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CONFLICT RESOLUTION AND PEACEBUILDING IN THE WESTERN BALKANS – THE ROLE OF EXTERNAL ACTORS

Abstract. The main objective of this paper is to present the transition from military conflict to the development of peace and security in the Western Balkans, mainly through the engagement of external actors. Although the paper addresses the role of NATO and OSCE, the emphasis is on a comparative analysis of UN and EU conflict prevention and resolution and peacebuilding as deployed in two distinct phases: first, the war and immediate post-war period (1991-1999), characterised by the UN's dominant role and involvement; and second, the period after 2000, marked by the start of the democratic transition in the Western Balkans and the EU's rise as a major external actor. The paper argues that during the first phase, external influence through the agency of several UN peacekeeping operations together with EC as well as joint UN-EC initiatives aimed to create the conditions for the absence of direct violence - negative peace. On the other hand, the second phase was and currently remains characterised by the use of predominantly EU instruments that seek to build positive peace via cooperation using several programmes designed specifically for this post-conflict region – especially the policy of conditionality and CSDP operations. The paper aims to detect and analyse the activities of the UN and EC/EU in these two distinct phases, determine their character and influence on conflict prevention, conflict resolution and peacebuilding in the region, relying on the "hourglass model" for resolving conflict. Keywords: conflict resolution, peacebuilding, "hourglass model" of conflict resolution, EU conditionality policy, Western Balkans

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Introduction

The region occupying the south-eastern part of the European continent is frequently characterised as one of the most troubling regions in the wider European context, especially at the end of the 20th century (Bartlett, 2008; Landis and Albert, 2012; Caplan, 2010). When major (mainly positive) changes in security, political and economic relations in other parts of Europe started to be seen at the end of the Cold War, this European region descended into a spiral of insecurities and destructive clashes, often described as "state formation conflicts" (Wallensteen, 2007: 158–159).

Due to regional political actors' incompatible visions of the further development of the emerging political units, this 'state formation' phase quickly escalated into violence, thus challenging the existing conflict prevention, conflict resolution and peacebuilding and overall conflict management¹ tools developed within the institutional frameworks of different international organisations. On the other hand, the emerging crisis also provided an incentive for those organisations lacking such tools to develop them, practically from scratch (Anderson, 1995).

The newly established states², except Slovenia but including Albania, constitute the region of the Western Balkans, the result of an EU incentive to create a uniform approach in implementing its peacebuilding instruments (economic, political, social, developmental) and for these states to join the Union. During the past 25 years, developments in this region exemplify the transition from circumstances of conflict and full-scale intra-and inter-state wars, through conflict settlement and normalisation of mutual relations, to regional cooperation and good neighbourly relations,³ with the heavy involvement of the international community (primarily the UN and EU, but also NATO and the OSCE), whose presence remains crucial for the survival of some states in the region, as well as for regional security and stability. Thus, the region makes an important and interesting case study in several areas: the study of the peacekeeping crisis after the Cold War; the evolution of UN peacekeeping towards second-generation peace operations; the

¹ According to Ramsbotham, Woodhouse and Miall, 'conflict management' can refer to activities aimed at settling and containing violent conflict, and is also used as a generic term covering a wide spectrum of "positive conflict handling" (Ramsbotham, Woodhouse and Miall, 2012: 31). Hence, this paper will employ the wider notion of this term to include various means and instruments of international organisations and actors in different phases of developments in the Western Balkans.

² Seven states, including Kosovo, which is not universally recognised by members of the United Nations (or even EU member states), nor is it a member of the UN. Although part of the Western Balkans, Albania will not be the focus of this paper. Currently, since Croatia became an EU member state in 2013 the term covers Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia and Kosovo.

³ 'Good' neighbourly relations in this region are nevertheless burdened by numerous bilateral disputes.

development of the EU's CFSP (CSDP) and its conflict resolution and peacebuilding capacities; the EU enlargement process; a redefinition of NATO following the Cold War. Since this paper has a narrower scope, it primarily looks at UN and EU activities in relation to conflict resolution (including conflict prevention) and peacebuilding in two distinct phases:

- the first, between 1991 and 1999, after prevention through diplomacy failed, when conflict resolution and management had been achieved largely (but not completely) by military means – both through peacekeeping missions with the dominant military components, and military interventions or "third-party military deployments" (Rodt, 2012: 376) which aimed to limit and stop further violence (negative peace), while creating space for political negotiations and peacebuilding measures in the subsequent phase; and
- the second, from 2000 onwards, when peacebuilding activities via a multitude of civilian instruments have been put into practice in order to build positive peace and prevent a relapse into another violent phase.

These two phases can be analysed and placed in the context of Ramsbotham/Woodhouse/Miall's "hourglass model" that contains and describes different phases and mechanisms in the process of conflict deescalation. Taking into consideration all phases of the 'life cycle' of a certain conflict (difference, contradiction, polarisation, violence, war, ceasefire, agreement, normalisation, reconciliation), they apply different conflict-resolution responses appropriate to a certain phase (from cultural peacebuilding, structural peacebuilding, peace-making, peace-keeping, war limitation) (Ramsbotham, Woodhouse and Miall, 2012: 13–14). Thus, the paper provides a comparative analysis of conflict prevention, conflict resolution and peacebuilding activities taken by the UN and EU in the 1990s and later, with a brief mention of NATO and OSCE's activities within the 'hourglass model' framework.

The hypothesis of this paper is that peacebuilding and conflict transformation processes throughout the region remain incomplete, providing the EU (and other external actors) with an additional incentive to stay engaged with this part of its close neighbourhood for reasons of its own security.

