v srednji in vzhodni Evropi 20 let po veliki širitvi EU: primera Slovenije in Madžarske

Jana Arbeiter: Diplomatic Bridges: Two Decades of Slovenia's Development Cooperation 341
Ponti diplomatici: due decenni di cooperazione allo sviluppo in Slovenia
Diplomatski mostovi: dve desetletji slovenskega razvojnega sodelovanja

Sabina Lange & Marjan Svetličič: Slovenia's First and Second EU Council Presidency: Lessons Learnt to Enhance the Benefits of EU Membership 367
Prima e seconda presidenza slovena del consiglio dell'UE in Slovenia: lezioni apprese per migliorare i vantaggi dell'adesione all'UE
Prvo in drugo predsedovanje Slovenije svetu evropske unije: nauki za povečanje koristi od članstva v Evropski uniji

Adriana Mezeg & Julija Rozman: Trends in the Translation of Slovenian Literature in the European Union: A Comparative Analysis of Published Works in 16 Languages (1991–2024) 391
Tendenze nella traduzione della letteratura slovena nell'Unione Europea: un'analisi comparativa delle opere pubblicate in 16 lingue (1991–2024)
Trendi prevajanja slovenske književnosti v Evropski Uniji: primerjalna analiza objavljenih del v 16 jezikih (1991–2024)

Thomas Bickl: European <i>Bratstvo i jedinstvo</i> ? Slovenia's Bilateral Relations with Croatia Through the Lens of EU Membership	413
<i>Bratstvo i jedinstvo europeo? Le relazioni bilaterali di Slovenia e Croazia attraverso la lente dell'appartenenza all'unione europea</i>	
<i>Evropsko bratstvo i jedinstvo? Bilateralni odnosi Slovenije s Hrvatsko skozi prizmo članstva v EU</i>	

Dragutin Papović: The Last Decades of the State of Duklja (Dioclia)	433
<i>Gli ultimi decenni dello stato di Doclea</i>	
<i>Zadnja desetletja države Duklje (Dioclia)</i>	

OCENE
RECENSIONI
REVIEWS

<i>Paolo Tomasella (a cura di):</i> Nelle città della Venezia Giulia. Piani, progetti, fatti urbani 1924–1954 (Aleksandar Kadijević)	455
---	-----

EUROPEAN BRATSTVO I JEDINSTVO? SLOVENIA'S BILATERAL RELATIONS WITH CROATIA THROUGH THE LENS OF EU MEMBERSHIP

Thomas BICKL

Avenue des Rogations 27, 1200 Brussels, Belgium

e-mail: tbickl@hotmail.com

ABSTRACT

This article looks at the impact of EU membership on the bilateral relations between Slovenia and Croatia. The analysis centres around policy issues of conflict and cooperation and how they were accentuated, contained, processed, or boosted by the EU membership of both countries. Further, the EU accession process of Croatia and Slovenia is scrutinized as to its implications on bilateral issues and the lessons learnt for EU enlargement in the Western Balkans with regard to the resolution of bilateral disputes.

Key words: Slovenia, Croatia, bilateral relations, cooperation, open issues, European Union

BRATSTVO I JEDINSTVO EUROPEO? LE RELAZIONI BILATERALI DI SLOVENIA E CROAZIA ATTRAVERSO LA LENTE DELL'APPARTENENZA ALL'UNIONE EUROPEA

SINTESI

Questo articolo osserva l'impatto dell'adesione all'Unione europea sulle relazioni bilaterali tra Slovenia e Croazia. L'analisi si focalizza sulle questioni politiche di conflitto e cooperazione e su come queste siano state accentuate, contenute, elaborate o potenziate dall'appartenenza di entrambi i Paesi all'UE. Inoltre, il processo di adesione all'UE di Croazia e Slovenia viene esaminato per quanto concerne le sue implicazioni sulle questioni bilaterali e le lezioni apprese per l'allargamento dell'UE nei Balcani occidentali in merito alla risoluzione delle controversie bilaterali.

Parole chiave: Slovenia, Croazia, relazioni bilaterali, cooperazione, questioni aperte, Unione Europea

INTRODUCTION

Looking at the balance sheet of EU membership, one may draw on several criteria with regard to the domestic impact: economic, financial, political, societal, and perhaps also in terms of domestic perception or awareness. This article, however, draws more on an external dimension: the bilateral relations with Slovenia's southern neighbour Croatia and a set of issues that can be related to the European Union in this regard.

This article deals with the EU context in a broader sense and, where appropriate, also covers the period before Slovenia joined the European Union in 2004. The first section looks at the process of independence from Yugoslavia and moments where the interests of Slovenia and Croatia had been aligned, at odds, or coordinated. The second part covers both countries' differing paths of accession to the EU. The subsequent section deals with bilateral contemporary issues of cooperation and conflict at policy level. The fourth part looks at the transformative power of the EU, and the last heading deals with the positions on EU enlargement in the Western Balkans followed by conclusions.¹

Historically, it is worth noting that the bilateral relations between Slovenia and Croatia have been embedded in a multi-fold process of transition. For some periods of time in the more recent history, the two entities have been part of larger political units: during the Habsburg Empire from the fifteenth century (with parts of Slavonia under Ottoman rule until the seventeenth century) up until 1918, in the inter-war period (initially the Kingdom of Serbs, Croats, and Slovenes before becoming Yugoslavia in 1929), and after World War II as constituent Republics of Socialist Yugoslavia (the late SFRY) until 1991. During the violent disintegration of Yugoslavia, both Republics became independent states in 1991.² As from 2004 and 2013 respectively, Slovenia and Croatia have been Members of the European Union (EU), a *sui generis* regional organisation with supranational and intergovernmental elements.

INDEPENDENCE FROM YUGOSLAVIA: DIVERGING INTERESTS, TACTICS, AND A JOINT ACCOMPLISHMENT NONETHELESS

The way to independence from Yugoslavia in 1991 is sometimes seen as inevitable and pre-determined when events are put into perspective *ex post*. To avoid a deterministic view, however, it is useful not to read the unfolding of events backwards as this would make us subject to the phenomenon of hindsight bias³ thus becoming less able to grasp the atmosphere and the context of the decisions taken at

1 This article is an extended and revised version of this author's contribution on the Slovenian-Croatian bilateral relations in Kaeding & Udovič (2024).

