

**EU SECURITY ENTERPRISES OF CONFLICT PREVENTION  
THROUGH STATE-BUILDING IN THE BALKANS:  
PREPARATION AND RECIPE FOR ENGAGEMENTS IN THE  
EUROPEAN NEIGHBOURHOOD?**

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*During the recent years of gradually deepened engagements and the parallel development of EU crisis management capabilities some valuable European experience and a pattern of stabilisation methods have emerged. Regional conflicts and states weakened by ethnic divisions and secessionist forces represent clear and declared challenges to European security. In the course of the crisis management enterprises in Macedonia and Bosnia, the European Union and its partners in operational and structural prevention have undertaken complex state-building exercises with the rearrangement of the political and constitutional structures of states formerly threatened or devastated by escalating ethnic conflicts. The applied instruments and the sustained results pacified the affected states and provided a certain “recipe” of the requisite and general conditions of conflict settlement. This prescription may be adopted as a reference example for conflict settlement and state-building undertakings in other instances of protracted ethnic separatism and antagonism in the Southern-Caucasus as a (hopefully) emerging area of increasing European security engagements.*

**Keywords**

Prevention, security, state-reconstruction, European experience, transformative effects.

*Prevention in the context of the European Security Strategy*

The European Security Strategy (ESS) underlines as the fundamental quality of the contemporary security environment that, “Europe faces new threats which are more diverse, less visible and less predictable,” than the conventional and now improbable manifestation of threat, a large-scale aggression against any Member State of the Union.<sup>1</sup> The ESS identifies terrorism, proliferation of weapons of mass destruction

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<sup>1</sup> European Security Strategy: *A secure Europe in a better world*, December 2003, pp. 3.

(WMDs), organised crime, regional conflicts and state failure as discernible sources of threats to the security of EU Member States. As the strategic view of EU security points out: “The new threats are dynamic. The risks of proliferation grow over time, left alone, terrorist networks will become ever more dangerous. State failure and organised crime spread if they are neglected as we have seen in West Africa. This implies that we should be ready to act before a crisis occurs. Conflict prevention and threat prevention cannot start too early”.<sup>2</sup>

The second set of threats, regional conflicts and state failure, represents more endemic (local conflagrations of violence in all continents) and often seemingly less direct (conflicts far from the European borders and state collapse in remote countries) aspects of contemporary insecurity and violence in the international system than the human and technological forces of Armageddon. These instances of disruption in international security call for the employment of “*operational prevention*” (crisis management) and also “*structural prevention*” (conflict resolution and reorganisation) focused on a particular state or region.<sup>3</sup> *Operational prevention* entails actions to forestall, contain and respond to deepening crisis situations. These might include a broad range of instruments simultaneously or in sequence: from early warning and response, preventive diplomacy of good offices, mediation or conciliation, economic sanctions and inducements by various means, and if necessary even military force through the recourse to the tools of enforcement from peacekeeping to protective intervention. The employment of these instruments of operational response and engagement are expected to prevent the deterioration or escalation, “horizontally” across borders or “vertically”, within the society of the given crisis at some stage of its management with external involvement. *Structural prevention* addresses the longer term causes of conflict such as existential threats due to the chronic absence of security, poverty, as well as struggle for shrinking natural resources and over conflicting identities.

The EU has embarked on developing capacities for both types of prevention. It is important to note that without the implementation and completion of operational prevention, no structural prevention could possibly be conceived if the elementary conditions for the beginning and

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<sup>2</sup> *ibid.* pp. 7.

<sup>3</sup> Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict - Final Report*, 1999.

the successful pursuit of policies designed to establish and preserve some indispensable, essential attributes of the containment and settlement of potential conflicts remain fragile or absent during conflict settlement and peace-building.

If accompanied by proper resources and strong commitment, prevention can be the most efficient prescription against all salient manifestations of dangers and threats in the contemporary world defined in the ESS. The most pressing issues of immediate concern, ethnic conflicts and civil wars, failing states and humanitarian disasters, for EU engagements through complex missions and by all sorts of means could potentially be averted or ameliorated with effective early action and with adequate treatment.

The ESS recognises that the new security threats demand adaptive combination and mobilisation of various policy assets and instruments. The European Union pursues its own evolutionary programme of profound metamorphosis to grow into a comprehensive security organisation able to field a full range of foreign policy tools and to pool the resources needed to address these complex problems. The evolving European Security and Defence Policy enables the European Union to make a significant contribution to international peace and security particularly in the areas of peacekeeping, conflict prevention and post-conflict security.