Definition of the key concepts

Conflict resolution and peacebuilding may be considered complementary activities whereby one is hardly sustainable without the other. In academic literature, conflict resolution and peacebuilding gained significance due to the rising number of internal conflicts, civil wars and ethnic conflicts in the post-Cold War world (Notholt, 2008: 1.02; Wallensteen, 2007: 7). Both activities are most commonly practised through the agency of third parties (normally international organisations) with the involvement of the parties to the conflict. A set of associated terms has been used in what is broadly understood as conflict management aimed at responding to or acting upon different phases of the conflict cycle – such as conflict prevention, conflict settlement and conflict transformation.

Although the roots of what is today recognised as conflict resolution can be traced back to the earliest phases of the development of human communities, Kriesberg (2009: 17) distinguishes four phases in the evolution of 'contemporary conflict resolution': "(1) preliminary developments, 1914-1945, (2) laying the groundwork, 1946-1969, (3) expansion and institutionalization, 1970-1989, and (4) diffusion and differentiation, since 1989". Kriesberg's third phase corresponds with what Lund (2009: 291) recognises as the moment when the school of conflict resolution emerged, while Bercovitch, Kremenyuk and Zartman (2009: 1) contend this young field of research started to emerge in the 1950s. As it is often confused with and used interchangeably with terms like conflict prevention or conflict management, it is useful to make at least a loose separation between these terms and provide their definitions. In the academic literature dealing with this broad field one finds several approaches to defining the 'thin line' between the terms discussed below. However, given the topic of this paper, the most useful seems the one which depends upon the phase in which certain tools are employed to address a conflict.

There are a few narrower and broader definitions of *conflict resolution*, depending on the author and their understanding of conflicts and ways of bringing solutions to different kinds of conflict. One of the narrower ones defines conflict resolution

as a situation where conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent action against each other. (Wallensteen, 2007: 8)

The above definition may be considered narrow since it does not specifically include the role of third parties as intermediaries, focuses on the central role of the agreement, but fails to encompass other measures necessary for the long-term implementation (practice) of the agreement. This understanding considerably resembles the following definition of *conflict settlement*⁴ (Ramsbotham, Woodhouse and Miall, 2012: 31) as:

⁴ Ramsbotham, Woodhouse and Miall distinguish the terms conflict resolution and conflict settlement, whereby the latter term is associated with 'elite peace-making' which includes the main protagonists and mediation between them in reaching an agreement (Ramsbotham, Woodhouse and Miall, 2012: 14).

Reaching of an agreement between the parties to settle political conflict, so forestalling or ending an armed conflict. This suggests finality, but in practice conflicts that have reached settlements are often reopened later.

On the other hand, as the term 'conflict resolution' was dominant throughout the Cold War, when in that context it was defined as

addressing already-tense international crises, or active internal wars, rather than keeping them from starting in the first place. (Lund, 2009: 291)

Lund's definition is connected to different phases of the 'conflict cycle' since it emphasises that conflict resolution occurs after conflict prevention has failed or not occurred at all. Ramsbotham, Woodhouse and Miall (2012: 31) define it as a

comprehensive term, which implies that the deep-rooted sources of conflict are addressed and transformed. (...) term is used to refer both to the process (or the intention) to bring about these changes and to the completion of the process.

As this definition mentions the 'transformation' moment, the same authors define *conflict transformation* as the deepest level and an integral part of conflict resolution. However, other authors draw a separation line between the two, claiming that use of the term 'transformation' instead of 'resolution' would reflect the fact that, in order to really solve a certain issue, what is needed is a constructive change that includes, but also goes beyond, the resolution of specific problems (Lederach, 2003: 4).

Conflict prevention, in its simplest meaning is conceived as a set of actions employed prior to the outbreak of violence in conflicts or to avoid their escalation by addressing the root causes of disputes. In the post-Cold War period, international organisations and other entities are investing growing efforts in prevention according to the logic that it is less expensive and morally just to prevent than to cure the consequences of violent conflicts (Zupančić, 2009). There are many definitions of conflict prevention where, for instance, Lund (2009) regards this term, 'preventive diplomacy' and 'crisis prevention' as three synonyms. In addition, the same author is sceptical of any clear distinction between conflict resolution and conflict prevention, and tends to differentiate them depending on *when* they are applied in the conflict, and not *how* they are done. One useful definition states that

Conflict prevention is a set of instruments used to prevent or solve disputes before they have developed into active conflicts. (Clément in: Swanström and Weissmann, 2005: 5)

Building on this definition, authors distinguish between direct and structural prevention, whereby the former is more immediate and addresses the situation which threatens to escalate into violence, while latter is a long-term strategy which encompasses a set of measures and policies aimed at preventing the conflict from appearing in the first place (ibid.: 19).

Finally, *peacebuilding* is used as term covering both measures employed to prevent the escalation of a certain conflict (structural prevention) and those undertaken after the cessation of violence – defined by An Agenda for Peace as *post-conflict peacebuilding* which defines it as:

action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict. (An Agenda for Peace, 1992)

All of the above-mentioned concepts have been used in the Western Balkans ever since the start of the Yugoslav dissolution. Hence, the rest of the paper seeks to identify which external actor (focusing on the UN and the EU) had/has been using which concept, for which purpose and how successful they have been.