2 For a comprehensive account of the multiple Yugoslavia, cf. Ramet (2006).

3 Hindsight bias refers to the interpreting of past events as inevitable and logical. Roese and Vohs (2012, 412–413) distinguish three types of hindsight bias: memory distortion, inevitability, and foreseeability.

the time (Bieber, 2014, 3). As regards the dissolution of Yugoslavia, irrespective of the simultaneous declarations of independence of Slovenia and Croatia on 25 June 1991 and a previous solid and long-standing shared concern about the state of the economy and regional development in Yugoslavia, the emancipation from the SFRY was not a joint exercise of Slovenia and Croatia from the very beginning. It is true that allowance must be made for the fact that Ljubljana and Zagreb as economically advanced Republics had become disgruntled over time with the performance of the system of allocation of federal grants as aid for the underdeveloped regions in the country, predominantly in Bosnia-Herzegovina, Kosovo, Macedonia, and Montenegro. By way of example, the largest infrastructure project in socialist Yugoslavia, the construction of the Bar-Belgrade railway line and the port of Bar, would have been financed largely by the federal state coffers with an overall cost of around USD 450 million for the 496 kilometres railway line alone (Kežić, 2011). Slovenia and Croatia fiercely opposed the project (it nonetheless came about) which, in their view, was against the interests of the existing Adriatic ports of Koper/Capodistria and Rijeka and also delayed the planned Zagreb-Split highway. It led Slovenia to invest in regional roads rather than the highways between Ljubljana and the border to Austria and southbound (Ramet, 2006, 279–282).⁴

The road to independence, however, was not free of controversy between Zagreb and Ljubljana. After the Communist Party of Yugoslavia's (CPY) Congress in January 1990 (which triggered the end of one-party rule), Slovenia was actively preparing for secession from Yugoslavia managing to win the *de facto* consent of the leadership of Serbia for secession (Ramet, 2006, 374; Jović, 2008, 265), whilst Croatia initially was wary of Slovenian independence and had no such plans itself, largely because it supported the new federal reform government of Ante Marković, a Croat, saw a Yugoslavia without Slovenia as a considerable weakening of the Croatian position *vis-à-vis* Serbia (Meier, 1995, 221, 241–242; Jović, 2008, 253), and had been virtually absent from the SFRY constitutional debate in the 1980s (Jović, 2023a).

The intentions behind the joint Slovenian-Croatian confederal proposal of 2 October 1990 remain unclear to this day.⁵ Whilst some see it as a tactical move mainly to show good will and buy time (Jović, 2008, 252, 274), others contend it was a sincere offer of a common market including monetary union and also but not primarily to appease the Serbian leadership (Meier, 1995, 280) after the Yugoslav National Army (JNA) had confiscated most of the weaponry of Croatia's Territorial Defence (TO) units⁶ (Ramet,

4 For the role of the pan-Yugoslav Highway of Brotherhood and Unity, where 200,000 volunteers contributed to its construction, through the lens of collective identity and architecture, cf. Korolija & Pallini (2020).

5 The unification of Germany on 3 October may yet help explain the date of the proposal.

6 The TO of Slovenia had been under Slovenian command since mid-July 1990 (cf. e.g. Meier, 1995, 282) – a fact that proved crucial during the Ten-Day War in Slovenia in July 1991.

2006, 373–374; Jović, 2008, 259).⁷ Unity of Slovenia and Croatia over the joint proposal proved limited and fragile, and the Slovenes were particularly irritated by Tuđman linking a prospective confederal Yugoslavia to border changes in Bosnia-Herzegovina (cf. e.g. his interview in DER SPIEGEL, 8 November 1990⁸), whilst the mood in Zagreb was that Slovenia had been very selfish in preparing its own independence – which would practically also include new border posts, something that might not go down well amongst the population in Croatia (Jović, 2008, 274).⁹

In the end, independence was coordinated between Slovenia and Croatia only at very short notice at the highest political level on 15 June 1991, and the two sides agreed to proclaim independence ten days later on 25 June 1991 (Ramet, 2006, 392; Meier, 1995, 311), whilst Kučan is reported to have been concerned at the low level of preparations in Zagreb (Meier, 1995, 311). After independence, Kučan and Tuđman only met three times until the end of 1999 although regular meeting intervals had been agreed on in the first place (Jović, 2023a). It is important to note, nonetheless, that relations and collaboration at local level on the ground have been very close since.

DIFFERENT TRAJECTORIES OF EU ACCESSION AND THE MOTHER OF DISPUTES

Slovenia was able to almost fully escape the violent dissolution of Yugoslavia save for the Ten-Day War in July 1991. It may be said that Slovenia was able to consolidate its statehood in a relatively short period of time. With regard to EU accession, Ljubljana's road to Brussels proved almost free of bilateral issues, too, with the exception of the dispute over the maritime and land border with Croatia. This territorial dispute, however, was only tackled during Croatia's own accession to the European Union several years later; more on this below.

Nonetheless, in its EU accession process, Slovenia had to face a sensitive bilateral issue with Italy. In 1993, Rome started blocking the opening of Ljubljana's EU accession talks over property seized by the former Yugoslavia after World War II which had also affected Italian citizens in Istria (*optanti*) who had left after the former Italian territories were ceded to Yugoslavia in 1954 (Geddes & Taylor, 2016, 934–936; Bučar & Udovič, 2023, 393). The matter was settled when Slovenia introduced, through an amendment to the constitution, the right for EU

7 In the end, the proposal was only debated in the federal SFRY State Presidency, rejected by 6:2 votes, and thus not forwarded to the federal parliament (Ramet, 2006, 374–37; Jović, 2008, 252). A survey of scholarly assessments of the rationale behind the confederal proposal can be found in Ramet (2008, 38–39).

8 Whilst Tuđman advocated the prospective confederation, he also said that 'if you look at the map, you don't need to be a historian to see that Bosnia forms a geopolitical unit with Croatia. They belong together'.

9 Tuđman himself, however, according to Meier (1995, 311), was surprised that the practicalities of Slovenian independence would include new checkpoints at the border to Croatia.

citizens to purchase property in the country within four years from the beginning of the EU accession negotiations, a requirement of the EU single market rulebook and the free movement of capital which was mandatory for every EU Member State anyway (European Commission, 1997, 16). This right was extended immediately to EU citizens who had resided on Slovenian territory for at least three years, so that the Italian *optanti* were covered at very short notice. The Italian government on its part announced in early 1996 that it would surrender new property restitution claims for the *optanti* who had left Istria after 1954 – a matter that had been resolved anyway by the Italian-Yugoslav Treaty of Osimo in 1975. In June 1996, Slovenia's Association Treaty with the EU was signed and the bilateral issue with Italy thus cleared (Geddes & Taylor, 2016, 936; Bučar & Udovič, 2023, 393).

