

CONNECTIONS

The Quarterly Journal

Volume VI, Number 3

Fall 2007

Future Visions of NATO Partnerships and Cooperation Programs	1
<i>Graeme P. Herd and Daniel Kight</i>	
NATO in Afghanistan: A Test of the Transatlantic Alliance	10
<i>Paul Gallis</i>	
The Kosovo War in a Constructivist Perspective	33
<i>Frederic Labarre</i>	
Origins, Development, and Consolidation of the Shanghai Cooperation Organization after the Bishkek Summit	62
<i>Lorena Di Placido</i>	
Russian Oil and Gas Challenges	82
<i>Robert Pirog</i>	
Shifting Security in the South Caucasus	100
<i>Richard Giragosian</i>	
Backsliding in Central and Eastern Europe	107
<i>Charles Gati</i>	
Trafficking in Human Beings and International Peacekeeping Missions: The 2004 NATO THB Policy.....	121
<i>Alvaro Ballesteros</i>	
EU Prepares for Hard-core Chad Mission	140
<i>Brooks Tigner</i>	

Future Visions of NATO Partnerships and Cooperation Programs

Graeme P. Herd and Daniel Kight *

Implementing the Riga Agenda: Implications for Partnerships

One of the major commitments agreed to by NATO member states at the Riga Conference in November 2006 was to strengthen and develop partnerships held between NATO and other states. A healthy partnership development and retention policy has been identified by NATO leadership as imperative in order for the Alliance to succeed in its self-defined mission of being a modern expeditionary force. In the view of Secretary General de Hoop Scheffer, “If we sustain the momentum of our partnership policy, it can be a major strategic tool for coping with 21st-century challenges.”¹ One particular goal of NATO’s partnership agenda is using partnership collectives, such as the Partnership for Peace (PfP), Mediterranean Dialogue (MD), and the Istanbul Cooperative Initiative (ICI) to develop capacities in countries that can be put to use in future NATO campaigns. The Political Guidance offered by the NATO Heads of State and Government in Riga on 29 November 2006 reflects this objective, and it aimed “to increase NATO’s ability to provide practical advice on, and assistance in the defense and security-related aspects of reform in countries and regions where NATO is engaged.”

The centrality of partnerships in the Riga discussions clearly reflects the Alliance’s belief in the importance of these ties, for multiple reasons. An exploration of why NATO feels that partnerships are important raises many questions. What are NATO partnerships for? What do they provide for NATO that NATO cannot attain otherwise? What advantages do they bring to partners? Does the proliferation of partnerships—a veritable partnership industry seems to have emerged—risk diluting the label of “NATO-partner”? Does NATO need to develop new, pragmatic, flexible, cost-effective mechanisms and models (formal and informal) of partnership, or should it concentrate on improving existing mechanisms for dialogue and cooperation? Need NATO develop a more formal hierarchy of partnerships? Is there an organizing princi-

* *Dr. Graeme P. Herd* is a resident Faculty Member at the Geneva Centre for Security Policy (GCSP). His most recent books include Anne Aldis and Graeme P. Herd, eds., *The Ideological War on Terror: World Wide Strategies for Counter-Terrorism* (London: Routledge, 2007), and Tuomas Forsberg and Graeme P. Herd, *Divided West: European Security and the Transatlantic Relationship* (London: Blackwell Publishing, 2006). *Daniel Kight* is a Master of Public Policy Candidate at the Terry Sanford Institute of Public Policy at Duke University. He was an intern at GCSP for three months over the summer of 2007. This article is based on a keynote address by Dr. Graeme P. Herd, entitled “The Future of NATO: Defense Cooperation Between NATO and its Partners,” delivered at a Seminar co-organized by DCAF and NATO in Montreux, Switzerland on 20 February 2007.

¹ Jaap de Hoop Scheffer, speech given at the 43rd Munich Conference on Security Policy, 10 February 2007, available at www.nato.int/docu/speech/2007/s070209d.html.

ple and logic (the application of PfP tools to other partnerships?) that creates synergies and adds value to the range of partnerships, or do we face rather overload, overstretch, duplication, and incoherence—a recipe for inaction?

Given that the future pathway NATO takes will shape the nature of NATO partnerships, their role and function, it is pertinent to pose the question: where is NATO heading? This is not easy to answer with any confidence, though it is possible to identify the extremes of the debate that is unfolding in the media as well as in academic, policy, and practitioner circles. One extreme suggests that NATO will go global, building on its successful military operations in Afghanistan and, with the help of a global coalition of democracies, uncover the holy grail of international security politics: grand strategic stability. The other suggests that going out of area, especially post-9/11, will result in strategic defeat, with NATO reacting by returning to a redundant collective defense role, with its partnerships largely left to wither on the vine.

It is our belief that the future of NATO's development and its reliance on partnerships rests at a point between the two poles of "Global NATO" and "strategic defeat." This essay will analyze the partnership visions implied by these two poles through the prism of NATO's contemporary operations and standing. This analysis will not simply define the current partnership landscape, but will also help identify where we feel NATO's partnership hopes realistically rest between the two poles. Based on this assessment, we conclude by providing an assessment of the future of NATO's mission of common defense and the role of partners in this mission by examining the future of three partnerships: PfP, MD, and ICI. While avoiding the certainty of prediction, we will highlight the plausible future successes/failures of these partnerships based on their ability to assist or hinder the Alliance.

Possible NATO Future Pathway 1: Global NATO

United States Undersecretary of State for Political Affairs R. Nicholas Burns stated prior to the Riga Summit, "Our goal at the Riga summit is to showcase a NATO that must have global missions and has partners and capabilities to achieve those missions. The U.S. is working hard with transatlantic partners to promote shared values throughout the world." In this vision, NATO responds to the logic of the international security environment: transnational security threats and sources of insecurity that are global demand a global response, or "global threats cannot be tackled by regional organizations."² It recognizes that NATO is no longer self-sufficient; already eighteen non-NATO members are involved in NATO operations, eleven of them in Afghanistan. As a result, NATO operational effectiveness is only as good as the NATO network and NATO partnerships. Partnerships are needed to develop three main inter-related functions: a robust advanced expeditionary warfare capability; stabilization and reconstruction capability in complex crisis management environments; and rebuilding indigenous militaries and security forces as part of an exit strategy. These functions are

² Ivo Daalder and James Goldgeier, "Global NATO," *Foreign Affairs* (September/ October 2006): 105–13.

the *sine qua non* of grand strategic stability.³ This amounts to a doctrine of global intervention for NATO.

If the global NATO pathway is taken, what are the implications for NATO partnerships, in particular the status of the Contact Group that operates alongside NATO in Afghanistan? According to this vision of NATO's future, Article 10 is revised, and a range of states—from Argentina, Australia, Brazil, and New Zealand to Japan and South Korea—become the cornerstone of a new Global Partnership Initiative (GPI). GPI is a way of rewarding states that have contributed to NATO missions with formal partnership status, and represents one path to complete NATO military transformation.

However, a number of red flags have already been waved by both existing NATO members and the wider international community that suggest that the reception of the GPI would be turbulent. First, NATO members have asked: What of the selection criteria? Is this a partnership of the rich, of the capable, in which democracies are privileged above key players/security providers? Does this result in a Global Security Network, an Alliance of Democracies, a Security Providers Forum, a Global Security Directorate that rivals the United Nations Security Council for influence?

How does NATO avoid alienating those states that are excluded and, more generally, avoid the creation of a “the West is best versus the rest” syndrome that is divisive and undermines the agendas of defense and security sector reform? Would this result in a view of NATO as a neo-imperial instrument of Western military conquest—a global political and military bloc?⁴ Would not China and Russia look to the example of PfP, and conclude that so too will GPI inevitably provide an eventual stepping-stone to NATO membership? Might not regional superpowers raise concerns that NATO military interventions and stabilizations supported by global partners will upset regional balances of power and so lead to regional instability?⁵ How does NATO ensure that it continues to be perceived as an honest broker if it now intervenes in specific regions in partnership with states from that region?

Finally, what are the implications of closing the gap between Allies and Partners? Might this result in a three-tiered NATO structure? Already NATO appears divided between those that use national caveats and understand transformation as an end in itself and those that are more willing to reduce such caveats and see transformation as a means to operationalize and then use the NATO Response Force. It is likely that GPI members who actively support NATO military operations would increasingly demand access to NATO intelligence, planning processes, and decision-making venues, thus

³ Julian Lindley-French, “The Capability-Capacity Crunch: NATO's New Capacities for Intervention,” *European Security* 15:3 (September 2006): 259–80.

⁴ Stephen Castle, “France blocks NATO bid to create a global terror force,” *The Independent* (4 November 2006), 26.

⁵ Russian State Duma Deputies stated: “NATO membership of any state that is a participant in the CIS runs counter to the highest strategic interests of those states and the aspirations of their peoples” and expressed its negative attitude toward NATO expansion eastward, “believing it to run counter to interests of international security.” ITAR-TASS news agency, Moscow (in Russian), 20 December 2006.

compensating for the NATO shortfall in troop numbers and effectiveness. Will this GPI auxiliary role encourage “Core NATO” to step up to the challenges of the 21st century, or in fact reduce the pressure for them to do so? What are the obligations of NATO to its global partners? If Japan is attacked by North Korea, is NATO suddenly embroiled in an all-out war in Northeast Asia?

Possible NATO Future Pathway 2: NATO Suffers Strategic Defeat

At the other end of the spectrum of future possibilities is the scenario in which NATO, by virtue of having gone “out of area” after 9/11, will inevitably suffer strategic defeat and go out of the collective security business. The possible future of “strategic defeat” is intimately bound with the status of NATO’s present expeditionary missions in out-of-area locations. The U.S. and U.K.-led coalition of the willing in Iraq had sixteen of the twenty-six NATO member states as participants; it now appears that, although defeat is not an option, victory is not possible.