The interplay of external actors and the Western Balkans in the 1990s – from conflict to fragile peace

The complex security situation and human rights violations called for the engagement of external actors in very early stages of the Yugoslav crisis. However, the engagement was not as early as dictated by the urgency of the situation and only began after the conflict had violently escalated. As will be shown below, regional institutions such as the European Community (the EC, later the European Union) and NATO, and their then existing instruments were unsuitable for resolving the emerging crisis with peaceful means. Although some EC incentives and preventive diplomacy instruments such as the Badinter Arbitration Committee were successfully implemented to some degree early on in the crisis (see Pellet, 1992), during the first half of the 1990s neither this organisation nor NATO possessed developed specific instruments for crisis management, conflict resolution and peacebuilding outside their member states. Their roles were defined in Cold War terms, and at that time their security component was either non-existent (EC) or their role was yet to be defined in the post-Cold War world (NATO, CSCE).

Although it might be viewed as a conflict-prevention project itself, it was only at the beginning of the 1990s when the EC (EU) took concrete steps to define and establish its security component and build its capacities to become a security provider in terms of both European and global security. This also refers to its conflict prevention and peacebuilding capacities.⁵ Thus, the UN and its limited means (arms embargo,⁶ preventive diplomacy, special envoys, traditional peacekeeping) were the primary instruments deployed before and after the first peace agreements were signed (Sarajevo Implementing Accord),⁷ with mixed success.

The experiences these organisations gained via their involvement in the Balkans conflicts were very useful when setting their security agendas, designing their instruments, capabilities and tasks, as well as dividing conflict-resolution duties and tasks between them (and the OSCE). In other words, international conflict resolution had become more diverse in terms of the actors concerned, measures deployed, environments in which they were employed, as well as an overall shift from a state-centric to a more human-centric paradigm. These developments corresponded with the UN's early post-Cold War normative re-confirmation of conflict prevention as the organisation's main task and the appeal to regional organisations to develop their capabilities to be able to support the UN activities in strengthening international peace and security.⁸ An Agenda for Peace, presented by then Secretary General Boutros Ghali in 1992, emphasised the importance of concerted efforts of the UN and regional organisations in practising actions (preventive diplomacy, peacemaking, peacekeeping, post-conflict peacebuilding) along the living cycle of conflicts - before they occur, once they have occurred, and in the post-conflict period. When it comes to the expanded number of actors (meaning third parties to the conflict), Sobotka notes that

the use of multilateral conflict resolution will gain currency with the increasing use of these concepts by the United Nations and regional

⁵ For more on the evolution of the EC/EU as a security provider and conflict prevention and peacebuilding actor, see: Zupančić, R. (2016): The European Union and the (R)Evolution of its Strategy of Conflict Prevention. European Perspectives 8 (2): 17–39.

⁶ UN Security Council Resolution 713, September 1991.

⁷ The Sarajevo Peace Accord, signed on 2 January 1992, was the precondition for establishing the first peace-keeping operation in the Yugoslav crisis – UNPROFOR – whose mandate was primarily designed for the containment of the conflict already underway in Croatia and creating conditions for peaceful negotiations between the parties in the conflict. Very soon, its mandate was expanded to cover the deteriorating situation in Bosnia (April 1992) and to prevent the escalation in Macedonia (November 1992). The development of the operation is described at http://www.un.org/en/peacekeeping/missions/past/unprof_b.htm, 2. 2. 2016

⁸ An Agenda for Peace. Accessible at http://www.un-documents.net/a47-277.htm, 10.12.2017

organizations, such as the EU, OSCE or the Organization of African Unity or ECOWAS. (Sobotka, 2013: 209)⁹

The European Union, then consisting of 12 member states under the name of the European Community, together with the UN as a mediator, played the dominant external actor role which was setting the rules for the international recognition of new states. The opinions of its member states varied considerably on the recognition of former republics as independent states (Griffiths and O'Callaghan, 2002: 266). Some authors go even further by claiming that the inability to elaborate common positions among the EC members contributed to the outbreak of violence in the Balkans and limited the EC's ability to respond appropriately to the emerging conflicts (Von Brabant, 1998: 218).

The example of the external involvement of the EC and the Arbitration Commission within the Peace Conference on Yugoslavia only the first instance of external actors' role (see Cassese, 2011: 310) in defining the rules of conduct for the states in this part of South-east Europe, later labelled the Western Balkans. The presence of external actors has become a very characteristic feature of political, security and economic developments within the region since the early 1990s. At the very start of the crisis, their conflict-prevention efforts were largely unsuccessful or even non-existent (Zupančić, 2009: 67). As Joseph Marko explains

As we have experienced in the wars in Croatia and Bosnia and Herzegovina (BiH) in the 1990s, mediation in the framework of the UNand EU-led Yugoslavia conference was a total failure. The international community, being ill prepared, ill equipped and lacking political will, did always 'too little, too late' in order to prevent the outbreak of violence or to stop violence. (Marko, 2013: 242)

Different characteristics of this presence can be analysed separately for each country in the region since internal political situations vary significantly (see Caplan, 2010: 359).¹⁰ Nevertheless, some common characteristics can be recognised in different development phases in all countries in

⁹ Sobotka also notes that

During the Cold War conflict resolution activities of the United Nations operated in permissive environments but, since 1988, peacekeeping has had to adapt to semi-permissive or non-consensual environments, where multilateral and multinational approach in conflict resolution/settlement have become a predominant feature. (Sobotka, 2013: 209)

¹⁰ In this sense, Caplan notes that

Concerted third-party efforts...have helped to put the Western Balkans on the path to stability...The region as a whole, however, appears to be moving gradually towards a secure peace and the consolidation of democratic rule. (Caplan, 2010: 359)

the region: post-conflict societies, a low level of political culture (Petričušić, 2013), the underdevelopment of democracy, lagging behind Central and Eastern European countries in transition processes, low economic performance, multiple transitions – from war to peace; communist rule to a multiparty system; centrally-planned economy to a market economy (Bojicic-Dzelilovic, Ker-Lindsay and Kostovicova, 2013).