For Croatia, the path to EU accession was considerably rockier in that it was heavily affected by a violent state-building process: the bitter fighting and bloodshed on its own territory 1991–1995 and also by its involvement in the war in Bosnia-Herzegovina 1992–1995. Croatia only enjoyed full sovereignty over its entire territory since 1998 when the country's state-building process can be regarded as completed with the full reintegration of the territories in Eastern Slavonia (Koska & Matan, 2017, 131, 134). Additional delay in the EU accession process of Croatia was caused by the country's sovereigntist phase under Tuđman who had become a staunch opponent to multi-ethnic political entities, be it Yugoslavia, Bosnia-Herzegovina, or the EU, not least on the grounds that independence from Yugoslavia was a hard-won achievement against a millennium-long history of being part of multinational entities, which had limited or denied national sovereignty (Dolenec, 2013, 131–146; Jović, 2023, 123–124, 139).

Only after the democratic turn in 2000 and the subsequent reform governments of Račan and Sanader¹⁰ did the country embrace the European path. Full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) proved a hard choice between national-identity and legitimacy considerations on the one hand, and the commitment to fulfil the political EU conditionality items for membership on the other (cf. Freyburg & Richter, 2010, 273–275). Accession negotiations with the EU would only start in late 2005 when Croatia was ready to extradite General Ante Gotovina to the ICTY.¹¹ At that time, Slovenia had already become an EU Member.

10 As of the 2003 Sanader government, representatives of the minorities were part of all Croatian governments until very recently. The Constitutional Law on Rights of National Minorities had been adopted in 2002 by the Račan government *inter alia* extending the number of seats in the national parliament for minorities representatives; cf. Koska & Matan (2017, 134). The established practice of including them in the government partly came to an end with the latest HDZ/DP government taking office in May 2024 when the Serbian minority party was excluded at the request of DP; cf. Euronews (2024).

11 Somewhat face-saving (from the perspective of the Croatian government) was the fact that Gotovina was arrested in Spain thus avoiding a humiliating extradition from Croatia.

Three years later, one particular bilateral issue with Slovenia affected the Croatian accession negotiations very seriously: the dispute about the common state border. Historically, it is a by-product of the dissolution of Yugoslavia where the borders of the SFRY Republics became international borders at the moment of independence.¹² In late 2008, Slovenia decided to take advantage of its veto power as a Member State in calling for a resolution of the border dispute with Croatia. Zagreb perceived this as an act of blackmailing by its northern neighbour, and there is little doubt that the dispute became a loaded issue for both the Croatian accession talks and the bilateral relations. There had been various bilateral attempts to resolve the border dispute between 1993 and 2007,¹³ including an initialled agreement from 2002 (known as Drnovšek-Račan or Račan-Drnovšek referencing the then two prime ministers), the ratification of which failed in Croatia after it had been ratified in Slovenia.¹⁴

In the course of 2009, the European Commission took on a mediating role after a failed attempt by the French EU Council Presidency at the end of 2008 to defuse the situation. Enlargement Commissioner Olli Rehn and his team came up with the idea of a judicial third-party resolution with a tailor-made mandate: arbitration. Subsequently, the Commission drafted an arbitration agreement (cf. e.g. Cataldi, 2013) and discussed it with the parties. Eventually, with the help of the Swedish EU Council Presidency, Slovenia and Croatia signed the arbitration agreement in November 2009¹⁵ and the blockade of the Croatian accession negotiations was lifted. The arbitration procedure imploded, however, in 2015 (Croatia had joined the EU on 1 July 2013) due to unlawful contacts between the Slovenian government and the tribunal member appointed by Slovenia.¹⁶ In response to this, the Croatian government unilaterally withdrew (based politically on an unanimous vote in the Croatian parliament) from the arbitration procedure.¹⁷ The Tribunal on its part procedurally remedied the violation of the arbitration agreement (by replacing the two party-appointed tribunal members) and handed down a binding award under international law in 2017, which Croatia does not recognize, however.

-
- 12 Some sections of the land border between Croatia and Slovenia (and elsewhere between successor states of Yugoslavia) became disputed due to overlapping cadastral records. It must be noted that the borders between the Yugoslav Republics have never been established by any federal or other legal act. The maritime boundary had to be delimited *de novo*, as the SFRY territorial sea had been integrated waters that were not separated by riparian Republics.
 - 13 At a meeting in Bled in August 2007, the two prime ministers Sanader and Janša agreed to submit the dispute to the International Court of Justice (ICJ). However, the negotiations on the mandate for the Court stalled in the bilateral expert group in the following year.
 - 14 For a detailed account, cf. Arnaut (2002), Sancin (2010), Dolenec (2013, 150–151), Bickl (2021, 133–146).
 - 15 The political will and constructive attitude of the two prime ministers Jadranka Kosor and Borut Pahor and their advisors in the second half of 2009 was a key element in this silent-diplomacy operation.
 - 16 The Tribunal consisted of three members jointly nominated by the parties and one party-appointed arbitrator each.
 - 17 Legally, Croatia invoked a breach of the Vienna Convention of the Law of the Treaties (VCLT) (cf. Partial Award 2016, e.g. §85). The arbitration tribunal, however, having the inherent competence to decide on all procedural matters found no reason for the arbitration procedure not to continue.



Fig. 1: Prime ministers Jadranka Kosor and Borut Pahor in 2010. Photo by Stanko Gruden, STA (Wikimedia Commons).

The Slovenian government has subsequently attempted to enforce the arbitration award, but to no avail. It proved impossible to implement the award by means of EU law through an infringement procedure against Croatia before the Court of Justice of the European Union (CJEU) in 2018.¹⁸ In a second attempt, Slovenia had supported the case of Slovenian fishers who, in 2022, had lodged an application before the European Court of Human Rights (ECtHR) for being fined by the Croatian police for fishing in waters that under the arbitration award are under the territorial sovereignty of Slovenia.¹⁹ With the Croatian government welcoming the ECtHR decision and striving for a bilateral agreement on the border independent of the 2017 arbitration award (Croatian Ministry of Foreign and European Affairs, 2024), and the Slovenian government insisting on the implementation of the very arbitration award (Slovenian Ministry for Foreign and European Affairs, 2024), the dispute has remained in a legal-political limbo for the time being.

18 The CJEU declared the case inadmissible in 2020. Some scholars, however, argue that the Court has not sufficiently considered the link to the arbitration procedure in the EU Accession Treaty of Croatia (cf. e.g. McGarry, 2020). The European Commission (EC) had stayed neutral after Slovenia had filed the infringement procedure in March 2018 irrespective of the previous position of the EC legal service in July 2017 that the bilateral border dispute had a direct effect on EU law, and therefore the Union had jurisdiction in respect of this matter (European Commission, 2017).

19 The applications were declared inadmissible in May 2024. Croatian fishers had, in the same vein, filed applications for being fined by Slovenian authorities, cf. STA (2023).