The ESS stresses that, “none of the new threats is purely military, nor can any be tackled by purely military means”. Each of the identified features of the contemporary international security landscape requires an adequate response with an appropriate mixture of instruments. The European Union perceives itself as an organisational framework that is, “particularly well equipped to respond to such multifaceted situations”.<sup>4</sup>

*State-Construction as Major International Task for the Contemporary Security Order*

The increased currency of “*state-building efforts*” and the sweeping tide of *globalisation* stand in apparent contrast, but only to highlight the complex and parallel phenomena of the current international system. The predicted “demise of states” and the presumed sharp dint in the relevance of

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<sup>4</sup> European Security Strategy, pp. 7.

state institutions in the age of fast global transformations has been refuted by the recent surge in the demand for *measures to reinforce* or *restore* the functional and institutional elements of state sovereignty in notorious zones of conflict.

Dysfunctional, imploded and/or collapsed political units with only a semblance, an *empty shell of their statehood*, or with a combustible blend of *ethnic components*, tend to pose great risks and recognizable threats to international security far beyond their immediate vicinity. These have been identified and considered among the sources of *perils* and *challenges* to international and European security by the European Security Strategy (ESS). As one of its strategic objectives, the ESS clearly explains the motivation for EU involvement in crisis resolution and state (re)construction: “The European Union and Member States have intervened to help deal with regional conflicts and to put failed states back on their feet, including in the Balkans, Afghanistan and in the DRC”.<sup>5</sup>

The former “viceroy” of Bosnia-Herzegovina, the High Representative of the UN and Special Representative of the EU pointed out that “post-conflict stabilisation and reconstruction exercises in Iraq, Afghanistan, East Africa, the Caucasus and South Asia are, arguably, one of the key defining elements of our emerging post-Cold War world”.<sup>6</sup> *Multilateral measures* and *collective actions* have proved indispensable for the attainment of “transformative settlements and state-(re)construction” (BiH, Macedonia, Afghanistan) in order to introduce the minimal conditions of order and some form of accountable control over the “black holes” of global security. Transformation in areas of conflict and chronic instability requires adequate tools, sustained commitments and consequential engagements. The exercise of international governance and transitory administration in Kosovo (since 1999) or in East Timor represents one particular variation of multilateral efforts to introduce the conditions and shape the functioning institutions of security and order in entities without settled and recognised international status.<sup>7</sup>

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<sup>5</sup> *ibid.* pp. 6.

<sup>6</sup> Lord Ashdown, “Stabilising the peace and building a nation – the lessons from Bosnia and Herzegovina”, Speech at the Royal Institute of International Affairs, London, 4 April 2006.

<sup>7</sup> For detailed analysis of these examples (UNMIK and UNTAET) of international governance and “trusteeship solutions” consult Outi Korhonen, “International Governance in Post-Conflict Situations”, *Leiden Journal of International Law*, 2001, Vol.14, Issue 3.

In the light of the experience of recent years it has become evident that nothing can substitute effective peace-building efforts with sufficient support from the international community in a post-conflict environment. It is understood that there is a direct causality between the absence of state functions and the likelihood of return to violence in post-conflict environment. The correlation between the restoration or (re)construction of state fabric and the chances of successful pacification can be captured by the imperative defined by the former president of the International Crisis Group: “If the recurrence of war is to be averted much more needs to be done at all levels - bottom up as well as top down – to rebuild the political, economic and social infrastructure of countries and entities like Afghanistan, Bosnia, Kosovo and Rwanda”.<sup>8</sup> The experience of the slow reconstruction of state fabric in Afghanistan painfully demonstrates the gravity of the difficulties - in spite of all international efforts - to reinstall functioning institutions after the demolition of an intolerable and dangerous regime (the Taliban) together with the remnants of the Afghan state.

*Crumbling States and International Maintenance Potential:  
Discrepancy between Needs and Capacities*

The international community simply does not command either the resources or the political will to undertake larger number of simultaneous complex state-building projects aimed at the reconstruction of security structures, political institutions and social fabric for viable states. These encompassing endeavours - illustrated by the various international state- and peace-building enterprises in Bosnia, Kosovo, East-Timor, Afghanistan and Iraq are likely to be sustained and brought to completion in smaller states or in countries of strategic importance and of high potential for dangerous regional destabilisation. In contrast to the limited range of cases that the international community is willing and able to handle more or less efficiently, an increasing number of states carry the potential for failure, collapse or paralyses due to internal ethnic hostilities, social cleavages, ecological decline and scarcity of vital resources, dysfunctional institutions and/or the regional dynamics of conflicts in the neighbourhood.<sup>9</sup>

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<sup>8</sup> Gareth Evans, “War, terrorism and security breakdown: the current risk environment for business”, Keynote address to Political Risk 2003 Conference, Royal Institute for International Affairs, London.

<sup>9</sup> For more on these issues consult: Amy Chua, “*World on fire*”, Arrow Books, 2004

Worldwatch Institute, “*State of the World 2005*”, January 2005, <[www.worldwatch.org/node/1044](http://www.worldwatch.org/node/1044)>

Philippe Le Billon, “*Fuelling war: Natural resources and armed conflicts*”, Adelphi Papers, No. 373, (London: International Institute for Strategic Studies, 2005).