The International Security Assistance Force (ISAF) in Afghanistan has become the centerpiece of NATO’s “out-of-area” intervention policy. In the words of United States Senator John McCain, “The future of our alliance is now intimately bound with the outcome in Afghanistan, and our success or failure there will impact not only the security of each of our member states, but also the credibility and effectiveness of NATO itself.”⁶ Recent events in Afghanistan have showcased the limitations on success that NATO and its partners are facing. The multi-tiered military intervention that is occurring on the ground has several nations bearing the brunt of violence in the south of the country, while other countries (notably Germany) have placed caveat restrictions that keep their forces out of hot zones. Hence, NATO’s ISAF military operation seems to lack the urgency, commitment, and political will to win, but at least at present it is sufficient not to lose. Tactical victories, such as “Operation Medusa,” which defeated Taliban elements in Kandahar Province in the autumn of 2006, are examples of success, but the political, economic, and social dimensions of the hoped for end-state have as yet not progressed as fast as the growth of either neo-Taliban forces or opium production. Furthermore, the heightened levels of civilian casualties being inflicted by NATO forces is seriously damaging the credibility of the operation in the hearts and minds of Afghan citizens.⁷ There is a real danger, as a result of these conditions, that Afghanistan could emerge as a narco-terrorist failed state.⁸ If this becomes the future of Afghanistan, NATO will suffer a severe defeat, and could likely return to its classical and traditional passive core Article 5 collective defense role against a non-existent threat on NATO’s immediate borders. Ultimately, this posturing could lead the United

⁶ “NATO’s Litmus Test in Afghanistan,” remarks given by John McCain at 43rd Munich Conference on Security Policy, 10 February 2007; available at www.securityconference.de/konferenzen/rede.php?sprache=en&id=186&.

⁷ “NATO Tries to Cut Afghan Civilian Deaths,” *New York Times* (31 July 2007).

⁸ Stanislaw Koziej (a retired general and former Polish deputy minister of national defense), “The ruination of NATO in Afghanistan,” *Gazeta Wyborcza* website, Warsaw (in Polish), (9 October 2006).

States to be inclined to disengage and embrace a more isolationist posture, damaging the credibility and effectiveness of NATO missions abroad.

If the first scenario does unfold and NATO goes global, then the agendas of defense and security sector reform will be vital components of its overall global engagement—the soft-power equivalent of the hard-power structural engagement. It will be critical to sustainability, and thus to the long-term success of these engagements. Going global does not necessarily mean that this agenda is lost in the shuffle. The second scenario—strategic defeat—also does not inevitably torpedo either the partnership framework or the notion of a global partnership framework. Indeed, it may, paradoxically, provide a more secure and focused platform for pushing forward partnerships, particularly if the focus of partnerships moves from expeditionary warfare, stabilization, and reconstruction, toward the agendas of security sector and defense reform.

These future visions are certainly extreme, overly deterministic in their predictions and based on a black-and-white worldview. The future pathway will likely meander between these two stark extremes. NATO will increasingly operate in a murky security environment within which new security challenges, obstacles, and dilemmas will characterize the topography. The tension between the core/classical NATO missions and NATO's interaction with the rest of the world—best captured by the formulation that what we are seeing is not a global NATO but a NATO responding to global threats⁹—will remain unresolved. The task for NATO is to reinterpret Article 5 for the contemporary world: what exactly is common defense in a borderless world, and how might partnerships contribute to maximizing common interests in stability?

Identifying Lessons and Best Practices: PfP Success

So the real question is this: How might the defense reform agenda be promoted via partnerships? A good starting point would be to consider what has made PfP effective as a mechanism. To what extent can the successes of the Partnership for Peace be replicated through the other partnerships? Which new mechanisms that are affordable, appropriate, and acceptable need to be created? And, ultimately, what is the fabric that holds the partnerships together and provides an organizing logic that meets both partner and NATO interests?

PfP arose from the rubble of the fallen Warsaw Pact, and the program has always been aimed at establishing trust and development for transitioning countries. The opportunities of PfP, and its use as a pathway to prospective NATO membership, has benefited many Eastern Bloc countries. At the end of 2006, the Partnership was extended to the Balkans, bringing PfP membership to twenty-three countries.¹⁰

The principle of self-differentiation within PfP was critical to its success. This allowed some partners to join NATO through the Membership Action Plan (MAP) proc-

⁹ *Global NATO: Overdue or Overstretch?*, Brussels, 6 November 2006; available at [www.forum-europe.com/download/SDA/SDA Global NATO Report Ebook.pdf](http://www.forum-europe.com/download/SDA/SDA%20Global%20NATO%20Report%20Ebook.pdf).

¹⁰ "Kosovo Premier Asks to Join NATO's PfP," Kosovo Albanian Television Koha Vision TV, Pristina (in Albanian), 16 January 2007.

ess, and others to use the NATO Individual Partnership Action Plan (IPAP) process to provide practical advice on and assistance in the defense and security-related aspects of reform to make their states more stable. Indeed, just in the Western Balkans, three states exemplify the first trend (Croatia, Albania, and Macedonia) and the three newest PfP members (Serbia, Montenegro, and Bosnia and Herzegovina) the second. At the same time, PfP provided an attractive framework through which the “neutrals” and “non-aligneds” could interact with NATO without full membership status.

PfP also provided an incremental, progressive, and multilayered framework through which military and security CBMs could be implemented from the “soft end” through to more sensitive areas of concern. Official representation at NATO HQ allowed for real dialogue and cooperation and momentum for change, and the NATO Parliamentary Assembly outreach process provided a political channel of communication to Partner states. In addition, engagement with security-sector NGOs and wider civil society through an educational focus (NATO Science Projects) and an effective information and communication program positively shaped perceptions and expectations of NATO in Partner states.

The Mediterranean Dialogue and the Istanbul Cooperation Initiative: Success Hampered

The Mediterranean Dialogue is a much less successful program than PfP, and both publics and elites are much more suspicious of NATO’s role and purpose in the program. The Dialogue was established in 1994, and consists of seven members: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco, and Tunisia. The primary purpose for the dialogue is political, to promote better mutual understanding and confidence, as well as good and friendly relations across the Mediterranean. In terms of member state interests, the Mediterranean Dialogue is supported in large part so that NATO can develop ties with a region that contains a number of security threats. The Dialogue has grown both in number of states and in number of discussion areas over the years, but this growth has not necessarily led to what could be termed success.

Why has the Mediterranean Dialogue proven to be largely ineffective? There are several reasons for this. They include a lack of investment of time, people, and money, a profound suspicion and ignorance of NATO on the part of many countries in the region, and the lack of those mechanisms for dialogue and cooperation on which the success of NATO and the Partnership for Peace is based. Another key stumbling block has been the inability to decouple wider regional security issues from the Israeli-Palestinian conflict.¹¹ These differences boil down to the fact that NATO allies and MD countries have contrasting expectations and priorities for the partnership. NATO countries want to use the dialogue to approach and engage difficult regional security issues, including the Israeli-Palestinian conflict, yet the MD countries have different views on what they want from it. For example, Israel sees its membership in the Dialogue as a

¹¹ Chris Donnelly, “Forging a NATO Partnership for the Greater Middle East,” *NATO Review* (Spring 2004).

means to buttress its security in the face of potential Iranian aggression. As a result, the two sides of the partnership lack many of the ties needed to bind it into an effective and functional cooperative.

The Istanbul Cooperative Initiative, established in 2004, is a regional cooperative aimed initially at “the six countries of the Arabian Peninsula that comprise the Gulf Cooperation Council (GCC): Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.”¹² The Initiative focuses on practical areas of cooperation where NATO can add value, notably in the defense and security fields. While the central aim of the Initiative was to engage hard security challenges in the region, thus far the body has operated at only a political level. This hindrance is due in large part to the poor conditions for peace and dialogue in the Middle East at present. But the inertia that has resulted in the security sector has frustrated many in the military wing of NATO. As a result of this situation, “One is led to believe that the entire initiative has much less to do with actual concern for the state of the security sector in the GCC states and a lot more with the need to find a new role for the Alliance.”¹³ Unfortunately, the toll of the war in Iraq has likely poisoned any possibilities for significant progress in the region, either through the Initiative, or through some other member state means, be they bilateral or multilateral.

In reviewing these two main partnership initiatives of NATO besides the PfP, it is easy to identify more failure than success. Part of the explanation for these failures results from the perception of NATO in this region as being little more than “the foreign policy arm of the United States.”¹⁴ But the lackluster quality of the MD and ICI efforts is not solely due to structural and historical circumstances. Organizational and operational failures by NATO members have also contributed to the feeble stature of the partnership and cooperation bodies.

However, even within these two partnership models, two effective mechanisms can at least be identified. The first is that of adopting a sub-regional cluster approach. Sub-regional forums and clusters or bilateral approaches can side-step divisive regional sore points. The second is the bottom-up approach based on needs identified by MD and ICI states.¹⁵

Functional and Regional Imperatives

NATO has received top-down political guidance from the Riga Summit, and now must work from the bottom up to provide solutions that are appropriate, acceptable, and affordable. The solutions must be appropriate in that they practically address the security challenges NATO and its partners face. They must be acceptable to publics and elites

¹² Mario Legrenzi, “NATO in the Gulf: Who is Doing a Favor for Whom?” *Middle East Policy* 14:1 (Spring 2007): 69-75.

¹³ Ibid.

¹⁴ NATO, “STOPWATCH 2, Bridging the Mediterranean,” Special Interactive Video Forum series with Jamie Shea, 12 March 2005, available at www.nato.int/docu/speech/2005/s050311a.htm.

¹⁵ Donnelly, “Forging a NATO Partnership for the Greater Middle East,” 26–30.

within partner states, and also affordable in terms of how much investment in time, people, and money is needed for the partnerships to be successful. NATO can both deepen the functions that partnerships perform and widen access to its partnership frameworks by adopting the PfP principle of self-differentiation and using it in a more focused way to restructure the ICI and MD.

All partnerships can offer a common menu or portfolio of engagement, allowing partners to select the level and nature of the engagement according to their interests and needs. This *à la carte* approach can be bundled into three main functions:

- Pursue security sector governance that includes defense reform and interoperability as an end in itself. This builds confidence and gives time for elites and publics to understand NATO's evolving role, function, and purpose. Combined with active discussions on how best to respond to global security challenges, it can allow NATO to become a stronger political actor.
- Advance the transformation agenda, including developing modalities (operational capabilities concept) that allow for integrated operations. This emphasizes the political role and nature of NATO and has practical benefits for NATO and its partners.
- Operationalize those discussions through agreed "security solutions"—that is, maintain and strengthen the ability of some partners to cooperate with NATO in military operations, be it "Active Endeavour" in the Mediterranean, ISAF in Afghanistan, or future operations with the NATO Response Force.