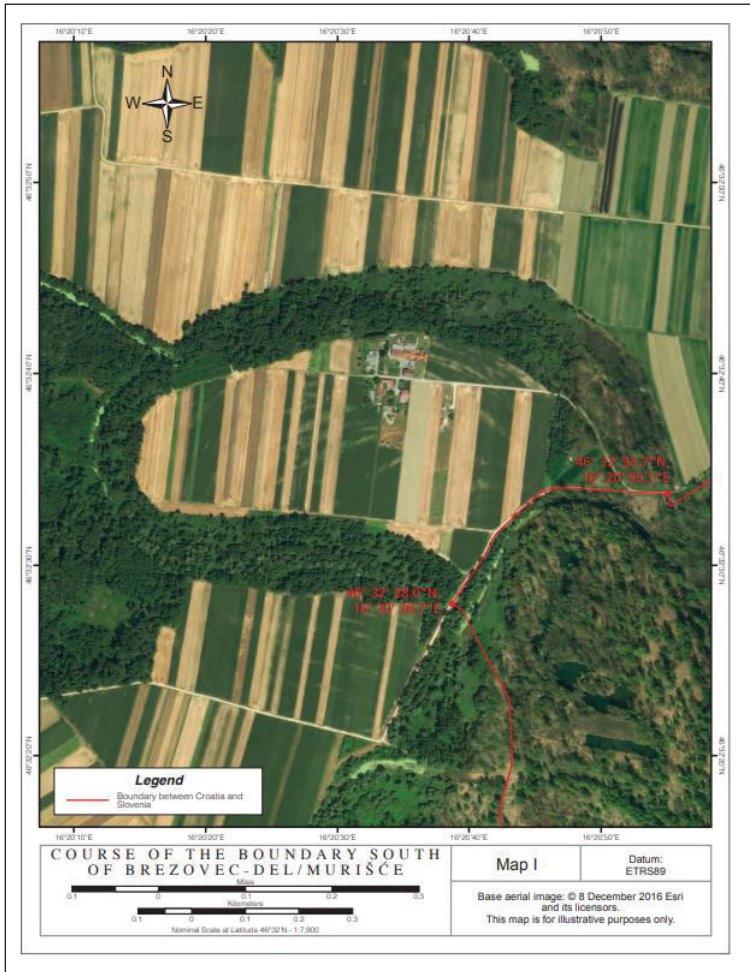


Fig. 2: The Slovenia-Croatia land border at the Brezovec - del/ Murišće hamlet according to the arbitration award (Permanent Court of Arbitration, Final Award, 29 June 2017, 135).

CONFLICT AND COOPERATION: INFRASTRUCTURE, FOREIGN-CURRENCY DEPOSITS, ENERGY POLICY

The relevance of the border dispute, however, a frozen conflict politically, has perhaps become less pressing. Croatia joined the Schengen Area (with free movement across whatever border-crossing with Slovenia) and the Euro in 2023 and has thus reached the innermost level of European integration. With regard to

the bilateral relations between Ljubljana and Zagreb in the area of infrastructure projects, there have been no discussions on major joint infrastructure projects recently. Repair work on several bridges in cross-border areas, for instance, cannot go ahead because their cross-border status may be disputed, with no agreement on whether decisions concerning the repairs should be made on a case-by-case basis or adopted as a package. There is an agreement, however, on a new bridge at the Kaštel-Dragonja border crossing, the most frequented one in Istria alongside Jelšane-Rupa further east, where the two sides have shared the repair and construction costs fifty-fifty and completed the works (N1, 2021; author's field notes July 2024). It is worth noting that the border on this part of the Dragonja River has not been in dispute.²⁰ With regard to both countries' northern Adriatic ports, Koper and Rijeka, cooperation has been limited and competition has been the norm (Barić et al., 2021, 36).

Alongside border disputes, there is another legacy from the dissolution of Yugoslavia: The issue of foreign-currency deposits and the compensation for the illegal use of them by the SFRY to cover its demand for foreign-currency reserves. The deposits were mainly held by citizens working abroad. At the time, these foreign-currency accounts were predominantly deposited with Ljubljanska Banka (LB), the country's largest commercial bank, and its subsidiaries in other Republics of the SFRY. In terms of bilateral disputes with Slovenia from the lens of Croatia, the foreign currency deposits issue was perceived as a major root-cause for bilateral tensions with Slovenia in the first two decades after independence.

It was not before 2014, however, when the European Court of Human Rights (ECtHR) handed down a landmark judgement in the most prominent case relating to LB and the foreign-currency deposits: In *Ališić et al. v. Slovenia*, the country was ordered to unilaterally cover all claims against LB. The Slovenian government subsequently set up a compensation scheme worth 385 million Euro (cf. Hojnik, 2016). In a previous case (*Kovačić et al. v. Slovenia*) brought before the ECtHR in 2006, the Court found in 2008 that the matter of compensation for so many thousands of individuals be solved by agreement between the successor States.

In two separate judgements relating to Ljubljanska Banka in 2015 and 2020, the ECtHR declared two cases in which Slovenia sought to recover the debt of Croatian companies towards LB inadmissible (cf. Stavridi, 2021). This created a situation in which Slovenia was held liable for the repayment of foreign-currency deposits in LB subsidiaries on the territory of the former Yugoslav Republics while not being able to enforce LB's own debt claims against Croatian and other companies.

20 In the strip of land between the Dragonja-Kaštel border-crossing and the Plovanija-Sečovelje one further to the west, there are three settlements (Škrilje/Škrile, Bužin/Bužini, and Škudelin/Škodelin) on the left bank of the Dragonja historically claimed by Slovenia. The 2017 arbitration award stipulates the Dragonja River as the border.

In the area of energy policy, close cooperation in the operation of the Krško nuclear power plant has been the default mode since the block went into service in 1983.²¹ The contract with the US provider Westinghouse dates back to 1974.²² The plant's electricity production has been shared in equal parts (Croatian Ministry of the Economy and Sustainable Development, 2023; Senior Croatian Civil Servant 2023). Currently, the Krško plant covers 40% of Slovenia's and 17% of Croatia's energy demand (Bičak, 2023).²³ Slovenia has undertaken to phase out coal by 2033 and the current economic situation of the Šoštanj lignite power station with its record losses in operational electricity production has become untenable, so the government will have to step in to avert bankruptcy (STA, 2024). Whatever the consequences for the phase-out of coal in Slovenia or the reliance on energy imports, Slovenia has started preparations for a second reactor (JEK2) at Krško (Slovenian Ministry of the Environment, Climate, and Energy, 2023). Croatia's prime minister announced as early as in April 2022 that Croatia wishes to continue its participation also through the construction and use of the second reactor. This would help meet the country's CO2 reduction targets (Radosević, 2022). Currently, the JEK 2 project is being developed by GEN Energija. According to the Slovenian government, the intention is to continue the cooperation with Croatia and to officially do so at the time of the investment decision.