In the first phase between 1991 and 1999 during which a mixture of instruments was used by several organisations (UN, EU, NATO, OSCE) in order to either prevent the crisis escalating into open conflict (conflict prevention) or to stop the conflicts once they occurred (conflict resolution). In this period, countries in the region saw enormous engagement, primarily of the UN and EU, but also NATO and the OSCE, and were thus major international security recipients at the time.

Starting from the first UN (traditional) peacekeeping operation deployed to the Balkans (Croatia and Bosnia and Herzegovina) in February 1992, UN tools were developed throughout the 1990s, whereby later missions in the immediate post-war period included additional dimensions that considerably surpassed the goal of ensuring the absence of direct violence only, and thus can be characterised as peacebuilding. These included dimensions and activities such as peaceful conflict resolution, economic development measures, confidence-building measures, facilitating democratic processes such as providing conditions for local elections, security sector reform, building local capacities for sustainable peace, transitional administrations (UNCRO, UNTAES and UNMIK) etc.

Hence, one may argue the Yugoslav crisis and subsequent conflicts actually presented an ideal testing ground for the development of capacities and instruments of conflict resolution and peacebuilding within several organisations – UN, NATO, EU and OSCE. Although this claim applies to these four organisations, it is particularly true for the ESDP operations (Gross, 2007: 128–129) and the UN peacekeeping (Beswick, 2015: 108).

Activities of these multiple actors have been interconnected and more or less coordinated in many instances ever since their initial engagement in the region. Hence, they represent the dominant external actors that have been moderating the processes in the Balkans over the last 25 years, especially during the most critical points:

First, the start of Yugoslavia's dissolution when the EC acted through conflict-prevention mechanisms to organise the Peace Conference on Yugoslavia, whereby the Badinter Commission introduced rules for the recognition of new states; at the same time, a moratorium on the declaration of independence was introduced by the EC, as well as an arms embargo by the UN (UNSC Resolution 713; SIPRI, 2007, xiii), under the provisions of Chapter

VII of the UN Charter (UN Charter, Chapter VII: Article 41).¹¹ This phase falls within the scope of conflict transformation and conflict settlement, namely the first two phases in the 'hourglass model', in which difference, contradiction, polarisation and finally violence occur (Ramsbotham, Woodhouse and Miall, 2012: 14). In terms of (direct) conflict prevention, one can argue these actions had the most fundamental intention associated with the attempt to contain the conflict, find a solution mutually acceptable to the conflicting parties, and prevent the outbreak of violence. However, these measures were unsuccessful and violent conflict did occur – first in Croatia (after a short conflict in Slovenia), and then in Bosnia and Herzegovina and Kosovo.

Second, the start of conflicts in Croatia and Bosnia and Herzegovina, when the EU's diplomatic capacities proved to be insufficient and underdeveloped, opened the space for the UN to introduce its instruments ranging from traditional peacekeeping (UNPROFOR) to conflict prevention (UNPREDEP¹²; arms embargo). This is the central part of the 'hourglass model', when war-limitation strategies are used to contain the conflict geographically and in terms of intensity, and to terminate the conflict (ibid.).

Third, the end of direct violence using a mix of mechanisms such as peace enforcement and coercive diplomacy (NATO's bombing of Bosnian Serb positions in 1995 and its bombing of Yugoslavia in 1999), as well as peacebuilding by the UN (UNTAES). This phase encompasses conflict settlement and conflict transformation via a mixture of peacekeeping, peacemaking, structural peacebuilding, as well as cultural peacebuilding. These activities also extend to the next phase after 2000.

The situation in the Balkans was a clear example of the need for coordinated actions and means by multiple external actors in order to achieve the transition from war to peace, since the parties to the conflict were very reluctant to act on their own to find mutually acceptable and viable solutions. To some extent, it also helped define the future profile and roles of these organisations, as well as the division of tasks among them, whereby this institutional coordination has been taking place ever since the 1990s. Describing the so-called European security architecture as a set of competing and cooperating organisations performing different roles and tasks, Cottey argues that

although there is institutional competition between the EU, NATO and the OSCE, there is also an element of division of labour between them: NATO has focused on military security tasks; the EU has focused on

¹¹ For different effects of the arms embargo imposed by the UN during the 1990s, see the SIPRI/Uppsala University report by (Fruchart, Holtom, Wezeman, Strandow and Wallensteen, 2007).

¹² UNPREDEP in the Republic of Macedonia represented the first-ever preventive deployment of UN peacekeepers (Ramcharan, 2011).

broader policies of political and economic engagement with partner states and other regions; and the OSCE has focused on conflict prevention/resolution and democracy and human rights. (Cottey, 2014: 174)

Today, these four organisations are recognised as playing a major role in conflict management generally, with conflict-management activities being positioned within the context of security governance. As Wagnsson and Holmberg explain

the process of developing mechanisms of governance in the field of conflict management started at the beginning of the 1990s and has since then been remarkable. The parallel developments of discourse and practice have contributed to the growth of structures for multilateral action in central organizations such as the UN, NATO and the EU. (Wagnsson and Holmberg, 2014: 324)

At the beginning of the 1990s, these organisations were at a turning point in defining the parameters of their future development.