This functional differentiation maximizes capacity and expertise building between partnerships, and thus provides an overarching connecting fabric that runs through each of the regionally based partnerships. For example, Jordan, Tunisia, Ireland, and Australia can all work alongside ISAF, while Mauritania, Egypt, Serbia, and Kyrgyzstan can focus on the first tranche of activities—the agendas of defense reform and security sector governance. Functional differentiation maintains focus while still recognizing the value, specificity, and utility of regional groupings. Different regions face different issues—or they face the same issues, but experience them differently, have different needs and objectives, and may propose regionally-sensitive solutions.

Conclusion

NATO's experience with partnership and cooperation collectives over the past dozen years has produced a mixed record of success and failure. Of course, it is simplistic and analytically dangerous to place all of NATO's partnerships under one microscope for scrutiny, as the PfP, MD, and ICI initiatives all differ from one another in many respects. However, similarities between the partnership approaches of the member states of each partnership and NATO's self-declared embrace of partnerships as part and parcel of the overall future of the Alliance demands that the overall partnership policy receive a careful review.

NATO has been searching for an operational identity ever since the fall of the Berlin Wall, and its latest incarnation appears to be that of a mobile expeditionary force

capable of global reach. This reach depends on multiple partnerships. However, the sobering reality of NATO operations in Afghanistan shows how precarious this approach is for the Alliance. On the other hand, an embrace of strictly defined Article 5 commitments—in other words, an “old NATO” mentality—would also prove detrimental to the Alliance’s development: collective defense against non-existent threats to member states’ territory is an empty function.

NATO will indeed need partners in the future for success, and it will continue to need different partnerships to achieve different objectives, as will the partners themselves. The prudent path for the Alliance to take is to build in flexibility and achievable and practical goals into these partnerships, to treat each case on an individual basis, and to carefully select partners in the first place. This fluid and flexible approach holds the best promise for the future of a dynamic and relevant 21st-century military alliance.

NATO in Afghanistan: A Test of the Transatlantic Alliance

Paul Gallis *

Introduction

NATO's mission in Afghanistan is seen as a test of the Allies' military capabilities and their political will to undertake a complex mission. Since 11 September 2001, the member states have sought to create a "new" NATO, able to go beyond the European theater and combat new threats such as terrorism and the proliferation of weapons of mass destruction (WMD). NATO is seeking to be "global" in its geographic reach and in the development of non-member partner states that can assist in achieving specific missions. This change in overall mission reflects a NATO consensus that the principal dangers to allied security lie distant from the treaty area and require new political tools and military capabilities to combat them.

Two military operations in Afghanistan seek to stabilize the country. *Operation Enduring Freedom* (OEF) is a combat operation led by the United States against Al Qaeda remnants, primarily in the eastern and southern parts of the country along the Pakistan border. OEF is not a NATO operation, although many coalition partners are NATO members. Approximately 11,000 troops are involved in OEF, including 10,000 U.S. forces.¹ The second operation is the International Security Assistance Force (ISAF), established by the international community in 2002 to stabilize the country. NATO assumed control of ISAF the following year. By July 2007, ISAF had an estimated 35,000 troops from thirty-seven countries, with NATO members providing the core of the force. The United States has 15,000 to 17,000 troops deployed in ISAF.

NATO's effort in Afghanistan is the alliance's first "out-of-area" mission beyond Europe. The purpose of the mission is the stabilization and reconstruction of Afghanistan. Although NATO has undertaken stabilization and reconstruction missions before—for example, in Kosovo—the scope of the undertaking in Afghanistan is considerably more difficult. Taliban and Al Qaeda remnants are resisting the operation, Afghanistan has never had a well-functioning central government, and Afghanistan's distance from Europe and its terrain present daunting obstacles. Reconstruction must therefore take place while combat operations, albeit often low-level, continue. And although the allied forces agree upon a general political objective, some have differing interpretations of how to achieve it.

The mission in Afghanistan is likely to be important for NATO's future, and for U.S. leadership of the Alliance. The European allies insisted that a UN resolution govern NATO's mission, in order to give legitimacy to the insertion of NATO troops in

* Paul Gallis is a Specialist in European Affairs in the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service. This essay was prepared as a CRS Report for Congress, Code RL33627.

¹ For details of the military operations in Afghanistan, see Andrew Feickert, *U.S. and Coalition Military Operations in Afghanistan*, CRS Report RL33503 (Washington, D.C.: Congressional Research Service, updated 11 December 2006).

Afghanistan. This important political requirement was achieved. In the past several years, NATO governments have also repeatedly pledged to develop capabilities that will render their forces more expeditionary and “deployable” in nature. The mission in Afghanistan provides a hard test of these capabilities. Several key NATO members, above all the United States, have insisted that the Allies must generate the political will to counter the greatest threats to their security. Again, Afghanistan provides a test of will against the concrete danger of international terrorism.

NATO’s mission in Afghanistan also represents a test of U.S. leadership of the Alliance. Some member states question whether the United States will distance itself from inhumane practices reportedly used in U.S. military-run prisons (such as at Guantanamo) and whether the U.S. commitment to the interests of the Allies preserves the mutual sense of obligation that at one time more clearly characterized the Alliance. The member states also believe that the United States, as a global power, must provide leadership and resources to counter the destabilizing influences upon Afghanistan of two neighboring states, Iran and Pakistan.

Afghanistan presents a growing challenge to NATO. Over the past two years, Taliban attacks have increased in scope and number, and Taliban fighters are adopting some of the tactics, such as roadside bombs, used by insurgents in Iraq. The Karzai government in Afghanistan is coming under international criticism, and its public support has diminished due to corruption and an inability to improve living conditions. Some regional warlords continue to exert influence, and the narcotics industry remains an entrenched threat to the country’s political health.² The Allies are not in full agreement on how to counter these problems, but officials in allied nations say that they need a strong and reliable Afghan government to provide reasonable services and competent leadership to the population if NATO is to succeed.

This essay follows the path of the evolution of NATO’s mission in Afghanistan. The first section covers the initial two stages of ISAF’s mission, and analyzes key issues in the mission: use of Provincial Reconstruction Teams to stabilize and rebuild the country; overcoming caveats placed by individual allies on the use of their forces; and managing the counter-narcotics effort. The next section examines the debate over how to develop a refined mission statement and a new organizational structure for Stage Three by analyzing issues that are both political and military in nature, such as securing more troops, the treatment of prisoners, and organization of command; it covers roughly the period December 2005–Fall 2006. By Spring 2006, the allies began to realize that Stage Three would require a greater combat capability than was originally believed, and the mission began to change. This adjustment in mission is the subject of the next section of the essay, which discusses Stage Three and overall ISAF operations beginning in July 2006 through the perspective of several key participant nations. The next section discusses Stage Four, in which ISAF has assumed control of the entire country. The final section assesses ISAF’s progress to date.

² For an overview and analysis of key issues in Afghanistan, see Kenneth Katzman, *Afghanistan: Post-War Governance, Security, and U.S. Policy*, CRS Report RL30588 (Washington, D.C.: Congressional Research Service, updated 10 September 2007).

Evolution of NATO in Afghanistan: Stages One and Two

Purpose of the Mission

The United Nations, at the request of Afghan President Hamid Karzai, asked for NATO's military presence in Afghanistan, supported by Security Council resolutions. The Security Council passed the currently governing resolution, S/RES 1623, unanimously on 13 September 2005, to be in force until mid-October 2006, when it was renewed. The resolution called upon NATO to disarm militias, reform the justice system, train a national police force and army, provide security for elections, and combat the narcotics industry.³ The resolution did not provide details of how NATO should accomplish these tasks; rather, the Allies among themselves, in consultation with the Afghan government, refined the resolution's provisions into active policy.

NATO involvement began in Afghanistan under a UN mandate in August 2003. Some non-NATO states, such as Australia and New Zealand, contributed resources to the effort. Over time, the Alliance laid out four stages to bring most of Afghanistan under NATO control. NATO leaders have faced considerable difficulty in persuading allied states to contribute forces to ISAF.

In Stage One, consisting of the period from August 2003 through 2004, NATO moved into the northern part of the country, predominantly relying on French and German forces. Stage Two began in May 2005, when NATO moved into western Afghanistan; Italian and Spanish forces are the core of the NATO force there. These sections of the country are relatively stable. Stage Three began in July 2006 when ISAF moved into southern Afghanistan, where U.S., British, Canadian, and Dutch forces predominate. Stage Four began in October 2006, when ISAF took control of the entire country. The U.S.-led OEF simultaneously continues its combat operations in border regions still under threat.

National Caveats

Some member states often commit forces to a NATO operation, and then impose restrictions—"national caveats"—on the tasks those forces may undertake. These restrictions, for example, may prohibit forces from engaging in combat operations or from patrolling at night due to a lack of night-vision equipment.⁴ In addition to these caveats, some governments do not permit their forces to be transferred to other parts of Afghanistan. Caveats pose difficult problems for force commanders, who seek maximum flexibility in utilizing the troops under their command. NATO must accept troops from individual governments and shape the mission to fit the capabilities of and caveats on those troops. NATO commanders have sought to minimize the number of caveats on forces dedicated to ISAF, an effort that has met with mixed success.

At the Alliance's summit in Riga, Latvia, in late November 2006, NATO leaders sought to reduce the caveats placed on forces deployed in Afghanistan. The United

³ UNSC 8495, 13 September 2005.

⁴ Interviews of NATO officials, February 2006.