The future Krško reactor project is currently managed by a dedicated State Secretary at the prime minister's office. The vision is that JEK2 is a promising approach also for the wider region of Southeast Europe in the context of achieving the net-zero goal of full decarbonization of electricity production by combining renewable energy sources with nuclear power (Levičar, 2023). Critics of nuclear power contend that the costs of producing electricity from nuclear will considerably exceed the costs of a large-scale installation of solar and wind power (Kus, 2023)²⁴ the percentage of which currently is still very low. Slovenia's largest share of renewables to date is from hydropower covering around one third of the country's electricity production (SURs, 2024).²⁵

21 However, a temporary cut-off of electricity supply to Croatia on the part of Slovenia between July 2002 and April 2003 was subject to an investor-state arbitration procedure on the financial compensation. The award was handed down in December 2015, ordering Slovenia to cover the financial damage, cf. International Centre for Settlement of Investment Disputes (2015).

22 The contract was signed by the then parent companies Savske Elektrarne Ljubljana and Elektroprivreda Zagreb (International Atomic Energy Agency, 8 November 1974); cf. also next footnote. The contract was backed up by a USD 600 million loan from the US government in 1975 (Pirjevec, 2018, 412).

23 The Krško power plant is owned and operated by Nuklearna Elektrarna Krško (NEK), which is jointly owned by Croatia's Hrvatska Elektroprivreda (HEP Group) and Slovenia's GEN Energija.

24 The production of one megawatt-hour (MWh) from JEK2 would, according to Kus, amount to €170, compared to €55 for electricity generated with large wind farms and solar power plants.

25 In July 2024, the electricity production in Slovenia had the following allocation by source: nuclear 36.1%, hydro 32.9%, coal 18.6%, and solar and wind 12.4% (SURs, 2024). It should be noted however, that during wintertime the share of solar is considerably lower whilst the share of coal and nuclear tends to be higher.

ON EQUAL FOOTING: CAN PARITY OF STATUS HELP SOFTEN TENSIONS?

Notwithstanding the different EU trajectories Slovenia and Croatia have experienced on their way to Brussels (a rather smooth accession here, and a rockier road with a heavy item of transitional justice and a forced resolution attempt for the bilateral border dispute there; more above under the second heading), both countries now enjoy parity of status. At the beginning of 2023, Croatia joined both the Schengen Area and the Euro and is now on equal footing with Slovenia at the same and innermost layer of EU integration.

Whereas the accession to the Euro can be seen as a reward of Croatia's sustainability of its public finances and its previous central bank's ability to defend the Kuna's close alignment with the Euro in the Exchange Rate Mechanism (ERM II), the accession to Schengen has a strong bearing on the bilateral relations with Slovenia. It can be seen as a win-win situation in several respects: First, the positive impact, albeit largely anticipated, on the bilateral economy. According to the Slovenian Public Agency for Entrepreneurship, Internationalisation, Foreign Investments, and Technology, bilateral trade almost doubled between 2017 and 2022 (SPIRIT, 2023). Second, the end of the controls on what used to be Schengen border-crossings between both countries can also be considered to have become a positive and dampening side-effect on the stretching out of bilateral tensions due to the border dispute: occasionally during tourist seasons, the Slovenian police would replace random checks by (non-mandatory) regular checks for road traffic into Croatia thus causing considerable delays for travellers to holiday destinations with the southern neighbour. By definition, northbound traffic from Croatia into Slovenia now on intra-Schengen crossings is no longer a structural bottleneck.²⁶ And third, very much in line with the positive effects on travel and tourism, the expiry of the Schengen border between the two countries has been positive for cross-border family relations and for many Slovenes who own property in Croatia.

Whilst it is true that some anxieties stemming from previous disputes, not least related to unequal status, seem to indeed have faded away to some degree, one can acknowledge a more general relaxation of relations at the diplomatic level. This concerns personal relations more recently, both in the technical and the political domain. Allowance must be made for the fact that bilateral conflicts matter less once both countries have joined the EU (Senior Croatian Civil Servant, 2023). Contacts between diplomats from both sides are now described as more comfortable due to Croatia and Slovenia being on an equal footing in terms of EU integration and an increasingly self-confident Croatia (Senior Slovenian Civil Servant A, 2023; Jović, 2023, 138). In some cases, personal relations at the

26 It must be noted, however, that Schengen controls for vehicles entering Slovenia northbound from Croatia were mandatory on a Schengen border, so all traffic from Croatia into Slovenia had to undergo standard checks for each and every vehicle.

political level have become almost amicable, also across party-political affiliations, as is currently the case with foreign ministers Tanja Fajon and Gordan Grlić Radman (Jović, 2023; Senior Slovenian Civil Servant B, 2023).

The more recent geopolitical situation has been of great importance, too. What can boost the internal cohesion of an international organisation such as the EU are external security threats. No matter whether we look at Russia, the Middle East, or China: In the face of a common external threat, internal bilateral conflicts tend to lose relevance in a European context (cf. Schimmelfennig, 2023, 190).²⁷ The same holds for extreme weather events and disaster relief, for instance. In the Slovenian-Croatian context, we have seen excellent neighbourly relations during the wildfires in the summer of 2022, also with increased multinational regional cooperation (European Commission, 2022), and the heavy floods after several days of torrential rain in August 2023 saw both sides coming together to help one another (Hina, 2023b).

ALL EYES ON THE WESTERN BALKANS: EVERYONE EMBRACING THE NEIGHBOURHOOD?

Croatia and Slovenia have a distinctive expertise with and experience on the Western Balkans region – as neighbours and former members of Yugoslavia in its different settings (1918–1991). With regard to enlargement, both Ljubljana and Zagreb share a pro-enlargement policy line, e.g. as members of the Friends of the Western Balkans Group together with Austria, Greece, Italy, Czechia, and Slovakia (Brzozowski, 2023). When it comes to pursuing national interests in the region, the picture is more nuanced, however. Slovenia has an interest in securing market access for its export-oriented companies, sees itself as a gateway to the region enjoying very good economic and political relations with all Western Balkans countries, and has virtually no unresolved issues with any countries in the region (except for the territorial one with Croatia). Nonetheless, Slovenia's achievement as the host of the 2021 Western Balkans Summit in Brdo pri Kranju, for example, remained limited as the EU Member States would not commit to any timeline for enlargement in the Western Balkans, a fact that still holds at the time of writing. In Croatia, where the economy is also closely integrated in the region, issues of national identity traditionally have a strong bearing, particularly concerning Bosnia-Herzegovina and its Croat community, and concerning Serbia e.g. with regard to missing persons after the 1991–1995 war.²⁸ In Croatia, EU membership has largely been framed in terms of de-Balkanisation (and de-Yugoslavisation previously) while recognizing that, as an EU member, Croatia actually enjoys more, not less influence on foreign

27 Research on e.g. domestic polarization in the US in the face of external threats seems to provide for more nuanced conclusions, cf. Myrick (2021).