The UN, with a large increase in the number of peacekeeping operations in the immediate post-Cold War period, faced the inefficiency of this primary instrument in the new circumstances, which called for reform and innovative responses. Apart from the bitter experiences in Somalia and Rwanda, the failure of traditional peacekeeping in Bosnia (Ramsbotham and Woodhouse, 2010: 418) served as a critical reminder of the need for innovations in UN tools for preserving peace and security. The consequence of this need was a re-conceptualisation of the notion of peace operations (Bellamy, Williams and Griffin, 2012: 93-94) introduced through documents such as An Agenda for Peace¹³ or the Brahimi Report. Starting from the early 1990s, these conceptual changes were accompanied by changes in the institutional structure aimed at strengthening the UN's conflict-prevention, conflict resolution and peacebuilding capabilities.¹⁴

¹³ An Agenda for Peace (1992), initiated under Secretary General Boutros Boutros Ghali, was the first post-Cold War conceptual document regarding conflict prevention and resolution, including peacekeeping, which resulted in clearer definitions of various forms of action available to the UN in achieving its purpose of preserving peace and security. Besides peacekeeping, as only one of the tools for conflict prevention and resolution, there are preventive diplomacy, peace-making and peacebuilding.

The significance of Boutros-Ghali's definition lay not in its wording (...), but in its broader conceptualization, namely the idea that peacekeeping was one of several ways in which third parties might contribute to preventing, resolving or managing violent conflict and the rebuilding of communities thereafter (Bellamy, Williams and Griffin, 2012: 17).

¹⁴ Such as the Department of Peacekeeping Operations, Department of Political Affairs, Department of Field Support.

Having realised its capacities were insufficient to act as a security provider, the EU began defining and building its security component as envisaged by the Maastricht Treaty of 1992 and further developed in subsequent treaties (St. Malo, Amsterdam, Lisbon...) and the Petersberg Tasks (1993). Bujun, Foucault and Mérand also support the interconnection of the EU's experiences in the Balkans and its effort to develop its security component more thoroughly

The EU's impotence in dealing with the Balkans War in the 1990s marked a turning point for EU security cooperation, highlighting the critical need for a more coherent and capable foreign and security policy. (Bujun, Foucault and Mérand, 2014: 300)

NATO, as a Cold War relic, sought to find a justification for its existence in the absence of the Soviet threat. The Alliance's transformation from a collective-defence to a collective-security body meant the so-called 'non-Article 5 operations' or 'out-of-area operations' would become the future of this organisation, which has been challenging the UN's primacy as the provider of legitimacy for collective actions, as the 1999 bombing of Yugoslavia in the absence of a supporting UNSC Resolution clearly demonstrates.¹⁵

As a product of *detente*, the CSCE transformed into an organisation in 1994 when the OSCE was provided with permanent structures and procedures. Given its membership, this organisation had little chance of developing stronger instruments similar to those of NATO and the EU in terms of enforcement capabilities, and thus throughout the 1990s its capacities started to develop in the direction of early warning, monitoring of democratic processes and implementing confidence-building measures, which gave this organisation an important role chiefly in conflict prevention and post-conflict peacebuilding.¹⁶

Hence, the question arises of which conflict-prevention, conflict-resolution and peacebuilding mechanisms were practised in the Western Balkans in the 1990s? Different mechanisms used by the above-mentioned institutions were introduced more or less simultaneously during this period. As some authors suggest, NATO, the OSCE and other European arrangements acted as ambivalent partners in the Balkans and elsewhere in Europe in the immediate post-Cold War period, and later acted as a substitute for the

¹⁵ For more details of the relationship between the UN, NATO and the EU in the conflict-management domain, see (Wagnsson and Holmberg, 2014).

¹⁶ The OSCE's tools cover the whole 'conflict cycle' – early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, which means that its activities are designed to be able to act and respond in different phases of conflict situations (through the Conflict Prevention Centre and the field missions). Accessible at https://www.osce.org/conflict-prevention-and-resolution, 20.01.2018

problematic peace and security provisions of Chapter VII of the UN Charter (Bennett, 2004: 212). The rough differentiation of the instruments available to the four dominant organisations may be described as follows:

- the UN acted through its dominant instrument peacekeeping operations – which changed their character from traditional peacekeeping to second-generation peacekeeping; in addition, it acted through preventive diplomacy, preventive field operations and peacebuilding.
- the EU, in the absence of a clearly articulated and coherent security component, acted through diplomatic measures in the first phase, and as a peacebuilding actor in the second;
- NATO, trying to define its new mission in the post-Cold War world, acted out of the area of its member states, primarily through military means, using force in order to enforce peace in the absence of the will of the local actors to stop the mutual enmities and humanitarian crisis (which were the grounds for re-conceptualising the notion of state sovereignty and inaugurating the principle of the responsibility to protect); in other words, when coercive diplomacy failed to produce compliance, force was used to alter the behaviour of certain actors; and
- the OSCE, which was marginalised as a security actor at the time, acted through its civilian mechanisms and capacities in terms of monitoring the progress of the peace process, democratisation mechanisms and programmes.

Eight UN peacekeeping operations were (or still are, in the case of Kosovo) deployed in Bosnia and Herzegovina, Croatia, Macedonia, and Kosovo. The success rate of these operations, whose mandates were defined differently (UNPROFOR as traditional peacekeeping, UNPREDEP as the preventive interposition of forces or UNTAES with peacebuilding tasks), is quite mixed. Here I would argue the traditional peacekeeping which constituted the UN's dominant form of engagement in the region between 1992 and 1995 was dominantly unsuccessful (UNPROFOR being the clearest example of UN failure), while partially transformed peacekeeping operations in the period 1995 to 1999 were mainly successful (with UNTAES frequently called a successful mission, but also UNPREDEP, UNCRO, UNMOP, UNMIK, UNPSG, UNMIBH).¹⁷ However, these operations' success in the post-1995 period does not imply the mandates of these missions did not encounter any obstacles, and that the normalisation of inter-ethnic relations and interstate relations as well as compliance with the negotiated agreements was a sort of automatism (Dayton Peace Accords, Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium).