Therefore, the deployable capabilities of regional arrangements with their permanent institutional edifices and policy instruments, ideally or at least potentially shaped to facilitate the accomplishment of complex enterprises in an environment of conflict, gain distinct importance and become the precious assets of the entire international community in the given regional context; and occasionally even beyond that. “In failed states, military instruments may be needed to restore order, humanitarian means to tackle the immediate crisis. Regional conflicts need political solutions, but military assets and effective policing may be needed in the post-conflict phase. Economic instruments serve reconstruction, and civilian crisis management helps restore civil government”.<sup>10</sup> The European Union considers itself “particularly well equipped to respond to such multi-faceted situations”.<sup>11</sup> For this very reason, the evolving qualities of the European Union could prove particularly valuable and appreciated with a view to the daunting and mounting challenges of fragile or fragmented state entities in combustible regions - “the Global Balkans”<sup>12</sup> - around or close to the Union.

### *Security as the Precondition of Reconstruction and Stabilisation*

A number of countries under the aegis of NATO, and then under EU flag, have been willing to commit military and police units to the region for an extended period of time, thus facilitating the process of transformation and reconstruction to unfold without a relapse into violence. Credible and capable multilateral armed forces of order and protection had to be deployed throughout the whole process. These contingents must be committed for sufficiently long time to prevent the resumption of violent confrontations and guarantee the elementary conditions of the consolidation of local state structures. Internal security and order should enjoy priority in the “hierarchy of collective goods”<sup>13</sup> among the purposes and pursued objectives of international crisis management and conflict settlement undertakings. The employed measures and the deployed means must address both the *consequences* and, equally importantly, the precipitating

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<sup>10</sup> European Security Strategy, pp. 7.

<sup>11</sup> Ibid.

<sup>12</sup> Zbigniew Brzezinski, “*The Choice*”, Basic Books, 2004, pp. 42, 79 (Note 2).

<sup>13</sup> Judy Batt - Dov Lynch, “What is a failing state and when is it a security threat?”, Background paper, EU Institute for Security Studies, 8 November 2004.

*conditions* of disintegration leading to the collapse of indispensable state functions.

First and foremost before everything else, security and stability must be established as prerequisites of any peace-building and state consolidation in volatile environment. The most notorious aspect of state failure is the collapse of internal security and order demonstrating the inability of states to exercise effective control over their territory and to maintain or regain the Weberian “monopoly on the use of legitimate violence”. Consequently, the primary discharge of external security assistance and peace support operations should be focused on the restoration of the state capacity to exert this fundamental monopoly on armed force.<sup>14</sup>

Security as the primary task for peace- and state-building demands from the international actors to tailor and adapt their responses to the different types of security challenges affecting fragile or vulnerable states.<sup>15</sup> If a particular state is threatened by military challenges such as armed insurgency (Macedonia), secessionist movements (Georgia and Moldova) and cross-border attacks (Nagorno-Karabakh), the appropriate form of external security assistance would be advisable to come in the shape of *preventive deployment*, *protective forces* or *peace enforcement capabilities*. All of these possibilities can be naturally modelled on the precedents and previous experience of UN (UNPREDEP in Macedonia), NATO (IFOR/SFOR in Bosnia) and EU (EUFOR in Macedonia and EUPM/EUFOR in Bosnia) missions in the Balkans. Without the performance of duties by international military and police forces, the arduous task of (re)building state structures at any level would not stand a chance. Though the deployment of multinational constabulary or military contingents in themselves does not deliver the solution to all the sources and underlying causes of conflict and confrontation, the introduction and coherent application of enforcement capacity into the conflict management process could well guarantee the sustenance of the indispensable conditions of conflict resolution. Therefore, armed forces, military troops, gendarmerie units and policemen have to play their own indispensable role in providing the necessary conditions of security and facilitating the political (through

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<sup>14</sup> Marina Ottaway – Stefan Mair, “States at risk and failed states: putting security first”, Carnegie Endowment for International Peace/Stiftung Wissenschaft und Politik, *Policy Outlook*, September 2004, pp. 1-3.

<sup>15</sup> Kurt Klotze, “International strategies in fragile states: Expanding the toolbox?”, Bertelsmann Group Policy Research, *CAP Policy Analysis*, No. 1. March 2006, pp. 15.

confidence-building) environment for the resolution of inter-ethnic hostilities and the instalment of any lasting settlement.

*The EU Approach to State-Building as Structural Prevention and Conflict Management*

The EU has figured prominently in the international aspirations and deliberate moves to establish permanent structures and capabilities prepared for more coherent and concerted response to contemporary security risks including the consequences of civil wars, collapsed states or weakened statehood with fragile institutions and impeded functional capacity. Apart from the protective and humanitarian EU operations in Africa (in Congo and in Sudan), all other ESDP operations undertaken so far has been conceived of and launched with the purpose to assist, support and reinforce political communities by military and/or civilian means in the definition or restoration of their institutional capacities at various stages of state formation in conflict zones.