Source: Map Resources. Adapted by CRS. (8/23/06)

Figure 1. Map of Afghanistan

States, Canada, Britain, and the Netherlands have forces deployed in southern and eastern Afghanistan—highly unsettled areas—and have appealed to other governments to release combat forces to assist them in moments of danger. The French government reduced its caveats and agreed to allow its forces in Kabul and elsewhere to come to the assistance of other NATO forces in an emergency. Turkey, in contrast, refused to change its proscription against its forces' use in combat. The Italian and Spanish governments said that their force commanders in the field could make the decision to send forces to assist in an urgent situation. It remains unclear whether and when these commanders would have to request permission from their capitals to do so, a complicating factor that could delay a decision. Some Allies have singled out Germany for special criticism, given that Germany has a large contingent of 2,800 troops in a relatively quiet area of northern Afghanistan. At Riga, the Germans left the situation murky; it is unclear whether Germany will send combat forces to assist in an emergency.⁵

The issue moved into the public arena in November 2006 in meetings of the NATO Parliamentary Assembly in Quebec City. One British Member of Parliament asked his German colleagues, "If the situation were reversed and German soldiers were in immi-

⁵ Interviews at the NATO Defense College, Rome, December 2006, and Washington, D.C., April–May 2007.

ment danger, how would you feel if the British commander responded to a German request for urgent assistance with the answer, ‘Sorry, we can’t come across the line to help you.’?’⁶

Provincial Reconstruction Teams

NATO officials describe Provincial Reconstruction Teams (PRTs) as the “leading edge” of the Allies’ effort to stabilize Afghanistan. Some NATO member governments believe that poor governance, rather than an insurgency, is the principal problem impeding stabilization of the country. NATO’s assistance to the Afghan government in controlling the narcotics trade, disarming militias, reducing corruption, and building an economic infrastructure is the essence of the effort to bring stability to the country.⁷ The purpose of the PRTs is to extend the authority of the central government into the countryside, provide security, and undertake projects (such as infrastructure development) to boost the Afghan economy. U.S. PRTs are composed of soldiers, civil affairs officers, representatives of the U.S. and other government agencies focused on reconstruction, and Afghan government personnel. NATO now controls 24 PRTs. U.S. officials say that they would like to see more NATO and OEF PRTs created in 2007.

There is no established model for PRTs, and they receive mixed reviews. By most accounts, those serving in U.S. PRTs make an effort to move about surrounding territory, engage the local governments and citizens, and demonstrate that the U.S. presence is bringing tangible results. The United States government controls the funds for its PRTs, in part to ensure that the money does not disappear through the hands of corrupt officials in the provinces or in Kabul, and that it goes directly to designated projects. U.S. PRTs also have the military capacity to respond to any situation in which their personnel are endangered. While not overtly offensive military instruments, U.S. PRTs are directed to provide security and respond aggressively to any threat.⁸

By most accounts, ISAF PRTs differ considerably from those of the United States. While their mission is the same, their resources and activities are not. ISAF PRTs generally have fewer personnel. Some U.S. officials believe that most European-led PRTs are too hesitant in their engagement of the Afghan population. Some European-led PRTs are minimally funded, or provide little supervision of how their funds are managed and dispensed.⁹ Individual European government perspectives on PRTs will be more fully discussed in another section of the essay that will illustrate the range of allied thinking on the principal issues confronting ISAF.

⁶ Author’s notes, Debate in the NPA Political Committee, 12 December 2006.

⁷ Statement of Nancy Powell, Acting Assistant Secretary for International Narcotics and Law Enforcement Activities, U.S. State Department, to the House Armed Services Committee hearing, 22 June 2005; interviews with European officials, November 2005–July 2006.

⁸ *Provincial Reconstruction Teams in Afghanistan—An Interagency Assessment* (Washington, D.C.: Department of Defense, 26 April 2006); Interviews of U.S. officials, 2006–07.

⁹ Interviews of U.S. officials, 2005–07.

Counter-Narcotics

The Allies are struggling to combat Afghanistan's cultivation of opium poppies. Afghanistan supplied 92 percent of the world's opium as of 2006. The crop is a major factor in the economic life and stability of the country, and by one estimate accounts for 40 percent of Afghanistan's gross domestic product (GDP).¹⁰ Opium poppy farmers are heavily concentrated in the southern part of the country.

The repercussions of Afghanistan's poppy crop for the future of the country and for ISAF operations are extensive and complex. The Afghan government lacks the law enforcement apparatus, including a well-functioning judicial system, to successfully combat the narcotics trade. Narcotics traffickers can exploit the country's primitive transportation network, as an extensive road system is not needed to move opium to market; a small load of opium can yield a high financial return.

The opium trade has a corrosive effect on Afghan society. Former CIA Director John Negroponte told Congress in January 2007 that "the drug trade contributes to endemic corruption at all levels of government and undercuts public confidence. A dangerous nexus exists between drugs and insurgents and warlords who derive funds from cultivation and trafficking." At the same time, farmers in some parts of the country view the poppy as their only source of income. Eradication of the industry without a substitute source of income would throw these farmers into destitution, and they violently resist any effort to destroy their crops. Some Alliance officials believe that destruction of the poppy crop at this juncture in NATO operations could fuel an insurgency. The Allies have decided against the destruction of poppy fields, but they provide training, intelligence, and logistics to Afghan army units and police who destroy opium labs.¹¹ One former regional commander believes that the Afghan government's destruction of poppy fields is too random to be effective, and that the government does not take decisive action to end warlord involvement in the narcotics trade.¹²

Under these circumstances, ISAF and the Karzai government are working on a long-term solution to the problem. NATO is assisting in the construction of an Afghan law-enforcement infrastructure intended to dismantle the opium industry and prosecute drug traffickers. To this end, ISAF is training a special narcotics police force and developing a professional judiciary, heretofore absent in Afghanistan. Each is a project that may require years to accomplish. Some Western officials in Afghanistan note that

¹⁰ See Christopher Blanchard, *Afghanistan: Narcotics and U.S. Policy*, CRS Report RL32686 (Washington, D.C.: Congressional Research Service, updated 14 September 2007); Pankaj Mishra, "The Real Afghanistan," *New York Review of Books* (10 March 2005): 44-48; "L'Afghanistan a fourni 87 % de l'opium mondial en 2004," *Le Monde* (1 July 2005), 6; "Global Opium Down 22 %," *Associated Press*, 26 June 2006; House Armed Services Committee, hearing on "Security and Stability in Afghanistan," 28 June 2006.

¹¹ Testimony of Director Negroponte, "Annual Threat Assessment," Senate Select Committee on Intelligence, 11 January 2007; House International Relations Committee, hearing on "U.S. Counternarcotics Policy in Afghanistan," 17 March 2005; Mishra, "The Real Afghanistan," 46.

¹² Interview, June 2007.

the country has very few well-educated individuals able to serve in the judiciary and in other professions. In the view of most observers, the entire judicial system is greatly deficient. The police remain corrupt and distrusted by the population. They lack extensive training and experience, as well as effective transport. The court system remains in its infancy, with few capable jurists and attorneys.¹³

Another component of the counter-narcotics effort is to persuade farmers to switch to alternative crops. Such crops cannot compete with poppies; income from a hectare of poppies can reach USD 4600 a year, while wheat, one of the suggested substitute crops, can bring only USD 390. Orchards might bring more money, but they require years to cultivate. A more extensive market infrastructure is necessary as well. U.S. officials believe that an extensive road-building effort is imperative to modernize the country's economy.

Stage Three: Establishing Mission and Structure

ISAF's task in Stage Three is to bring stability to the southern part of the country, where the reach of the Karzai government is limited. Initially, in late 2005, the Allies believed that Stage Three would emulate Stages One and Two by seeing a replacement of OEF forces by NATO forces in a stabilizing environment. The Allies nonetheless knew that there would be several significant new challenges in Stage Three. The Taliban originated in the south, in Kandahar Province, and they retain their most active network there. Poppy farming is widespread in the south, particularly in Helmand Province, where British troops operate, and in Uruzgan Province, where Dutch troops predominate.

Stage Three came into force on 31 July 2006, after having been postponed several times due to violence and an effort to secure pledges of troops from allied governments. Elements of ISAF had been present in the region for several months, preparing for their mission. Several non-NATO states, such as Australia and New Zealand, are contributing modest amounts of troops, money, and expertise to ISAF, a sign of the importance of the mission in South Asia and to the Allies' effort to build a "global NATO" of members and partner states.

The Allies confronted four issues in attempting to develop a coherent force for Stage Three: writing a mission statement; raising troops to accomplish that mission; agreeing upon treatment of prisoners; and creating a command structure.

Mission Statement

From fall 2005 through early 2006 the Bush Administration wished to merge the functions and command of ISAF and OEF. Then-Defense Secretary Donald Rumsfeld asked the Allies to assume counter-insurgency and anti-terror responsibilities in the southern and eastern parts of Afghanistan. Some nations balked, contending that such

¹³ Interviews with European Union officials, 2006–07; presentation of former Afghan Finance Minister Ashraf Ghani, Brookings Institution, 30 April 2007; and "McCaffrey Sees 2007 as a Crucial Year," *Washington Post* (10 April 2007), A15.

combat operations were OEF's task, that the UN resolution governing ISAF called for a stabilization operation only, and that, in some cases, they did not have forces available for the counter-insurgency and counter-terror tasks.¹⁴

In December 2005 the Allies announced a mission statement for ISAF's Stage Three in the form of a communiqué. They pledged to work to extend the authority of the Afghan government, primarily through development of PRTs. They also committed themselves to training the Afghan army and police, an effort in state-building meant to provide the Kabul government with reliable security forces, a formidable task because such forces were barely in existence. They further committed themselves to "supporting Afghan government counter-narcotics efforts."¹⁵ They also agreed upon guidelines for dealing with prisoners.

The mission statement reflected European and Canadian views that Stage Three operations should concentrate on reconstruction and stabilization, with only minimal initial concern given to military threats. The Taliban were relatively quiet when the Allies wrote their communiqué, perhaps due to the winter weather in Afghanistan, perhaps because the Taliban were organizing and seeking to gather their strength. In April 2006, Britain's then-Defense Secretary said that he hoped that his country's forces could deploy "without firing a shot."¹⁶ Peter Struck, Defense Minister under the previous German government, said in September 2005 that "NATO is not equipped for counter-terrorism operations. That is not what it is supposed to do."¹⁷ The Dutch Parliament held a contentious debate in February 2006 over whether to send forces to ISAF. Some government and opposition members of Parliament opposed sending Dutch forces for a combat operation; their view was clear that Dutch forces were intended primarily to support a stabilization mission.¹⁸

By the spring of 2006, events on the ground in Afghanistan imposed new exigencies on ISAF's mission. An attack on the Norwegian-Finnish PRT in normally tranquil Meymaneh, in western Afghanistan, in February 2006 had given an indication of an emerging problem: the need for a rapid military response capability for rescue operations. When the PRT was attacked, no NATO combat forces were in the region to protect the ISAF personnel. Other NATO forces that were nearby had caveats prohibiting their use in combat operations. Eventually, a British plane and forces were contacted, and they repelled the attack on the PRT. Before and after the attack on the PRT, then NATO SACEUR General James Jones called upon the NATO governments to pledge forces to ISAF that would be capable of combat operations. He waged a con-

¹⁴ "Europeans Balking at New Afghan Role," *New York Times* (14 September 2005), 1; interviews of European officials, September 2005–February 2006.