28 For other open bilateral issues in the area cf. e.g. Petrović & Wilson (2021); Bickl (2023).

policy – which is where Europeanisation goes hand in hand with sovereigntism (cf. Jović, 2023, 139).

There is one fundamental point that needs to be taken into account with EU enlargement: seen as a *process*, it offers ample opportunity to every Member State to exert maximum influence by leveraging its EU membership when dealing with Candidate Countries – as demonstrated by the Slovenia-Croatia case. What boded particularly ill more recently was Bulgaria's last-minute blockade of North Macedonia when issues of history, culture, and identity were favoured above the European interest substantially delaying the start of EU accession negotiations (cf. Kamberi, 2023). It is therefore not difficult to agree with Bashenska (2022, 226) that 'allowing Member States to redefine enlargement criteria in line with their domestic preferences and politics does not only undermine the rule of law as a fundamental part of [EU accession], but also discredits the entire enlargement process'.

CONCLUSION: SLOVENIA'S EU MEMBERSHIP AND THE LESSONS FOR EU ENLARGEMENT

In a geopolitical context where all eyes are on the EU accession process of Ukraine after the opening of accession negotiations in December 2023, the Western Balkans Candidate Countries are finding themselves yet again in a state of unpredictability and discouragement as for their own accession process. In the face of the non-existence of a timeline for merits-based EU accession, the laborious and often painful reform process will be hard to maintain.

Nevertheless, what then can we learn from Slovenia and Croatia's EU membership and its influence on their bilateral relations? Joint EU membership is undoubtedly a positive undertaking. Being 'in it' together can help decrease the salience of bilateral disputes, particularly when both countries enjoy the same level of EU integration. Second, the Slovenia-Croatia case is a stark reminder that the power imbalance between a Member State and a Candidate Country can be (ab)used to resolve a bilateral dispute in favour of the Member State through coercion and at the expense of sustainability. This can create both alienation and the risk of importing a frozen conflict. Third, although it would seem reasonable not to scrap the current merits-based approach to EU enlargement – also not with regard to Ukraine – it might make sense to avoid a scenario where countries joining one by one can make full use of their leverage of membership as a powerful tool to impose solutions to bilateral issues. It may rather be worth exploring whether it would make more sense to think about having some countries join in groups (which has happened in the past, albeit in much less bilaterally loaded settings), which would make these issues less toxic, giving silent diplomacy the opportunity to try to seek a solution ahead of accession within a robust dispute resolution framework (Bickl, 2021, 297–301).

There can be little doubt that the situation that EU newcomers are facing today is substantially different from the one in 2004 or 2013. Given the geopolitical focus on Ukraine (and Georgia and Moldova) and the de facto Western Balkans enlargement fatigue (which has not disappeared in some capitals despite the official rhetoric to the contrary), the sobering assessment is that the economic and political interests of EU Member States in the region are divergent (cf. Bartlett, 2023, 49–51). Some even argue that ‘integration without membership’ is becoming a reality (Radić Milosavljević & Petrović, 2024). At any rate, the EU enlargement process bears particular responsibility for improving rather than straining bilateral relations.

EVROPSKO BRATSTVO I JEDINSTVO? BILATERALNI ODNOSI SLOVENIJE S HRVAŠKO SKOZI PRIZMO ČLANSTVA V EU

Thomas BICKL

Avenue des Rogations 27, 1200 Brussels, Belgija

e-mail:tbickl@hormail.com

POVZETEK

Članek obravnava vpliv članstva v EU na dvostranske odnose med Slovenijo in Hrvaško. Analiza se osredotoča tako na pristopni proces k EU kot na sodobna politična vprašanja sporov in sodelovanja. Zgodovinsko gledano je vstop Slovenije v EU potekal precej nemoteno, medtem ko je bila hrvaška pot v Bruselj obremenjena z vprašanjem tranzicijske pravičnosti in, ne nazadnje, z dvostranskim mejnim sporom s Slovenijo. Med političnimi konfliktnimi področji izstopata arbitražni postopek o mejnem sporu in devizne vloge v nekdanji Ljubljanski banki. Kar zadeva sodelovanje, je izrazit primer energetska politika in skupno delovanje jedrske elektrarne Krško. Poleg bilateralnih vprašanj je skupno članstvo obeh držav v EU poskrbelo za splošno sprostitev odnosov na politični ravni. Izkušnje, pridobljene pri širitvi EU na Zahodnem Balkanu v zvezi z reševanjem dvostranskih sporov, vključujejo potrebo po proaktivnem obravnavanju vprašanj in trdni mreži za reševanje sporov v zvezi s tem.

Ključne besede: Slovenija, Hrvaška, dvostranski odnosi, odprta vprašanja, sodelovanje, Evropska unija