During a debate in the UN Security Council,<sup>16</sup> the Secretary General/High Representative (SG/HR) for CFSP highlighted that the security policy of the European Union, from the outset, had been intended to enable the EU to employ both military and civilian instruments in order to assist in strengthening the capacities of the recipient countries. To this effect, the Union has undertaken to develop its strategic concepts and establish the institutions as well as instruments capable of sustaining the deployment of military and civilian elements (military as well as civilian tools of security enterprises).

The SG/HR underlined that although the deployment of forces might still be necessary, the objective is broader and more complex, namely the restoration of legitimate forms and attributes of governments and the defence of the rule of law. The rebuilding of states has a political and security dimension, but also requires the establishment of institutions in which the population can place confidence. Guarantees of security are indispensable for the institutional and functional *recovery of states* ravaged by conflict so as to enable them to achieve effective, legitimate and internationally accountable forms of governance.

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<sup>16</sup> "Security Council presidential statement aims to strengthen efforts at building durable peace in societies shattered by war", Security Council 5041st Meeting, Press Release, SC/8193, 22 September 2004.

Within the Council of the EU, the institutional architecture was purposefully designed and set up to meet the requirements of complex management tasks in the course of peace- and state-building operations with multiple civilian and military demands. The elaborated and declared objectives of ESDP civilian and military capabilities, defined respectively in the 2008 and 2010 Helsinki Headline Goals, were evidently determined by the envisaged needs and priorities of full spectrum crisis response and management potential in both dimensions. The intended co-ordination between the civilian and the military elements in the arsenal of EU CFSP instruments has been developed to combine all the means suitable and applicable to shape the international order around the Union through the establishment and preservation of functioning states in its neighbourhood. Reasons for EU engagements in the maintenance and restoration of peace through state-building can be easily deduced from the strategic statement of EU security perceptions and objectives: “Neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe”.<sup>17</sup>

The general relevance of the functional (re)construction of states around the EU as primary building blocks of international order lies in the requirement to possess the capacity for full and effective co-operation. All prospects and dimensions of co-operation and partnership within the region and with the European Union depend on issues (fight against organised crime, security of borders, safe return of refugees and restoration of their rights and possessions) that require the actual exercise of operational and control capacities by Western Balkan states.<sup>18</sup> The *restoration* or the *construction* of the necessary sovereign functions has proved the *prerequisite* of participation in stabilisation and association programmes designed for assistance, consolidation and co-operation in the Western Balkans region.

Pacification and stabilisation by *example* and *attraction* as a passive strategy have been pursued through assimilation, harmonisation and accession to the European Union after the application of candidate countries. A more active and straightforward strategy for shaping the

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<sup>17</sup> *Supra* note 10.

<sup>18</sup> EU-Western Balkans Summit, *Declaration*, Thessaloniki, 21 June 2003.

requisites of security and stability around the EU has been adopted to construct states and thereby regional peace by *design* and *projection*.

*Balkans - as the Primary Source of Experience for the EU*

To a great extent, the evolution of CFSP/ESDP has been determined by the European failures in policy choices leading to more serious failures in the European exercise of responsibility for security and for the respect of fundamental human rights in the wars of dissolution and succession in the former Yugoslavia. For years European states proved incompetent, first to prevent the eruption of violence, then unable to quell the armed conflicts which turned into an (un)civil war of ethnic hostilities and violent separation. After these tragic initial fiascos and miscarriages, European states, under the leadership of the US, embarked on the course of an accelerated process of learning and diminishing reaction time in front of the continued instability and conflict potential of the Balkans as the region of frail political entities and infant state institutions.

As a natural consequence of the prolonged enlargement process, the European Union moved into the direct proximity of regions with unsettled conflicts. This eastward shift has changed profoundly the responsibilities of the entire community of Member States presenting them with novel opportunities and questions in their common foreign policy. The geographical extension of the membership circle evolved as the most efficient and expensive vehicle of pacification through transformation. After 1998, parallel with the accommodation of demands for the “grand redesign” of the Union internally, regional responsibilities of the EU for peace and sustainable order became increasingly inevitable. With regard to the outer European security perimeter in the medium and longer term, the entire membership of the European Union seemed to accept that it would not be able to avoid or shrug off the burden of responsibilities for political, security and moral reasons. Reluctantly and incrementally the horizon of CFSP has been expanding in terms of geographical scope and range of missions.

New members and new neighbours are bound to bring increased awareness of the importance of the surrounding sources of insecurity and instability drawing attention to inescapable European responsibility. Greater preoccupation gives rise to the highly desirable diversification of

the CFSP agenda of pressing issues and the CFSP portfolio of pertinent actions including civilian and military ESDP missions as appropriate.