¹⁵ "Final Communiqué," North Atlantic Council, NATO, Brussels, 8 December 2005.

¹⁶ "UK Warned of More Afghanistan Deaths," *Financial Times* (3 July 2006), 3.

¹⁷ "Europeans Balking at New Afghan Role." Struck's view seems to be contradicted by the 1999 NATO Strategic Concept, the Alliance's guiding political document, which clearly states that counter-terrorism is one of NATO's new post-Cold War tasks.

¹⁸ "Peacekeeping in Afghanistan Is Modern Crisis Management," *European Affairs* (Spring/Summer 2006): 3–4.

stant campaign to cajole allied governments not to place caveats on their forces that ruled out combat operations.¹⁹

NATO governments ultimately agreed to adjust how ISAF would fulfill Stage Three. They wrote more “robust” rules of engagement, which have not been made fully public. By May 2006, British General David Richards, then the ISAF commander, was describing Stage Three as a “combat operation.” He added that caveats affecting Stage Three forces had been “reduced.” He dismissed the tendency of some NATO governments to draw a line between OEF’s counter-terror operations and the supposedly low-level counter-insurgency responsibilities that had crept into Stage Three responsibilities. He told visiting members of a NATO parliamentary delegation that counter-terror and counter-insurgency operations in Afghanistan were not always distinguishable from one another.²⁰ When OEF turned southern Afghanistan over to ISAF on 31 July, some OEF forces remained in the region to continue combat operations targeted against terrorist elements.

Difficulties in Raising Troops

The debate over the scope of the mission affected the effort to raise forces for Stage Three. Since 2005, NATO officials have experienced difficulty persuading member governments to supply forces. According to NATO officials, the attack on the Norwegian-Finnish PRT awakened some governments to the continuing threat posed by instability and the insurgency.²¹ Rapid-response forces suddenly became available. Britain, Canada, and the Netherlands pledged forces for Stage Three.

Britain initially promised to send 3600 troops to Helmand Province by the beginning of Stage Three operations in July 2006. London met this deadline, and in July promised another 900 troops to counter the growing Taliban insurgency and other elements opposing the Karzai government. Canada was one of the first member states to recognize the need for combat forces. By a close vote in the Canadian Parliament in May 2006, the government designated 2300 troops for Afghanistan until February 2009, most of which have been sent to Kandahar province.

The debate in the Dutch Parliament over assigning troops to ISAF was also contentious. The Dutch population initially opposed sending forces into a combat operation. Ultimately, the Netherlands designated 1,400 to 1,700 troops for duty in ISAF’s Stage Three and Stage Four operations. The views of the British, Canadian, and Dutch governments will be discussed more extensively later in this report.

Disagreements over Treatment of Prisoners

There was a contentious debate among the Allies over the December 2005 final communiqué guiding NATO operations in Afghanistan. Most of the Allies were critical of

¹⁹ Comments by Gen. Jones at NATO Parliamentary Assembly meetings in Copenhagen, November 2005.

²⁰ “Visit to Afghanistan,” report by the Defense Committee of the NATO Parliamentary Assembly, 23 May 2006, 2.

²¹ Interviews with NATO officials, February 2006.

U.S. abuse of prisoners at the Abu Ghraib prison in Iraq; they extended this criticism to the U.S. detention policy at Guantanamo Bay, where some prisoners captured in Afghanistan have been sent since 2001. These governments contended that the Bush Administration was ignoring the Geneva Convention governing treatment of prisoners taken in combat, and that the issue was a significant one among their publics and in their domestic political debates.²²

These states insisted that the communiqué explicitly address the issue of treatment of prisoners. The final document contains the statement: “In addition to NATO’s agreed detention policy for ISAF, which is and remains consistent with international law, we welcome initiatives by Allies to assist the Afghan authorities in the implementation of international standards for the detention of prisoners.”²³

The Allies also agreed that prisoners taken by ISAF should be turned over to the Afghan government. Some NATO governments reportedly told the Afghan government that they did not wish such prisoners to then be transferred to the United States government. The Afghan government reportedly insisted upon its sovereign right to determine the disposition of prisoners in its custody. A new problem, discussed below, has arisen over allegations that Afghan officials have tortured detainees turned over to them by ISAF forces.²⁴

Command Structure: Coordinating ISAF and OEF Operations

NATO’s discussion over the command structure for Stages Three and Four in Afghanistan reflected the U.S. desire to see the Allies more fully embrace combat tasks. Reluctance on the part of some European governments to clash with the Taliban and regional warlords was evident in these discussions.

Since at least 2004, the Bush Administration began to urge the NATO member states to assume more responsibilities in the fight against insurgents and terrorists in Afghanistan. By 2005, the Administration was urging that ISAF and OEF be merged under one command. Many Allies at first resisted the call to merge the two commands, largely because of the different nature of the two operations and differing national agendas.

Britain, Germany, and France were the principal member states opposing the U.S. proposal to merge the commands. They did so for differing reasons. Britain and Germany wished to preserve ISAF as a stabilization (instead of combat) mission. Britain, leading the ISAF anti-narcotics effort, wished to ensure that that initiative remained in the political sphere; along with other allied states, the British believe that using force against Afghan farmers to eradicate the poppy crop might result in a broadened insurgency. Germany opposed a merger of the commands because German forces in ISAF were trained only for stabilization, and not for counter-insurgency operations.

²² Interviews with officials from NATO governments, December 2005–February 2006; “En Afghanistan, l’OTAN évolue de la pacification vers le contre-terrorisme,” *Le Monde* (20–21 November 2005), 4.

²³ “Final Communiqué,” North Atlantic Council Ministerial meeting, 8 December 2005.

²⁴ Interviews of officials from NATO governments, 2005–07.

The French view was somewhat different. The French government was close to the U.S. view that some combat operations against the Taliban and other elements would be necessary. At the same time, French officials were concerned that the Bush Administration, after having a U.S. commander in place to guide all military activity in Afghanistan, might use NATO as a “toolbox” to accomplish Washington’s broader objectives. Specifically, Paris was concerned that the Bush Administration would designate more U.S. units from Afghanistan to be sent to Iraq, and leave the Allies to stabilize Afghanistan. Administration officials insisted both publicly and privately that they had no intention of sharply reducing forces in Afghanistan.²⁵ In fact, the Bush Administration increased the number of U.S. forces in Afghanistan.

In resolving the issue of command structure, the Allies sought to address practical problems for the two operations. ISAF and OEF operate in contiguous areas, but there is no clear dividing line between regions where the Taliban and Al Qaeda are active and the relatively stable regions of the country. A weakness of ISAF had been its deficient capability for rapid response rescue should soldiers and civilian personnel find themselves under fire.

The Allies agreed upon a “synergy,” rather than a merger, of the two commands to solve this problem. The ISAF commander now has three deputies. One deputy leads the stabilization operations, working closely with the Afghan government to identify priorities in reconstruction and governance. The Italians, for example, are leading the effort to build and professionalize an Afghan judiciary. A second deputy commands air operations, as the hurdles for successful strategic and tactical airlift and search and rescue operations are formidable.

A third deputy directs security operations. This deputy answers to both the OEF and ISAF commanders. The purpose of the security commander’s dual role is to provide coordination between the two operations. For example, if troops in one operation need air cover or an emergency response, then those resources could come from either OEF or ISAF, depending on which was nearest to the action and had available resources. This arrangement was in fact already in place with some NATO governments before Stage Three began. French air combat forces operating out of Tajikistan, for example, have been providing this function to troops in the field in both ISAF and OEF since 2005, and other allied nations’ air components are now prepared to do the same. In addition, French and Dutch officials say that their air force components serve both commands by gathering and sharing military intelligence.²⁶

Stage Three Operations: Allied Viewpoints

Once the Allies agreed on ISAF’s mission for Stage Three, they began to differ on how to accomplish it. The previous section of this essay analyzed allied views in establishing the mission and structure of Stage Three. This section discusses the developing views of the Allies as Stage Three moved forward. Allied views began to change be-

²⁵ Interviews of officials from NATO governments, December 2005–July 2006.

²⁶ Interviews of officials from allied governments, November 2005–July 2006.

tween the time of the December 2005 NATO communiqué describing ISAF's mission and July 2006, largely due to the surge in Taliban activity. For purposes of analysis, the range of views begins with those governments most hesitant about the use of combat forces in Afghanistan and proceeds through a list of governments that believe that a more forceful military hand will be necessary to stabilize and rebuild the country.

Germany: Rebuild but Avoid Combat

Chancellor Angela Merkel's coalition government had initially expressed a more decisive commitment to securing stability in Afghanistan than its predecessor. Germany now has 2,800 forces in ISAF trained for stability operations but not for combat in the northern part of the country. In September 2006, the German Parliament extended the commitment for German troops but did not give the government permission to send them outside the relatively secure region of northern Afghanistan.²⁷ At NATO's Riga summit, as noted earlier, Germany left unclear whether it would send combat forces to assist other NATO forces under imminent threat. In the spring of 2007, the German government assigned six Tornado aircraft to Afghanistan for use in surveillance operations.

Under the preceding Schroeder government, Berlin was adamant that German forces would not engage in combat operations; according to NATO officials, the German caveat against combat has limited the Alliance in integrating German forces with those of other member nations. Former Defense Minister Struck had opposed merging ISAF and OEF commands because it "would make the situation for our soldiers doubly dangerous and worsen the current climate in Afghanistan."