SOURCES AND BIBLIOGRAPHY

- Arnaut, Damir (2002):** Stormy Waters on the Way to the High Seas: The Case of the Territorial Sea Delimitation Between Croatia and Slovenia. *Ocean and Coastal Law Journal*, 8, 1, 21–70.
- Barić, Mate, Orovič, Josip, Šango, Leonardo & Mateo Pedišić (2021):** Energy Efficiency of Container Cargo Flow in Largest East Adriatic Ports. *Pomorski zbornik*, 61, 2, 35–43.
- Bartlett, Will (2023):** The Drivers of EU Financial Assistance to the Western Balkans: Economic, Altruistic or Democracy Promotion Motives? In: Uvalić, Milica (ed.): *Integrating the Western Balkans into the EU. Overcoming Mutual Misperceptions*. Cham, Springer, 25–54.
- Basheska, Elena (2022):** EU Enlargement in Disregard of the Rule of Law: A Way Forward Following the Unsuccessful Dispute Settlement Between Croatia and Slovenia and the Name Change of Macedonia. *Hague Journal on the Rule of Law*, 14, 222–256.
- Bičak, Darko (2023):** Dok Krško proizvodi struju iznad plana, Ljubljana traži ulagače za drugi reaktor. *Poslovni dnevnik*. <https://www.poslovni.hr/hrvatska/dok-krsko-proizvodi-struju-iznad-plana-ljubljana-trazi-ulagace-za-drugi-reaktor-4399701> (last access: 2023-07-19).
- Bickl, Thomas (2021):** The Border Dispute Between Croatia and Slovenia. The Stages of a Protracted Conflict and Its Implications for EU Enlargement. Cham, Springer.
- Bickl, Thomas (2023):** Territorial Disputes in the Post-Yugoslav Space: Nation-building Between Identity Politics and International Law. *Političke Perspektive*, 13, 1, 97–127.
- Bieber, Florian (2014):** Introduction. In: Bieber, Florian, Galijaš, Alina & Rory Archer (eds.): *Debating the End of Yugoslavia*. Ashgate, Routledge, 1–7.
- Brzozowski, Alexandra (2023):** 'Friends of Western Balkans' Push for More Cooperation with Region on EU Foreign Policy. <https://www.europeanbusinessreview.eu/page.asp?pid=7010> (last access: 2023-01-13).
- Bučar, Maja & Boštjan Udovič (2023):** The Slovenian Perception of the EU: From Outstanding Pupil to Solid Member. *Comparative Southeast European Studies*, 71, 3, 388–411.
- Cataldi, Giuseppe (2013):** Prospects for the Judicial Settlement of the Dispute Between Croatia and Slovenia Over Piran Bay. In: Boschiero, Nerina, Scovazzi, Tullio, Pitea, Cesare & Chiara Ragni (eds.): *International Courts and the Development of International Law*. Cham, Springer, 257–268.
- DER SPIEGEL (1990):** „Wir wollen souverän sein“. Interview with Franjo Tuđman. <https://www.spiegel.de/politik/wir-wollen-souveraen-sein-a-87d06941-0002-0001-0000-000013501079> (last access: 2024-08-16).
- Dolenec, Danijela (2013):** *Democratic Institutions and Authoritarian Rule in South-east Europe*. Colchester, ECPR Press.

- Euronews (2024):** Croatia's Ruling Conservatives Embrace Far-right Party in New Government. <https://www.euronews.com/2024/05/09/croatias-ruling-conservatives-embrace-far-right-party-in-new-government> (last access: 2024-05-09).
- European Commission (1997):** Commission Opinion on Slovenia's Application for Membership of the European Union. <https://op.europa.eu/en/publication-detail/-/publication/n/73208bd9-732e-44c8-ab7c-914f822a1aa0/language-en> (last access: 2024-08-16).
- European Commission (2017):** Minutes of the 2219th meeting of the European Commission in Strasburg, 4 July 2017.
- European Commission (2022):** EU Solidarity with Slovenia in Combating Wildfires. https://ec.europa.eu/commission/presscorner/detail/en/ip_22_4642 (last access: 2024-08-16).
- Freyburg, Tina & Solveig Richter (2010):** National Identity Matters. The Limited Impact of EU Political Conditionality in the Western Balkans. *Journal of European Public Policy*, 17, 2, 263–281.
- Geddes, Andrew & Andrew Taylor (2016):** Those Who Knock on Europe's Door Must Repent? Bilateral Border Disputes and EU Enlargement. *Political Studies*, 64, 4, 930–947.
- Hina (2023a):** Plenković o kaznama za ribare Slovenije i Hrvatske: „Sugerirali smo oblik pragmatičnog rješenja na džentlmenski način“. *Dnevnik*, 18 March 2023. <https://dnevnik.hr/vijesti/hrvatska/andrej-plenkovic-razmatrase-ponistenje-kazni-ribarima-slovenije-i-hrvatske%2D%2D-773759.html> (last access: 2024-08-16).
- Hina (2023b):** Slovenian PM Thanks Croatia for Assistance in Flood Response. *Dnevnik*, 6 September 2023. <https://www.sabor.hr/en/press/news/slovenian-pm-thanks-croatia-assistance-flood-response> (last access: 2024-08-16).
- Hojnik, Janja (2016):** Slovenia v. Croatia: The first EU Inter-state Case Before the ECtHR. *EJIL:Talk!*, 17 October 2016. <https://www.ejiltalk.org/slovenia-v-croatia-the-first-eu-inter-state-case-before-the-ecthr/> (last access: 2024-08-16).
- International Atomic Energy Agency (1974):** Information Circular. The Texts of the Instruments Concerning the Agency's Assistance to Yugoslavia in Establishing a Nuclear Power Facility. 8 November 1974. <https://www.iaea.org/sites/default/files/infcirc213.pdf> (last access: 2024-08-16).
- International Centre for Settlement of Investment Disputes (2015):** HEP v. Slovenia Hrvatska Elektroprivreda d.d. v. Republic of Slovenia, ICSID Case No. ARB/05/24. <https://jusmundi.com/en/document/decision/en-hrvatska-elektroprivreda-d-d-v-republic-of-slovenia-award-thursday-17th-december-2015> (last access: 2024-08-16).
- Jović, Dejan (2008):** The Slovenian-Croatian Confederation Proposal in 1991: A Tactical Move or an Ultimate Solution? In: Cohen, Lenard & Jasna Dragović-Soso (eds.): *State Collapse in South-Eastern Europe: New perspectives on Yugoslavia's disintegration*. West Lafayette, Purdue University Press.