111

¹⁷ The description of the mandates of these missions is accessible at http://www.un.org/en/peacekeeping/operations/past.shtml (20. 6. 2016).

NATO operated through non-Article 5 operations in Bosnia and Herzegovina and in the Federal Republic of Yugoslavia (consisting of Serbia and Montenegro up until 2006), and in the later period through peace-support operations (IFOR, SFOR, KFOR). As it developed throughout the 1990s, this organisation diversified its operations and missions, which helped it overcome its identity crisis. This organisation in a way filled the vacuum of power created by the inability and lack of (military) capacities of other organisations to implement (or enforce) UN resolutions or to stop the serious violence. Its engagement demonstrated limited possibilities to act in line with the principles of traditional peacekeeping - impartiality, non-use of force, consent of the parties to the conflict - in situations where there is a combination of internal and international conflict, with multiple actors involved, and where an ethnic element characterises the conflict. In such circumstances regarding the situation in the field and capabilities of other organisations, in 1992 NATO was first tasked with enforcing the UN's arms embargo on weapons in the Adriatic Sea and the no-fly zone declared by the UN Security Council (which may be characterised as conflict prevention).¹⁸ In the following phases, the enforcement/coercion principle was practised via the direct use of force against Bosnian Serbs (in 1994/1995), which was supposed to bring all the parties to the negotiating table, and hence can be regarded as peace-making as a war-limitation strategy.¹⁹ The later NATO bombing campaign against Yugoslavia in the absence of a supporting UNSC resolution has frequently been considered illegal by international law (Marko, 2013: 239), while at the same time this act has paved the way for a global discussion on the international community's responsibility to act in situations where serious human rights violations are occurring, where the state concerned is incapable or unwilling to act or where it represents the source of the threat to part of its population. In the immediate post-war period in Bosnia and Kosovo, NATO performed the tasks of implementing peace agreements and stabilising the relations between local actors (IFOR and SFOR in Bosnia) or preserving the imposed peace after its own intervention (KFOR in Kosovo).

The OSCE played a monitoring role (in terms of human rights violations, inter-ethnic violence, minority rights, democratisation...) in the post-Yugoslav context, acting through the establishment of OSCE missions in each new state. These missions closely cooperated with other external actors,

¹⁸ Accessible at http://www.nato.int/cps/en/natohq/topics_52060.htm (20. 6. 2016).

¹⁹ Here, peace-making is regarded as a wider concept than that provided by the UN (where peacemaking is associated with Chapter VI and diplomatic tools). Instead, it is "used to refer to a stage of conflict, which occurs during a crisis or a prolonged conflict after diplomatic intervention has failed (...) and implies the threat of violent intervention as an act of last resort". Accessible at https://www.beyondintractability.org/essay/peacemaking (20. 1. 2018).

supporting and strengthening their missions and activities. This OSCE is still present in the region (Serbia, Kosovo, Macedonia, and Bosnia and Herzegovina). This role of the OSCE has been fully supported by the UN Security Council. For example, after the termination of the UNPSG mandate in the eastern part of Croatia, responsibilities for monitoring the police were transferred to the OSCE.²⁰ Being an important actor, it coordinated horizontally with other external actors,

focusing on conflict prevention, management and resolution, the OSCE has played a part in nearly every conflict in the former Yugoslavia and Soviet Union, as well as in other participating states in terms of national minorities, freedom of the media, and election observation. (Galbreath and Seidyusif, 2014: 656)

In terms of inter-institutional cooperation, this phase was mostly characterised by the interplay of the UN and NATO, while the EU and the OSCE were playing only limited roles since they did not possess tools (except diplomatic) for any more active engagement in such volatile and unfavourable circumstances. In spite of the general assessment that the UN's peacekeeping operations were largely unsuccessful (building on the failure of UNPROFOR to carry out its mandate), they were nevertheless helpful in: de-escalating tensions and direct violence, opening the space for regional organisations to act through their instruments or develop them in the first place, and finally in implementing peace agreements and exercising the role of transitional administrations (UNTAES in Eastern Croatia, UNMIK in Kosovo).

Post-conflict peacebuilding and democratisation

By the early 2000s, most UN peacekeeping missions in the region had been completed (or nearly completed), except for UNMIK which has been in operation in Kosovo since 1999. UNMIK thus represents the longest UN mission in the Balkans, whose mandate changed in character along with changes in the legal status of Kosovo made in 2008. At this stage, several processes were taking place in the Western Balkans: first, most of the UN's missions were replaced by missions and activities of regional organisations (primarily the EU); second, some internal political situations altered considerably, opening space for the real beginning of the democratic transition (more specifically in Croatia, Serbia and Montenegro); third, countries in the region clearly defined their primary foreign policy goals in terms

²⁰ Accessible at http://www.un.org/en/peacekeeping/missions/past/cropol.htm (2. 2. 2016).

of achieving EU and NATO membership (except for Serbia in the case of NATO), but there were also some negative tendencies (due to unsolved bilateral disputes).

The efforts by external actors in the previous phase failed to stabilise or prevent conflicts in two cases: in the case of Kosovo and Macedonia. Nevertheless, in these two cases the EU, together with the UN, emerged as the main mediator in the process of accommodating the interests of the different ethnic communities in Kosovo and Macedonia.