Some officials from other allied governments and the EU have criticized the existing restrictions on German forces and the capabilities of those forces. These officials say that German troops and civilians rarely venture beyond the perimeter of their PRTs due to concern that they might arouse Afghan public criticism or come into contact with armed elements. German troops reportedly do not go on extended patrols and do not respond to local security incidents. Critics of the German approach say that it is important to engage local officials and demonstrate that NATO has an active approach to rebuilding the country and persuading the Afghan population that the Alliance is serving a constructive role.²⁸

Some U.S. and European officials are also critical of the manner in which Germany managed its task of training the Afghan police force (ANP). The task was a daunting one, given the low pay provided to officers by the Afghan government and the modest numbers of police used to cover a broad territory. In this view, the Afghan police remain "corrupt and hollow" as a force. At the same time, former SACEUR General Jones said that, while training of the Afghan army is "one of the bright stories, one of the not-so-good stories ... is the inadequacy to bring similar progress to police reform,

²⁷ "Germany/Afghanistan," *Atlantic News*, 15 June 2006, 2; "Canadian and Dutch Publics Feeling Stretched by Expanded Military Role in Afghanistan," World Public Opinion Organization, 2 June 2006.

²⁸ Interviews of European and U.S. officials and observers, June–July 2006.

which is the responsibility of Germany.” Part of the problem may lie in the lack of authority of the German government to order police to Afghanistan; unlike its military forces, German police must volunteer for such an assignment.²⁹

The United States is now active in training the Afghan police, possibly as a result of the reported deficiencies in German training and the general obstacles faced by the police. Early evaluations of the U.S. effort have been mixed, as some observers believe that more trainers, funding, and equipment are necessary to make the police effective. In May 2007, the EU accepted a request by NATO to take the lead in training Afghanistan’s police, a mission that began in June 2007. The police play a key role in Afghanistan’s stabilization because they, along with the Afghan army, have primary responsibility for destroying poppy fields and opium labs.³⁰

There will be a debate in the German Parliament in October 2007 over the renewal of German military involvement in Afghanistan. The left wing of the SPD reportedly wishes to remove at least Germany’s contingent of one hundred special forces operating under U.S. command in the OEF.

The Netherlands: An Increasingly Decisive Position

Dutch forces are concentrated in the south, in Uruzgan Province, one of Afghanistan’s most unstable regions and an area that has seen considerable Taliban activity since Spring 2006. The Abu Ghraib prison scandal and U.S. treatment of prisoners at Guantanamo are important issues in the Dutch debate over its troops’ deployment in Afghanistan. Dutch officials say that “the rules of the road in fighting terrorism” are not clearly agreed upon within the Alliance. For this reason, Dutch officials were initially reluctant to have their forces closely associated with U.S. forces in Afghanistan. The Netherlands was the principal proponent of the section of the December 2005 NATO communiqué detailing NATO treatment of prisoners in Afghanistan.³¹

Initial Dutch efforts in ISAF were tentative and indecisive. However, Dutch troops have grown increasingly engaged in providing security, in tandem with an active and well-funded reconstruction effort.

Dutch officials offer a strategic approach to Afghanistan’s problems. They believe that the Alliance must make a more concerted effort to engage regional actors—above all Pakistan, India, and Iran—to bring stability to the country. These officials are concerned that NATO’s military operations are alienating the Afghan population. They advocate the creation of a general fund to rapidly compensate local victims of mistaken attacks by NATO forces. In addition, they advocate appointment of a Western coordinator for reconstruction of the country, as well as a common approach within NATO and the EU to the problems presented by the drug trade. In the Dutch view—one that is

²⁹ Cited in “If Called to Lebanon, NATO ‘Could Go In,’” *International Herald Tribune* (28 July 2006), 3; interviews, fall 2006.

³⁰ “Foreign Troops in North Afghanistan Say ‘Drug Wars’ the Biggest Threat,” *Agence France Presse* (30 August 2005); “Shake-up of Afghan Police ‘Brought Back Corruption,’” *Financial Times* (13 June 2006), 2.

³¹ Discussions with Dutch officials, September 2005–May 2006.

echoed by Italy—NATO must emphasize reconstruction more than combat operations.³²

Others counter this argument by saying that “there can be no reconstruction without security.” The Taliban must be cleared out before reconstruction can proceed. The issue may be more complicated, however. U.S. General Karl Eikenberry, now the deputy of the NATO Military Committee, believes that many Taliban are not individuals who have hidden themselves in Pakistan or elsewhere outside Afghanistan, but are above all “the unemployed,” those currently without a stake in Afghan society. In his view, to weaken the Taliban NATO should build roads and other economic infrastructure to help create an economy that can give Afghans promise of a better future.³³ In a sense, his view is close to that of Dutch officials.

The Dutch government was the most publicly critical of U.S. handling of prisoners taken in the conflict against terrorism. Dutch government spokesmen and opposition leaders criticized U.S. handling of prisoners who had been sent to Guantanamo and called for treatment of detainees to meet the standards of “international law.” In a memorandum of understanding with the Afghan government, the Netherlands secured a pledge that prisoners turned over to Kabul would not receive the death penalty for any crimes committed. The Dutch expressed their desire to the Afghan government that such prisoners not be turned over to the United States.³⁴

In the Dutch view, ISAF’s purpose is “to provide a secure and stable environment for reconstruction.” Former Dutch Foreign Minister Bot outlined his government’s policy by saying that measures of “defense, diplomacy, and development” are key to ISAF’s success. When necessary, Dutch troops will use force to subdue the Taliban to build stability so that reconstruction projects may take hold. A growing number of combat engagements, occasionally with U.S. troops, have occurred since late summer 2006, and Dutch forces have suffered casualties.³⁵ The Netherlands endorsed the “synergy” between ISAF and OEF commands, and has made available four F-16s for missions in both ISAF and OEF. The aircraft may be used for missions from intelligence gathering to close air support. The Netherlands now has 1,500 troops in Afghanistan in restive Uruzgan Province; another 250 Dutch troops serve in Kabul and in northern Afghanistan.

The Dutch give their funding for PRT reconstruction activities directly to the Afghan central government, mainly through UN and World Bank channels. Dutch offi-

³² Remarks by Bert Koenders, Dutch Minister for Development and Cooperation, at CSIS, Washington, D.C., 16 April 2007. Koenders is the highly regarded former President of the NATO Parliamentary Assembly, and is well-versed in NATO issues. For a view advocating EU coordination of reconstruction/civilian programs in Afghanistan, see Julianne Smith, “How the EU Can Act Now to Assist Global Leadership,” CSIS Report (26 March 2007).

³³ Remarks of Gen. Eikenberry at Brookings Institution conference on Europe, Washington, D.C., 30 April 2007.

³⁴ “Peacekeeping in Afghanistan Is Modern Crisis Management,” 3–4.

³⁵ Bernard Bot, “Saving Democracy in a World of Change,” speech at Georgetown University, Washington, D.C., 24 October 2006; interviews, 2007.

cials note the contrast with the U.S. approach, which is to bring in a “turnkey” operation in which U.S. officials are trained to undertake reconstruction projects, using U.S. manpower and equipment. The Dutch argue that the Karzai government itself must undertake responsibility for the planning and implementation of projects to rebuild the country. Only in this way, the Dutch believe, can the Afghans learn good governance and management of their own affairs. Some U.S. officials believe that the Dutch practice has led to the money being spent on other governmental purposes or landing in the pockets of corrupt Afghan officials.³⁶

The contentious debate in the Dutch Parliament in February 2006 over sending troops to Afghanistan raised issues that are still not fully resolved. Public support in the Netherlands for sending Dutch troops to Afghanistan has dropped sharply. In 2004, 66 percent of those polled supported the mission; by January 2006 that figure had halved, standing at 33 percent. The parliamentary vote in February 2006 provided a two-year commitment of 1,400 to 1,700 troops. Dutch officials say that, as of summer 2007, their troops’ mission in Afghanistan is less of a public issue.

The United States, Britain, and Canada: Active Engagement

The governments of the United States, Britain, and Canada share similar views on how ISAF should fulfill its mission. They have sent combat forces to Afghanistan, maintain PRTs in the most unstable parts of the country, and have engaged the Taliban resurgence aggressively. Many of the British and Canadian forces for Stage Three began to arrive in Afghanistan in the spring of 2006, and worked under OEF command fighting the Taliban. On 31 July 2006, most of these forces were “rebadged” as NATO forces serving ISAF’s Stage Three mission.

The United States has approximately 10,000 troops deployed in OEF. The U.S.-led OEF controlled southern Afghanistan until ISAF’s succession there at the end of July 2006. The United States now has 15–17,000 troops in ISAF.

U.S. officials believe that ISAF must undertake tasks “from the lowest level of peacekeeping to combat operations against the Taliban and warlords.” OEF’s task should be counter-terrorism against Al Qaeda. These officials concede that the line between the two operations is blurred, given that OEF has been fighting both an insurgency led by the Taliban and searching for Al Qaeda.³⁷ Some allied governments believe that the U.S. combat effort is overly aggressive and, in some instances, has been counterproductive. President Karzai has said that U.S. air strikes have sometimes been poorly targeted and have carelessly killed civilians, which he believes may be alienating the population in some areas of the country.

The Bush Administration has a well-developed view of the role of PRTs. U.S. PRTs, as noted earlier, are a mixture of combat forces to provide security and logistical support, Agency for International Development (AID) personnel to develop reconstruction plans, and State Department officials to oversee and coordinate operations. In the U.S. view, PRTs should be initially established in remote areas where most non-

³⁶ Discussions with Dutch and U.S. officials, February–July 2006.

³⁷ Discussions with U.S. officials, 2006–07.

governmental organizations will not go. The PRTs undertake reconstruction projects such as road building to enhance economic development and irrigation networks to assist in agricultural development and diversification, and political tasks, ranging from gaining the confidence of local officials to “workshops” to educate officials and tribal leaders in governance and long-term reconstruction plans. U.S. officials express concern that, when U.S. PRTs are turned over to ISAF, succeeding allied governments sometimes take a more guarded approach to reconstruction and stabilization, or put less money into PRT projects.³⁸

The British view on the role of its ISAF contingent mirrors the U.S. view of NATO’s role in Afghanistan. Britain also has an OEF contingent, and its combat aircraft support both OEF and ISAF missions. Most of Britain’s ISAF troops, numbering approximately 5,800 in the entire country and 4,200 in the south, are combat units. British forces in the south are largely in Helmand Province, the principal poppy-growing region in the country; Britain leads the ISAF effort in counter-narcotics. Some British officers have complained that their forces are inadequately equipped and need more reconnaissance aircraft and logistics capability.³⁹ The new British government under Gordon Brown has reaffirmed the U.K.’s commitment to ISAF.