- Jović, Dejan (2023):** Imagining Europe in a New and Small state: The Case of Croatia. In: Uvalić, Milica (ed.): Integrating the Western Balkans into the EU. Overcoming Mutual Misperceptions. Cham, Springer, 121–142.
- Jović, Dejan (2023a):** Interview ad personam. Belgrade. Notes held by the author, 22 October 2023.
- Kaeding, Michael & Udovič, Boštjan (eds.) (2024):** Slovenia and the EU. 20 Years of Membership in Perspective. Cham, Springer.
- Kamberi, Donika (2023):** An Overview of the Dispute Between North Macedonia and Bulgaria Through the Optic of International Law. *Justicia*, 19–20, 11, 69–75.
- Kežić, Danijel (2011):** The Belgrade–Bar Railway 1952–1976: History of Financing the Largest Infrastructure Project in Socialist Yugoslavia. *Istraživanja*, 22, 455–476.
- Korolija, Aleksa & Cristina Pallini (2020):** The Highway of Brotherhood and Unity as a Cross-Cut Into the Yugoslavian Epic. *Histories of Post-War Architecture*, 3, 6, 93–120.
- Koska, Viktor & Ana Matan (2017):** Croatian Citizenship Regime and Traumatized Categories of Croatian Citizens and Croatian Defenders of the Homeland War: Serb Minority. *Croatian Political Science Review*, 54, 1–2, 119–149.
- Kus, Zoran (2023):** Aktivni nosilci energetskega prehoda in ne zgolj pasivni zasledovalci. *Večer*, 21 October 2023. <https://vecer.com/v-soboto/analiza-aktivni-nosilci-energetskega-prehoda-in-ne-zgolj-pasivni-zasledovalci-10342583> (last access: 2024-08-16).
- Levičar, Danijel (2023):** Interview by phone. Notes held by the author, 21 November 2023.
- McGarry, Brian (2020):** Republic of Slovenia v. Republic of Croatia. *American Journal of International Law*, 115, 1, 101–107.
- Meier, Viktor (1995):** Wie Jugoslawien verspielt wurde. München, Beck.
- Ministry of the Economy and Sustainable Development of the Republic of Croatia (2023):** Hrvatska i slovenska strana na redovnom sastanku međudržavnog povjerenstva NEK-a. Press Release, 2 October 2023. <https://mingor.gov.hr/vijesti/hrvatska-i-slovenska-strana-na-redovnom-sastanku-medjudrzavnog-povjerenstva-nek-a-9418/9418> (last access: 2024-08-16).
- Ministry of the Environment, Climate, and Energy of the Republic of Slovenia (2023):** [Internal note on] JEK2 [future reactor at Krško nuclear power station], October 2023.
- Ministry of Foreign and European Affairs of the Republic of Croatia (2024):** MVEP Welcomes ECHR Decision that Croatian Courts did not Violate Slovenian Fishermen's Rights When Fining Them for Illegal Border Crossing and Fishing. 17 May 2024. <https://mvep.gov.hr/press-22794/mvep-welcomes-echr-decision-that-croatian-courts-did-not-violate-slovenian-fishermen-s-rights-when-fining-them-for-illegal-border-crossing-and-fishing/272422#:~:text=The%20Ministry%20of%20Foreign%20and,Protection%20of%20Human%20Rights%20and> (last access: 2024-08-16).

- Ministry of Foreign and European Affairs of the Republic of Slovenia (2024):** Statement by the Ministry of Foreign and European Affairs on the ECtHR Decision in the Case of Slovenian Fishermen. 16 May 2024. <https://www.gov.si/en/news/2024-05-16-statement-by-the-ministry-of-foreign-and-european-affairs-on-the-ecthr-decision-in-the-case-of-slovenian-fishermen/> (last access: 2024-08-16).
- Myrick, Rachel (2021):** Do External Threats Unite or Divide? Security Crises, Rivalries, and Polarization in American Foreign Policy. *International Organization*, 75, 4, 921–958.
- N1 (2021):** Slovenia Ratifies €1.3m Border Bridge Project Shared with Croatia. 20 December 2021. <https://n1info.hr/english/news/slovenia-ratifies-e1-3m-border-bridge-project-shared-with-croatia/> (last access: 2024-08-16).
- Petrović, Milenko & Garth Wilson (2021):** Bilateral Relations in the Western Balkans as a Challenge for EU Accession. *Journal of Contemporary European Studies*, 29, 2, 201–218.
- Pirjevec, Jože (2018):** Tito and His Comrades. Madison, Wisconsin Press.
- Radić Milosavljević, Ivana & Miloš Petrović (2024):** EU Enlargement Policy Between the Chronological Precedence of the Western Balkans and the Geopolitical Urgency in the Eastern Neighbourhood: a Realist Perspective. *Političke Perspektive*, 24, 1, 33–63.
- Radošević, Boris (2022):** Plenković na konferenciji o klimatskim promjenama: Spremni smo za drugi blok NE Krško. Tportal, April 22, 2022. <https://www.tportal.hr/vijesti/clanak/foto-video-plenkovic-na-konferenciji-o-klimatskim-promjenama-spremni-smo-za-drugi-blok-ne-krsko-foto-20220422> (last access: 2024-08-16).
- Ramet, Sabrina (2006):** The Three Yugoslavias: State-building and Legitimation, 1918–2005. Washington D.C., Woodrow Wilson Center Press.
- Ramet, Sabrina (2008):** Confronting the Past: The Slovenes as Subjects and as Objects of History. *Družboslovne razprave*, 24, 58, 29–44.
- Roese, Neil & Kathleen Vohs (2012):** Hindsight Bias. *Perspectives on Psychological Science*, 7, 5, 411–426.
- Sancin, Vasilika (2010):** Slovenia-Croatia Border Dispute: From ‘Drnovšek–Račan’ to ‘Pahor–Kosor’ Agreement. *European Perspectives*, 2, 2, 93–111.
- Senior Croatian Civil Servant (2023):** Interview by phone. Notes held by the author, 23 December 2023.
- Senior Slovenian Civil Servant A (2023):** Interview ad personam. Ljubljana. Notes held by the author, 4 July 2023.
- Senior Slovenian Civil Servant B (2023):** Written interview. Notes held by the author, 19 November 2023.
- Schimmelfenning, Frank (2023):** The Advent of Geopolitical Enlargement and Its Credibility Dilemma. In: Džankić, Jelena, Kacarska, Simonida & Soeren Keil (eds.): *A Year Later: War in Ukraine and Western Balkan (Geo)politics*. San Domenico di Fiesole, European University Institute (EUI), 185–193.

- SPIRIT (2023):** Blagovna menjava med Slovenijo in Hrvaško 2017–2023. <https://www.izvoznookno.si/drzave/hrvaska/poslovno-sodelovanje-s-slovenijo/> (last access 2024-08-16).
- STA (2024):** TEŠ posts nearly EUR 46m loss last year. 3 September 2024. <https://english.sta.si/3338554/tes-posts-nearly-eur-46m-loss-last-year> (last access: 2024-08-16).
- STA (2023):** Croatian Fishermen to Turn to Human Rights Court. 14 June 2023. <https://english.sta.si/3181983/croatian-fishermen-too-turn-to-human-rights-court> (last access: 2024-08-16).
- SURS (2024):** In July 2024, Electricity Generation Was on Par With July 2023. 26 August 2024. <https://www.stat.si/StatWeb/en/News/Index/13051> (last access: 2024-08-16).
- Stavridi, Myrto (2021):** Slovenia v. Croatia: A New Admissibility Criterion for Inter-state Applications Under the ECHR? EJIL Talk!, 6 January 2021. <https://www.ejiltalk.org/slovenia-v-croatia-a-new-admissibility-criterion-for-inter-state-applications-under-the-echr/> (last access: 2024-08-16).
- Udovič, Boštjan (2011):** The Problem of Hard-currency Savings in Ljubljanska banka d.d., Ljubljana: Between Politics and (International) Law. *Studia Historica Slovenica*, 11, 1, 185–214.