The dominant role in the second phase of stabilising (and development – political, economic, democratic) the Western Balkans region has been played by the EU (Bojicic-Dzelilovic, Ker-Lindsay and Randazzo, 2016), along with the presence of the UN. The current period is marked by two types of activity: peacebuilding missions of the EU within the scope of its Common Security and Defence Policy; and activities falling within the EU enlargement policy, which are mutually supportive in some instances. EU peacebuilding activities include military and (predominantly) civilian missions aimed at institution-building/-strengthening, building up and reforming the security sector, economic reconstruction, democratisation, the rule of law etc. Activities within the enlargement policy are mostly encompassed by the terms Europeanisation and conditionality policy, as will be described below. Hence, in a broader sense, measures within the conditionality policy and Europeanisation process may be regarded as an integral part of peacebuilding in the Western Balkans.

Some authors tend to assume the type of the EU's involvement in the Balkans is somewhat different from its missions in other parts of the world, in claiming that

the Balkan missions have been the most complex, since the EU's commitment to the region's Europeanisation is by its nature permanent, whereas missions elsewhere tend more to be based on an in-and-out model. (Emerson and Gross, 2007: 6)

Hence, the EU has been the main driving force for achieving regional cooperation, security and stability in the region since the early 2000s. It endorsed the so-called regional approach to the Western Balkans, combined with elements of 'own merits' and 'catch up' (General Affairs and External Relations, 2003)²¹, in assessing the progress of each individual state. Indeed, all of the former Yugoslav republics and Albania have declared EU membership as one of their principal foreign policy objectives. With this in mind, it

²¹ General Affairs and External Relations, 2518th Council meeting, Luxembourg, 16 June 2003. Accessible at http://europa.eu/rapid/press-release_PRES-03-166_en.htm?locale=en (02. 6. 2016).

is logical that the EU conditionality policy represents an extremely powerful tool for pushing forward reform processes aimed at building conditions for sustainable peace and development. Thus, one can claim that the EU's instruments have brought a new quality and meaning to the definition of peace in the Western Balkans – from defining peace as the absence of direct violence (namely, the minimum aim of the first phase) to defining peace in broader terms of the rule of law, democracy, human rights, cooperation and development. Besides the Copenhagen criteria of 1993²² as a general set of conditions for states wishing to join the EU (economic, political and institutional criteria), a set of additional criteria for the Western Balkans countries was established through several EU frameworks (mainly the Stabilisation and Association process) for the institutionalisation of its relations with countries in the region.

In the case of the post-Yugoslav states, an important component of the conditionality policy was cooperation with the ICTY. Hence, one may argue that different aspects of transitional justice were the integral element of the peacebuilding efforts of external actors (Tatalović and Jakešević, 2013). In this context, some authors suggest the EU's conditionality policy would have been more effective if the criterion of a sufficient level of cooperation with the ICTY was replaced with the application of the transitional justice mechanisms on the national level more clearly, which would have resulted in positive effects on inter-ethnic relations and regional cooperation (Rangelov, 2006: 366).

In order to strengthen peace and stability in the region and give prospects for development, the EU tried to influence the transformation of domestic structures in the Western Balkans, which has so far provided very limited results in the case of Kosovo, Bosnia, Macedonia and Albania. The problem of limited/slow success in applying the transformative power of the EU is also perceived in the cases of both Serbia and Croatia (Börzel, 2011: 5–6).

At the beginning of the intense and extremely formal enlargement process, the EU and other actors still present in the region were faced with numerous obstacles that had to be overcome in order to start real democratisation as a precondition for the other integration processes. States of the region have displayed different (absorption) capacities, which is obvious from their current positions on EU membership and the stage of their accession processes.

²² Conclusions of the Presidency, European Council in Copenhagen, 21–22 June 1993. Accessible at http://www.consilium.europa.eu/en/european-council/conclusions/pdf-1993-2003/presidencyconclusions_copenhagen-european-council_21-and-22-june-1993/ (25. 6. 2016).

	UN	NATO	EU	OSCE	Council of Europe
Albania	1955	2009	Candidate 2014	1991	1995
Bosnia and Herzegovina	1992	MAP 2010	/	1992	2002
Croatia	1992	2009	2013	1992	1996
Kosovo	/	/	/	1	/
Macedonia	1993	MAP 1999	Candidate 2005	1995	1995
Montenegro	2006	2017	Candidate 2010/ Negotiations 2012	2006	2007
Serbia	2000*	PfP 2006	Candidate 2012/ Negotiations 2013	2000	2003
Slovenia**	1992	2004	2004	1992	1993

Table 1: WESTERN BALKANS COUNTRIES AND INTERNATIONAL ORGANISATIONS

* The Federal Republic of Yugoslavia, then consisting of Serbia and Montenegro.

** Slovenia is not part of the Western Balkans.

Source: Authors own analysis²³.

In 2002, at the European Council meeting in Copenhagen the EU member states stated the Western Balkans countries have a clear European perspective, under certain criteria. Thus, this phase in the stabilisation/development of the Western Balkans is characterised by the creation and implementation of instruments whose aim was to promote positive peace through cooperation, development and, finally, integration into the EU.

The first instance of this approach was the EU Regional Approach initiated in 1997 in an environment still marked by post-conflict, fragile, unstructured relations between countries in the region and a high level of mistrust. The approach was directed at Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia, Macedonia, as well as Albania and may basically be considered the first coherent EU programme for the Western Balkans (the term then used was "south-eastern Europe"). The approach was two-fold and included bilateral relations of each individual country with the EU on one hand, and the development of regional cooperation on the other. In this phase, the practice of conditionality policy was introduced in a lighter form than in the following periods, and the European Commission carefully monitored and reported on the progress and adherence to the rules of the programme (democratic principles, human rights and the rule of law, minority protection, economic reform, regional cooperation, obligations under the peace agreements).²⁴

²³ The table was compiled using data from various websites, mainly ministries of foreign affairs of the selected countries.