From its initially hesitant position on ISAF’s mission in early 2006, noted above, the British government has adopted a more aggressive stance, caused by the increase in Taliban activity in southern Afghanistan. Britain has a clearly vested interest in ISAF’s stabilization mission, not only out of concern that terrorist activity has emanated from South Asia but because most of the heroin found in the United Kingdom comes from Afghanistan. British PRTs reportedly reflect the view that ISAF must be more assertive in its stabilization efforts. U.S. officials believe that Britain’s PRT in Helmand Province is well funded and concentrates on local governance and economic development.⁴⁰

Canada’s deployed troops in Afghanistan are also primarily combat forces, in both OEF and ISAF. There is a vigorous debate in Canada over the country’s involvement in Afghanistan. In May 2006, by a narrow vote of 149–145, the Canadian Parliament approved Ottawa’s plan to commit 2300 troops to ISAF until February 2009. Public support for the mission has fallen, however. In 2002, 66 percent of those polled supported sending Canadian forces to Afghanistan, and only 44 percent supported the two-year extension for Canadian troops. By April 2007, support for keeping Canadian forces in Afghanistan had dropped to 52 percent. While Canadians appear to support

³⁸ “Provincial Reconstruction Teams,” Dept. of Defense, 9–20; interviews with U.S. officials serving in PRTs, 2005–07.

³⁹ “Malaise dans l’armée britannique sur son rôle en Afghanistan,” *Le Monde* (29 September 2006), 5.

⁴⁰ “Provincial Reconstruction Teams,” 22; “Opium War an Absolute Disaster,” *Financial Times* (5 July 2006), 3.

their country's long-standing involvement in UN peace operations, the need for combat operations in Afghanistan has eroded support for the ISAF mission.⁴¹

Canadian forces joined U.S. and British forces in OEF combat operations against the Taliban in southern Afghanistan in the summer and fall of 2006. Some of these operations, led by Canadian teams, were joined by Afghan army (ANA) elements in Kandahar Province. The Canadians eventually wish to turn over such operations to the ANA. Some of the Canadian forces assigned to OEF were transferred to ISAF's Stage Three operations on 31 July 2006, and Kandahar Province is their principal region of responsibility. Canada leads a PRT in the province.

Canada's mission in Afghanistan continues to be a major issue in Canadian affairs. In April 2007, the Canadian House of Commons narrowly defeated a bill to withdraw Canadian troops by a 150–134 margin. Increasingly, members of the Canadian Parliament and the media are calling upon other NATO governments to take Canadian forces' place in southern Afghanistan.⁴²

France: An Expanded Role for NATO

The French government believes that ISAF must be a combat force that buttresses the efforts of the Afghan government to build legitimacy and governance. Unlike German forces, for example, many French forces are trained both for combat and stabilization. France has 1,100 troops in ISAF; they are largely deployed in a stabilization mission in Kabul and in army training missions elsewhere in the country. Paris withdrew 220 special forces troops from the OEF in early 2007. France has another 950 troops acting in the region in support of ISAF and Operation Enduring Freedom. The new French government under Nicolas Sarkozy has reaffirmed Paris's commitment to ISAF, but has said that French forces will not stay "indefinitely."

The Afghan mission has marked important changes in French NATO policy. France supported the invocation of Article V, NATO's mutual security clause, after the attacks of 11 September 2001 on the United States. Those attacks were decisive in the French government's change of position on NATO's "out-of-area" responsibilities. For many years, Paris had argued that NATO was a European security organization, and must only operate in and near Europe. After September 11, the French government embraced the emerging view that NATO must be a global security organization able to combat terrorism and WMD proliferation around the planet. French officials say that ISAF is NATO's most important mission.⁴³

Since the late 1990s, NATO has urged member governments to construct more "deployable," expeditionary forces, and gave the notion a concrete base in the Prague Capabilities Commitment (PCC) in 2002, when member states pledged to develop ca-

⁴¹ "Canada Votes to Extend Mission in Afghanistan," *Washington Post* (18 May 2006), A18; "Canadian and Dutch Publics Feeling Stretched," op. cit.; "Troop Pullout Bill Defeated in Canada," *Washington Post* (25 April 2007), A12.

⁴² "Troop Pullout Bill," op. cit.

⁴³ Interviews with French and U.S. officials; Remarks by Defense Minister Michèle Alliot-Marie at the NATO Parliamentary Assembly plenary, Paris, 30 May 2006.

pabilities such as strategic airlift, aerial refueling, and more special forces.⁴⁴ Among the European allies, France has made considerable progress along this path. French aerial tankers refuel not only French aircraft in the Afghan theater, but U.S., Dutch, and Belgian aircraft as well. French Mirage jets based in Tajikistan gather intelligence over Afghanistan and provide close air support to both ISAF and OEF. These capabilities have contributed to the improving integration of NATO forces in the Afghan theater, according to U.S. officials, and to the ability of ISAF and OEF to share capabilities and command.⁴⁵ U.S. officials give French forces high marks for their ability and their willingness to fight.

The French government has clearly defined its interests in Afghanistan. French officials argue that the allies must commit to a long effort to assist the Afghan government in eradicating the opium industry, in part because heroin finds its way into Western societies, in part because it provides funding for terrorist groups. Ultimately, French officials believe that the Afghan government itself must learn to govern the country, and that NATO and partner states cannot do this for Kabul. To this end, the French have a contingent in place that assists in training the Afghan army. France does not believe that PRTs can play a meaningful role in Afghanistan, and believes that the Karzai government must itself exercise the initiative and build good governance to gain the confidence of its people. France does not accept the view, held by some U.S. officials but nowhere present in NATO's ISAF mission statement, that part of NATO's brief is to build democracy in Afghanistan. In the French view, Afghanistan is a highly diverse ethnic state with no tradition of democracy; the best outcome, at least for the foreseeable future, is the construction of a more representative and tolerant society.⁴⁶

France also contends that the EU and other civilian institutions, such as the UN and the World Bank, are better suited to undertake development projects than NATO. In Paris' view, NATO should concentrate on collective defense.

French officials are less likely to parse the NATO-defined difference that OEF is a counter-terror operation and ISAF is a counter-insurgency and reconstruction mission. French forces fight in both operations, and describe both operations as devoted to fighting terrorism and developing a more stable society.⁴⁷

⁴⁴ Carl W. Ek, *NATO's Prague Capabilities Commitment*, CRS Report RS21659 (Washington, D.C.: Congressional Research Service, updated 24 January 2007).

⁴⁵ Interviews with U.S. and French officials, 2005–07; “France Quietly Offers More Military Help,” *Army Times* (29 August 2005); “Français et Américains louent une coopération exemplaire en Afghanistan,” *Le Monde* (24–25 October 2004), 3.

⁴⁶ Interviews with French officials, August 2005–July 2006; Remarks by Defense Minister Michèle Alliot-Marie at the NATO Parliamentary Assembly plenary, Paris, 30 May 2006. Afghanistan supplies an estimated 90 percent of the heroin that finds its way to France.

⁴⁷ Remarks by Defense Minister Michèle Alliot-Marie at the NATO Parliamentary Assembly plenary, Paris, 30 May 2006.

Stage Four

On 5 October 2006, ISAF extended its responsibilities to cover all of Afghanistan. A reduced OEF will continue its operations under U.S. leadership against terrorist elements.

In September 2006, then NATO SACEUR General Jones again called for European governments to contribute more troops. He said that 2,500 troops were necessary, of which 1,000 should serve as a mobile reserve component able to move rapidly to trouble spots around the entire country. He expressed frustration at the limitations that some NATO member states placed on their troops. "It's not enough," he said, "to simply provide forces if those forces have restrictions on them that limit them from being effective."⁴⁸ He had specifically requested that Germany send some of its force in northern Afghanistan into the south to combat Taliban activity, but the German government refused this request. Poland eventually pledged to send one thousand additional troops to Afghanistan, a figure that still left ISAF short of the needed overall force contingent.⁴⁹ In early 2007, the Bush Administration filled much of the shortfall by sending a rapid-response brigade of 3,500 soldiers to Afghanistan.

In Stage Four, the United States transferred 10–12,000 of its own troops to ISAF, who will serve under the NATO commander U.S. General Dan McNeil. ISAF now has approximately 35,000 troops.

Congressional Action

A bipartisan consensus continued to support the Afghan mission in the U.S. Congress. The Afghan Freedom Support Act of 2002 (P.L. 107-327), as amended, authorized U.S. aid for reconstruction, military operations, counter-narcotics efforts, election reform, and human rights assistance. A succession of appropriations bills has met or exceeded authorization targets.

Assessment

The NATO member nations have maintained a basic unity of purpose in Afghanistan. Their desire to stabilize the country to prevent the return of a terrorist state has led to an ongoing general consensus about operations there. Member states that refused to contribute troops to the U.S. effort to bring order to Iraq are present in Afghanistan. The Allies believe that there is a tangible benefit to ISAF. If ultimately successful, ISAF can help to build a state that is relatively stable, no longer a source of international terrorism, and one that works on its own to diminish a narcotics trade that is a threat to European societies.

Nevertheless, NATO faces complex issues within its own ranks and on the ground in Afghanistan that are likely to concern ISAF over the next several years. Although

⁴⁸ "NATO Commander Asks Member Nations to Drop Troop Limits," *Mideast Stars and Stripes* (25 October 2006).

⁴⁹ "Leaving NATO, Marine General Still Seeks Troops for Afghanistan," *New York Times* (21 December 2006), A4.

the Allies agree on their overall mission to stabilize the country, they often differ on the best means to reach that objective and on the amount of resources to be made available.

Although ISAF does not explicitly have a counter-terrorism mission, it is clear that the contributing governments believe that fighting the Taliban, regional warlords, and the narcotics trade can prevent the return of Al Qaeda or radical Islamist groups that would be inimical to Western interests.