During the past three years, the European Union has taken on, with growing confidence, ever more demanding responsibilities in the Balkans and embarked on some more modest operations elsewhere. Since 2003, when the EU Police Mission (EUPM) in Bosnia and the first EU military operation (Concordia) in Macedonia opened the sequence of ESDP operations – military and civilian – not only in the Balkans,<sup>19</sup> but also on the Eastern periphery of Europe within the former borderlands of the Soviet empire (Georgia<sup>20</sup> and Moldova<sup>21</sup>) and even well beyond the European horizon in Gaza,<sup>22</sup> Aceh,<sup>23</sup> Congo<sup>24</sup> and Sudan.<sup>25</sup>

In spite of the exotic concoction of crises and regions where the European Union has discovered opportunities for contribution to the prevention of escalation, the management or the settlement of conflicts, the Balkans remain the “principal laboratory” for the elaboration and application of EU policy prescriptions. Bosnia, Macedonia and Kosovo together serve as the primary area of the concentration of CFSP instruments and as the main source of experience for the improvement of European “trademark techniques” in pacification as well as normative transformation.

“An effective CFSP, however, can be developed only gradually, by building on areas of agreement and joint action like those in the Balkans and the Congo”.<sup>26</sup> Concerted actions have been launched in areas and cases which yielded consensus among the Member States on the need and propriety of European engagement not only as the common action of an occasional coalition of the willing and able within the EU, but as a collective act of the entire community of Member States. Multilateral decisions of 25 democracies on collective EU action, even without the participation of all Member States in its execution, can provide the distinct

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<sup>19</sup> EU Police Mission (Proxima, 2003-2005), then EU Police Advisory Team (EUPAT, 2005-) in Macedonia and EU Military Operation (EUFOR-Althea, 2004-) in Bosnia-Herzegovina.

<sup>20</sup> EU Rule of Law Mission (EUJUST Themis, 2004-2005) in Georgia.

<sup>21</sup> EU Border Mission for Moldova-Ukraine (2005-).

<sup>22</sup> EU Border Assistance Mission (EUBAM, 2005-) at Rafah and EU Police Mission (EUPOL-COPPS, 2006-) in the Palestinian Territories.

<sup>23</sup> Aceh Monitoring Mission (AMM, 2005-2006).

<sup>24</sup> EU Military Operation Artemis (2003), EUPOL Kinshasa (2003-2006), EUSEC CONGO (2005-2006), EUFOR CONGO (2006).

<sup>25</sup> EU Support to AMIS II (2004-).

<sup>26</sup> Fraser Cameron, “The EU’s Security Strategy”, *Transatlantic International Politik*, 1/2004, pp. 20.

added values of solid international legitimacy and authority in the course of conflict prevention and response measures. Acts and missions in areas and for issues agreeable to all EU MS are likely to prepare the ground, in terms of experience and results, for engagements and contributions by the European Union further afield from the immediate neighbourhood.

The EU, as a security and political community of European states, redefined its security vocation and responsibility in reaction to the humiliation and outright failure to act in a timely manner and efficiently in the Balkans during the 1990s. After the intention gathered pace and found its vehicle in the evolution of ESDP as complementary military means to European foreign policy instruments, the EU constructively and progressively applied its own missions to provide genuine contributions to ambitious and advanced solutions to the reinforcement of vulnerable state fabrics in a combustible region. Questions of the legitimacy of intervention and the forceful imposition of order and value choices arose sharply and inevitably by the violent conflicts and the complex crises of the regional disintegration.

The EU Member States overcame their previous hesitation and differences to agree on the assumption of responsibility in South-eastern Europe, first in Macedonia in 2003, then in Bosnia 2004, for peace support operations, stabilisation and state-building by all suitable means including the deployment of military and police contingents under EU flag.

*Comprehensive EU engagements so far: Bosnia and Macedonia*

In the cases of Bosnia and in Macedonia, the constitutional solutions favoured by Western governments and moulded in the framework agreements of Dayton and Ohrid respectively, represented the priorities and expectations of the Atlantic community, the European Union and non-European NATO members alike, towards local political communities. Persuasion, pressure and imposition all gained *legitimacy* through the *agreements* of the conflicting parties and the *invitation* by the internationally recognised governments to regional arrangements endowed with the capacity to furnish the necessary security instruments of implementation and pacification.

Besides the multinational participation in the consolidation and potential enforcement of the elementary conditions of security, international

assistance to and expanding co-operation with these states were made conditional upon their acceptance of the internationally endorsed frameworks for conflict settlement. The phased implementation of the prescribed settlement process was either directly *managed* (in case of Bosnia), first exclusively by “foreign trustees”, later jointly with “local shareholders” or *supervised* (in the instance of Macedonia) by the international community. The limitation on state sovereignty or its shared exercise came to be seen as the necessary price and safety measure in these fragile states during the difficulties of post-conflict transformation and state-construction.