²⁴ Accessible at http://www.europa.eu/rapid/press-release_MEMO-98-76_en.htm?locale=en (25. 6. 2016).

What followed was the Stabilisation and Association Process (SAP) initiated in 1999, whose aim was/is to offer Western Balkans countries incentives in the form of possible future EU membership if they succeed in making extensive reforms in different areas. Being aware of the fragility of inter-state (but also intra-state ethnic) relations, regional cooperation and good neighbourly relations were stressed as an integral part of this EU policy.²⁵ The EU also stressed the importance of the principle of regional cooperation as a precondition for countries in the region to build stronger ties with the EU's institutions, as was stated in the Thessaloniki Agenda for the Western Balkans of 2003.²⁶ By acting through a multitude of instruments (CSDP peacebuilding operations and conditionality policy), the EU attempted to achieve two goals: first, to eliminate the possibility of relapsing into conflicts, which would annul all the peacebuilding efforts made in the previous stage; and second, to avoid having major instabilities on its borders.

In terms of CSDP operations, both military and civilian, in the past 15 years 6 six operations have been deployed in the Western Balkans. Of these six CSDP missions, four were civilian and two were military operations. The first EU military operation ever was deployed in Macedonia (CONCORDIA) in March 2003, upon a request of the Macedonian government for help in implementing the Ohrid Framework Agreement.²⁷ Likewise, EUPM BiH was the first CSDP (civilian) mission launched by the EU.²⁸ The EU is still present in the Western Balkans through peacebuilding operations such as EUFOR ALTHEA in Bosnia and EULEX in Kosovo.

These two types of mutually reinforcing activity (CDSP and pre-accession) are an integral part of the 'dual-track approach' where the actions under the supervision of the Council of the European Union and the European Commission meet to achieve a positive outcome. This is especially the case in Macedonia, Kosovo and in Bosnia and Herzegovina.

²⁵ Accessible at http://www.ec.europa.eu/enlargement/policy/glossary/terms/sap_en.htm (20. 6. 2016).

²⁶ The principles of 'own merits' and 'catch up' will be applied in parallel with the regional approach, which remains an essential element of EU policy on the region. The Thessaloniki Agenda for the Western Balkans: Moving towards European Integration. Accessible at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/76201.pdf (20. 6. 2016).

²⁷ CONCORDIA. Accessible at http://www.eeas.europa.eu/archives/csdp/missions-and-operations/ concordia/index_en.htm (1. 7. 2016).

²⁸ EUPM. Accessible at http://www.eeas.europa.eu/archives/csdp/missions-and-operations/eupm-bih/ index_en.htm (25. 6. 2016).

Conclusion

The role of external actors has been crucial in implementing security, political and economic goals throughout different conflict-resolution and peacebuilding phases in the Western Balkans. Solutions were primarily developed outside the countries targeted by the different instruments, resulting in the 'local ownership' principle being sometimes overlooked.

Solutions implemented in the Western Balkan countries had, a return impact on the development of policies of the organisations concerned: the UN (the reform of peacekeeping); NATO (post-Cold War role and crisis management tasks), the EU (nature of EU peacebuilding operations and the EU as a security actor), the OSCE (non-military operations and peacebuilding). Moreover, the Western Balkans' experiences, together with the experiences from some other parts of the world, have set the foundations for a more detailed division of tasks between the above-mentioned organisations, and served as a starting point for re-conceptualising the notion of sovereignty in light of the emergence of the 'responsibility to protect' principle (R2P).

The long-term presence of international community exponents in the Western Balkans dates back to the very first signs of the crisis in the early 1990s and continues today. To some extent, it also signals the fragility of inter-ethnic relations on the micro level (intra-state), but also on the macro level (inter-state). In certain cases, it is also possible to imagine that the international community's absence in terms of different instruments in the region would hold serious implications for the viability of the designed state structures, especially in Bosnia and Herzegovina, and Kosovo. Hence, the EU still retains the presence of its Special Representatives in these two countries, while the fact the Office of High Representative still operates in Bosnia and Herzegovina signals that the conflict settlement reached in the Dayton Agreement in 1995 has not yet led to a transformation of the conflict and the desired degree of stability between different communities in this country.

In its latest document confirming the 'European perspective' of Western Balkan countries,²⁹ the EU remains cautious regarding the unsolved bilateral and domestic issues, stating it will not allow countries in the region to import these potentially destabilising relations into the Union, which presents the EU's additional power to positively influence and accelerate positive inter- and intra-state relations. The EU's approach also remains guided

118

²⁹ A credible enlargement perspective for and enhanced EU engagement with the Western Balkans Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions (2018) Brussels: European Commission. Accessible at https://ec.europa.eu/commission/publications/eu-western-balkans-strategy-credible-enlargement-perspective_en (15. 2. 2018).

by the principles of 'catch up' and 'own merits' of each country, clearly stating that "none meets these criteria today" (European Commission, 2018: 3) and insisting on "reconciliation, good neighbourly relations and regional cooperation as prerequisites for accession" (ibid, 6).

According to the above, one may conclude that concerning the current inter- and intra-state relations the peacebuilding activities of different international actors in the Western Balkans have not yet managed to accomplish the transformation of the conflict, namely the 'deepest level of conflict resolution'. Further, as early conflict prevention did not occur in former Yugoslavia (in the sense of *a priori* measures to address the conflict's root causes and prevent the outbreak of violence), it made different conflict-resolution and post-conflict-peacebuilding activities essential for consolidating inter- and intra-state relations, leading to the EU's long-term presence and current dominance as the external actor in the region.

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119

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