The results of international *direction, supervision* and/or *assistance* in the course of state-(re)construction in the Western Balkans have been contingent on whether the weak, fragile or post-conflict states already possess (in Macedonia) or develop (in Bosnia) sufficient institutional capacity to act – even if gradually - as local partners in the stabilisation efforts and serve as foundations for reconstituted state functions. It still remains to be seen whether comprehensive European conflict prevention, crisis management and post-conflict reconstruction engagements and policies can achieve the central goal of stabilising fragile, vulnerable and divided states around the southern and eastern perimeter of the European Union.<sup>27</sup> Attempts to install responsible and accountable governments in the Balkans, foster democracy and enable local authorities to tackle organised crime and demolish terrorist activities (transit and supply routes)<sup>28</sup> is one of the most effective ways of dealing with organised crime (cross-border trafficking in drugs, women, illegal migrants and weapons) and preventing further infiltration and reinforcement of terrorist networks<sup>29</sup> within the EU through the Balkans. Setting these states on the trajectory of sustainable security and internal order would prove crucial for the performance of their responsibilities and duties domestically as well as internationally as the necessary corollary of their sovereign statehood.<sup>30</sup>

Even the relatively successful state-building process in Bosnia-Herzegovina carries on the burdens of political, security and social consequences of a still unaccomplished mission even after 10 years of

<sup>27</sup> “Framework for enhanced NATO-EU dialogue and a concerted approach on security and stability in the Western Balkans”, Doc. 11605/03, Brussels, 29 July 2003, Part III.

<sup>28</sup> Laura Iucci, “La Bosnia resta un serbatoio di terroristi”, *Limes*, Vol. 3/06, 2003, pp. 203-209.

<sup>29</sup> “Terrorist use Balkan corridor”, *International Herald Tribune*, 18 April 2006.

<sup>30</sup> Olli Rehn, “From peace-building to state-building”, Speech by the European Commissioner for Enlargement at the Conference “Ten years of Dayton and beyond”, Geneva, 20 October 2005.

continued efforts and long-term commitment by the concert of international organisations (UN, NATO, EU and OSCE). The recently initiated constitutional renewal<sup>31</sup> that implies the comprehensive revision of the framework adopted at Dayton - the fairly artificial compromise solution for a multiethnic state at that time - illustrates the incomplete state-building project in Bosnia even a decade later.<sup>32</sup>

The post-conflict evolution of the Bosnian state demonstrated one of the possible forms of international contribution to state formation. The transitional administration installed in 1995 in Bosnia-Herzegovina entailed international involvement in all domains of state functions.<sup>33</sup> The ensuing period of creation gave rise to the introduction of a number of new institutions, on the basis of the provisions of the Dayton (Framework) Agreement, by which the representatives of the international administration originally operated the fledgling state organisation. Later the gradual transfer of authority from the “international trusteeship” to domestic institutions without the full external control lead to the reliance on a different scheme of “shared sovereignty” where more and more key policy areas have been managed under a jointly exercised responsibility with an increasing degree of local ownership. The sustained presence of multinational forces of security and order (IFOR, SFOR and EUFOR in Bosnia as well as KFOR in Kosovo) remains an essential component of the complex set of instruments and means of navigating these communities towards sustainable stability and capacity for international co-operation and partnership with the Atlantic and European structures of integration.

In case of Macedonia, the external contribution to the reassertion of the state authority and territorial integrity took a more modest form in some specific, targeted areas. The requested NATO and EU participation in crisis management and resolution served the objective of ensuring the implementation of conflict settlement as the condition of an unchallenged and continued operation of the Macedonian state in a volatile region with great conflict escalation potential. First NATO, then later the EU, purveyed the “governance assistance” by virtue of their direct participation in the

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<sup>31</sup> “Bosnia and Herzegovina ready to enter ‘post-Dayton’ era just 10 years after the brutal war” High-Representative tells Security Council”, Security Council 5306<sup>th</sup> meeting, SC/8558, 15 November 2005.

Javier Solana, “Dayton at 10: drawing the lessons from the past”, Speech at the Policy Dialogue organised by the European Policy Centre and King Baudouin Foundation, Brussels, 25 November 2005.

Guy Dinmore, “Bosnians come under pressure to rewrite peace deal”, *Financial Times*, 22 November 2005.

<sup>32</sup> “Bosnia, rebuilt but still divided”, *The Economist*, 23 November 2005.

<sup>33</sup> UN Security Council resolutions 1031, 1035 (1995).

maintenance of security of international monitors and supervisors, or later as trainers and advisers who assisted the implementation of pacification measures, capacity-building and security sector reform.

*The Extension of the EU's "Normative Transformative Effect" in Zones of Conflict*

The EU as a peculiar *regional arrangement* with its evolving full-spectrum security arsenal, political and economic, civil and military means, in co-operation with the Transatlantic defence alliance (NATO) has embarked on the assisted implementation and enforced maintenance of two constituent elements (the Dayton Agreement for Bosnia and the Ohrid Framework Agreement in Macedonia) of the security arrangement for the Western Balkans. The normative influence of the EU can be properly assessed through the examination of the shape, content and viability of peace agreements as essential components of a *regional security regime*.

Constitutional corrections or redefinition of legitimate policies by means of peace agreements with the supervision of external organisations (UN, NATO, EU) for political communities in the conflicts of Bosnia and Macedonia sought to lay down crucial foundations of interethnic peace. These introduced measures such as equitable ethnic/national minority representation, educational and administrative rights and self-governance, and the integration of the members of ethnic/national minorities into state security forces (implying their participation in the control and exercise of the monopoly of the use of legitimate violence as guarantee against its abuse).

The ambitious declared agenda of the Common European Foreign and Security Policy aspires to transform the international, as well as the domestic, relations of states prone to violent clash of contending ethnic and political narratives primarily in the regions adjacent to the frontiers of the European Union (Western Balkans and Cyprus) and potentially in some more distant areas (Caucasus, Caspian region and Palestine) adversely affecting strategic interests of the EU as a whole. The driving principle of these endeavours corresponds to the defining rationale of interstate relations within the EU: the substitution of right for might, the exercise of power by the rule of law and within an agreed institutional framework instead of crude power struggles.

Besides the most important EU mission, the “domestication and assimilation” of additional zones of Europe through the enlargement of the Union, the promotion of complex conflict resolution and state consolidation as “*mission civilisatrice*” emerged to complete the original “normative international agenda” of the European Union.

The prospect of partnership and eventual membership has remained the eminent and most powerful incentive in the Balkans to induce political compromises, cohesion and co-operation primarily within multiethnic states, but also between the countries of the region. No stabilisation and association agreement was conceivable as long as countries remain engulfed in combustible adversity and ethnic hostilities containing the potential for a return to violent conflict. The journeys towards co-operation and partnership through peace implementation and political consolidation in Bosnia and Macedonia testify to the benefits of commitments to agreed settlements and external assistance.

In the cases of unsettled conflicts in the “European neighbourhood” east of the Union, the European method, established and repeatedly applied during the second half of the 20<sup>th</sup> century, to *pacify* former antagonists and *eliminate conditions* of potential destabilisation through *absorption* and *transformation* cannot be utilised in the absence of a prospect for candidacy and ultimately membership in the EU. Until further enlargement would extend its envisaged beneficial consequences of stabilisation and pacification, other means of engagement and management ought to be explored, forged and applied imaginatively. The demoralising impact of admissions that “the bridge can be still too far” for future (potential) candidates such as Georgia<sup>34</sup> should be offset and mitigated by appropriate forms of active and helpful European engagement in the troubled and volatile areas (Transnistria, Abkhasia, South-Ossetia) at the eastern frontiers of the EU.

Unlike the process of enlargement, in the course of *regional peacemaking* and *peace-building* the crucial normative influence of the European Union is not exercised by the projection and transfer of its own legal order (*acquis communautaire*), but through the establishment of *new internal constitutional structures* and the *redistribution of rights* as well as

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<sup>34</sup> Andrew Beatty, “Georgian prime minister puts off EU membership”, *European Voice*, 22-28 June 2006.

*duties* among conflicting communities within the preserved territorial unity of one state.

The promotion/imposition of these social designs and patterns of ethnic coexistence has so far resulted in two complex and ongoing experiments in Bosnia-Herzegovina and in Macedonia. Member States of the European Union support EU engagements and operational involvement in the Balkans in hope of transforming the entire region into a more balanced and predictable neighbourhood in line with the aspirations stated in the ESS. “Resolving other peoples conflicts and promoting democracy”,<sup>35</sup> motivated EU decisions to assume political and military responsibility for security operations in Macedonia and Bosnia. The actions pursued and the instruments deployed by the EU in the Balkans during the last few years revealed that the Union has not only moved from “providing relief and aid” to “promoting democracy”, but (practically since 2003) shifted to “prevention and rehabilitation efforts” by all means in support of complex state- and peace-building missions.

In most cases, the capacity of weakened or failing states is exposed to corrosive and erosive effects of some particularly harmful conditions and their consequences such as corruption, distrust among ethnic communities, organised and violent crime, absence of effective police force and the resulting lawlessness and disorder. These symptoms call for the reinforcement of “law and order” capacity and simultaneously “security sector reform” (SSR) in restored, reconstructed or reinforced states by the strengthening of their enforcement capabilities – police forces and the army as well – together with the introduction of their effective civilian control. “Security sector reform” as a particular and significant aspect of the reorganisation of institutional conditions of order in the Balkans stimulated the formation of an EU concept of ESDP support to SSR in police reform and governance issues in co-operation with NATO actively involved in the same process in the military domain.<sup>36</sup>

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<sup>35</sup> Sten Rynning, “The European Union: towards a strategic culture?”, *Security Dialogue*, Vol. 34., No. 4, December 2003, pp. 484.

<sup>36</sup> “Framework for enhanced NATO-EU dialogue and a concerted approach on security and stability in the Western Balkans”, Doc. 11605/03, Brussels, 29 July 2003, Par. 10.

*State-Reconstruction and Redistribution of Authority as Applicable  
EU Prescription for Conflict Management even beyond the Balkans?*

The significance of the Balkans as the primary area of European commitments on the immediate security perimeter of the EU has become established wisdom and self-evident by now. South Eastern Europe shares its security prominence and, immediate significance due to its geographical vicinity and complex effects for EU Member States only with the southern shores of the Mediterranean (particularly for Spain and Italy in terms of organised crime and illegal migration from North-Africa). More recently, other parts of the crescent of insecurity stretching from the Balkans through the eastern Levantine region to the Caucasus and Central Asia have also begun to emerge on the map of inevitable security concerns and responsibilities for the European Union.<sup>37</sup>

Nevertheless, the members of the European Union are still more divided on the nature, extent and intensity of EU involvement in conflict resolution further to the east of the Union. Caution may well seem justified in complex cases of unsettled tensions and prolonged separatist conflicts in Moldova, Georgia and Azerbaijan.

Since the risks and security implications of weakened, fragile or, at least partially, incapacitated states on the European security perimeter represent a shared security concern, the search for applicable models and patterns of solution could greatly benefit from positive examples drawn from different regions, but with very similar underlying issues at the sources of instability and insecurity.

Although the developments in the Balkans have been shaped by particular and characteristic conditions, the experiences and lessons learned in the course of crisis management could be of broader utility particularly in the European neighbourhood. These lessons extend to the issues of self-determination and ethnic conflict, their mediated and designed settlements, as well as their implementation with international guarantees and peace support operations (security assistance and enforcement).

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<sup>37</sup> Andrew Rettman, "EU Caucasus trip opens new policy horizon", *EUobserver*, [www.euobserver.com](http://www.euobserver.com), 15 May 2006. Javier Solana, "The role of the EU in promoting and consolidating democracy in Europe's east", Speech at the 'Common vision for a common neighbourhood' conference in Vilnius, 4 May 2006.

If one “recipe” (negotiations with mediation, constitutional rearrangement, guarantees and rewards, external participation in the implementation) for conflict resolution has already proved its utility in promoting security and more stable governance in multiethnic political communities in one troubled region, in the Western Balkans, the essential elements of the solution might be adaptable to the conditions of conflicts in other areas (in the South Caucasus and on the eastern littoral of the Dnester river) with commensurate issues fuelling unsettled adversities. Both the legitimacy and the feasibility of previous instances of the dissolution of tensions and the reconciliation of conflicting demands rely on the essential support, participation and active contribution of the institutions of the Western security community to the prolonged and still unfinished process of state-(re)construction in the Western Balkans.

The resolutions promoted by the European Union and NATO has represented the Western aspirations to introduce and consolidate those conditions and institutions that would bring about the emergence of “positive-sum” situations with gains for the all the former belligerent parties. The resulting “positive peace” surpassing by far the conventional (realist) purpose of settlements, the elimination of the immediate threat or use of violence from a conflict pursues the ambitious agenda of state transformation and constitutional redefinition/rearrangement in order to consolidate and cement the achievements of an internationally assured resolution.

The “frozen” separatist and ethnic conflicts on the western and southern perimeter of the former Soviet empire - in Moldova (Transnistria), in Georgia (Abkhazia and South-Ossetia) and also in Azerbaijan (Nagorno-Karabakh) – as still unsettled challenges may offer opportunities for another application of the recipe – the procedural solution and substantial components as well – elaborated and put to the test in the former Yugoslavia.

The same prescription of constitutional recognition and representation of minority rights coupled with territorial autonomy may well also serve to *prevent* the deterioration in other vestiges of the outburst of conflicts, *preserve* and *promote* the rights of historic ethnic or national minorities.

The political, military and policing experience accumulated during the phased and sustained engagements in the Balkans may serve as the eminent source of lessons and conclusions for other potential involvements in very real areas of conflict. For the coming years the Black Sea basin ought to be the most pressing focus of attention, efforts and means of crisis settlement and post-conflict reconstruction by the EU in concert with NATO. On the opposite shores of the Black Sea, “dormant” or “frozen conflicts” in Transnistria, Abkhazia, South-Ossetia and Nagorno-Karabakh await constructive and complex international engagements and arrangements in order to close these “black holes” in international security on the Eastern perimeter of the pursued “European zone of peace and stability”.