NATO leaders have at times had difficulty in persuading Allies to contribute forces to ISAF. Of equal difficulty today is the effort to persuade governments to contribute the money necessary to rebuild Afghanistan. Some governments have pledged money but have not yet contributed it. Key allied governments say that they are committed to staying for a period of years to stabilize the country. Some EU officials believe that five years or more will be necessary to build a market economy and a culture of proficient governance.⁵⁰

Afghanistan's long history without a central government that was able to extend its reach over the country's difficult geographic and political terrain is presenting the Allies with problems rivaling the threat of the Taliban. Political differences within the Alliance over how to manage Afghanistan's future are apparent in ISAF's operations.

The Allies' description of PRTs as the "leading edge" of their stabilization effort masks a divergent reality. Some PRTs are clearly effective, building needed infrastructure and by most accounts gaining the confidence of local populations. Others, in the view of some U.S. and European officials, are no more than showcases, aimed more at demonstrating a particular nation's desire to participate in an important NATO mission than at producing concrete results for the stabilization plan. In the view of these same officials, NATO may be expecting too much from some of its new member governments, which, only recently having come out of communism, lack the experience and the funds to mount an effective reconstruction effort in a distant, impoverished country.⁵¹

The declining fortunes of the Karzai government also present a difficult obstacle. NATO is attempting both to respect the policies of a nascent representative government and to urge it forward to better governance. The Karzai government's own problems are apparent: discontented warlords, a vigorous drug trade, the Taliban, and a rudimentary economy and infrastructure. In the view of General Eikenberry, "The enemy we face is not particularly strong, but the institutions of the Afghan state remain relatively weak."⁵² There is a widespread view that President Karzai is losing the confidence of the Afghan people; he blames the slow pace of reconstruction and insufficient financial support from the international community. General Ed Butler, the former commander of British forces in Afghanistan, said in May 2006: "This year we need to be seen to be making a difference. It is a real danger that if people do not feel safer, we

⁵⁰ "EU/Afghanistan: Europeans must Prepare for Losses," *Atlantic News* (20 July 2006), 2.

⁵¹ Interviews with U.S. and European officials, 2006–07.

⁵² House Armed Services Committee, hearing on "Security and Stability in Afghanistan," 28 June 2006.

may lose their consent.” In his view, poor governance and not the Taliban insurgency is the country’s central problem, a view widely reflected by other officials from NATO governments.⁵³ NATO, in this view, must prepare to deal with successive governments of unknown composition and policies should the Karzai government fail to endure.

NATO’s effort to assist the Karzai government in weakening the narcotics trade demonstrates the central dilemma of ISAF’s mission. The Allies must fight an insurgency tied to the opium industry with forceful means while at the same time attempting to win the confidence of the Afghan people through reconstruction of the country. In this view, “breaking down suspected insurgents’ doors in the morning [makes] it difficult to build bridges in the afternoon.”⁵⁴ While NATO officials state publicly that allied forces are not burning poppy fields and are depending instead on the Afghan army and police to do the job, farmers are well aware that it is ISAF that supplies the intelligence, training, and logistics enabling government security forces to attack the opium industry, the lifeline of many poor Afghans.⁵⁵

NATO’s training of Afghan officials has made measured progress in some areas, but very little in others. Although the Karzai government has complained that NATO is not building a sufficiently large army, most Allies believe that substantial progress has been made in developing a professional and reliable force. Since the beginning of Stage Three, British and Canadian troops have reportedly given more and more responsibility to the ANA in joint operations.⁵⁶

The police forces, as already noted, are clearly not a success story. EU officials say, in addition, that Italian efforts to train a competent judiciary have faltered, in part due to the small number of well-educated Afghans available for the legal profession, in part due to insufficient resources provided by Rome.⁵⁷

The quality and practices of NATO’s own forces have also come into question by some U.S. and European officials. It has already been noted that some of NATO’s newer member states attempt to manage PRTs with troops that have not yet been trained for a stabilization mission in a dangerous environment. Some NATO forces also do not have the appropriate equipment for their tasks. They may lack night-vision equipment, or the technology necessary to detect roadside bombs. Some NATO governments send forces inappropriate for the task, forces that are heavy on support functions but light on combat capabilities. These governments tend to be reluctant to send their forces out into the field to confront the Taliban and to control warlords and their

⁵³ “UK Troops ‘Must Beat Back the Taliban this Year,’” *Financial Times* (23 May 2006), 7; interviews with U.S. and European officials, 2006–07.

⁵⁴ “Mission Impossible? Why Stabilising Afghanistan Will Be a Stiff Test for NATO,” *Financial Times* (31 July 2006), 9. The quotation is a paraphrase by the *Financial Times* of a French official who was reflecting on a similar dilemma for French forces in Algeria in the 1950s.

⁵⁵ Interviews with U.S. and British officials, 2005–07.

⁵⁶ “Army Woefully Unready, Afghans Say,” *Toronto Globe and Mail* (16 November 2006), A13.

⁵⁷ Interviews with U.S. and European officials, 2006–07.

militias. The result, in this view, has been that British, Canadian, Dutch, and U.S. forces bear a disproportionate share of the most dangerous tasks.⁵⁸

The United States has made an evident effort through its PRTs to engage local Afghan leaders and the general population to convince them of the worth of ISAF's mission. While some progress has clearly been made, several U.S. officials have noted that Afghanistan is a society where personal contact and developed relationships are critical in building trust and in persuading Afghans to pursue better governance. The short rotations of some allied forces impede this effort. Some allied governments, however, are now sending troops into Afghanistan for two-year rotations, which provide a better opportunity to gain the confidence of the population.

Cohesiveness of command is another lingering issue. While the Allies reached agreement on a command structure linking ISAF and OEF, some observers believe that national commands will preserve the authority to make final decisions about the use of their forces. The Dutch parliamentary debate clearly signaled this inclination.

ISAF may be having a residual, positive effect on the militaries of some NATO members, particularly new member states. U.S. military personnel say that true reform of new members' militaries can best take place in the field, under difficult conditions, and through operations with more experienced NATO militaries. By several accounts, this experience is being gained in Afghanistan.⁵⁹

The Allies have arrived at a consensus that reconstruction is the key to building a viable, functioning Afghan state. Officials in allied governments repeatedly point to the need for more road building to extend the reach of the government in Kabul and to provide the infrastructure to diversify and strengthen the economy of a country lacking the capacity to develop enduring market practices. General Eikenberry, when asked by a Congressional committee what he needed to build a stable society, responded, "Would I prefer to have another infantry battalion on the ground of 600 U.S. soldiers or would I prefer to have USD 50 million for roads, I'd say ... USD 50 million for roads."⁶⁰ His view has been echoed by calls from the NATO Secretary General for member states and international institutions to provide more funds for reconstruction.

Prospects

The Afghanistan mission is an important test of NATO's out-of-area capability. In a view of growing prevalence, Afghanistan exemplifies conditions in which "extreme belief systems, ... unstable and intolerant societies, strategic crime and the globalization of commodities and communications combine to create a multidimensional threat transcending geography, function, and capability."⁶¹

The attacks of 11 September 2001 led the Bush Administration to abandon its skepticism about nation-building as a task for the United States or for NATO. Today,

⁵⁸ Ibid.

⁵⁹ Interviews with military officers from NATO governments, 2006–07.

⁶⁰ House Armed Services Committee, *op. cit.*

⁶¹ Julian Lindley-French, "Big World, Big Future, Big NATO," *NATO Review* (Winter 2005): 5.

the Pentagon gives great attention to training forces for nation-building; other Allies have also embraced stabilization and reconstruction as central to NATO's mission.

NATO's exit strategy from its mission in Afghanistan requires laying the economic foundations and providing the security for a fledgling government to find a stable political footing that excludes violence, reduces corruption, and creates a climate conducive to representative institutions. External factors will affect the realization of this exit strategy. Stabilization of Afghanistan is closely linked to developments in and the intentions of neighboring Iran and Pakistan, a situation that many in the Alliance believe demands a continuing U.S. presence.⁶² For these reasons, the Allies believe that the success of the mission will also be a test of the United States' ability and commitment to lead NATO, even if they do not always agree with every element of U.S. policy in the region.

U.S. leadership of the Alliance appears to have arrived at a key moment. The Bush Administration has been unable to persuade its NATO allies to play a major role in Iraq. Among the Allies, broader U.S. Middle East policy is widely seen as a failure. U.S. support for the development of democratic governments is a controversial policy. In Iraq and the Palestinian Authority, where democratic elections have taken place at U.S. urging, factions supported by Iran have fared well, enhancing Tehran's influence in a region where it was long kept at bay. Strong U.S. support for Israel in its conflict with Lebanon is another factor seen in Europe as serving to radicalize Arab populations against Western interests.⁶³ In contrast, the United States and its NATO allies have greater unity of purpose in Afghanistan. The ultimate outcome of NATO's effort to stabilize Afghanistan—and U.S. leadership of that effort—may well affect the cohesiveness of the Alliance and Washington's ability to shape NATO's future.

⁶² Olivier Roy, "Afghanistan: La Difficile Reconstruction d'un État," *Cahiers de Chaillot* (December 2004).

⁶³ "U.S. Policy in the Middle East Unravels," *Financial Times* (4 August 2006), 3; "Washington, en s'alignant sur Israël, a perdu son influence dans la région," *Le Monde* (20 July 2003), 3.

The Kosovo War in a Constructivist Perspective

Frederic Labarre *

Introduction

This case study supposes that the Kosovo War can best be explained by the application of a constructivist approach to international relations. The case made here, based on the postulate that realism remained a dominant tool for conceiving of international relations and formulating policy until the end of the Cold War, is that constructivism has become a complement or an answer to a realist theory that was unable to explain the peaceful end of the Cold War. As a result, constructivism became an attractive explanation for international relations. The hypothesis tested here is that the Euro-Atlantic community has blessed waging war on a “deviant” state to preserve the changes brought about by the collapse of bi-polarity. More precisely, the Euro-Atlantic community has adopted a *realpolitik* solution to preserve the benefits of constructivist international relations. This thus suggests that a constructivist outlook is not only useful for explaining the Kosovo war, it is also part of the policy framework of the leading powers.

First, I will briefly critique the realist approach, and—relying on its founding text, *The Prince*, by Niccolò Machiavelli—show that a “traditional” interpretation of this theory carries the seeds that make constructivism a viable alternative, if not a complement to realism. We socially construct threats just as much as we decide to cooperate. This article therefore obscures the opposition between constructivism and realism. It treats the subscription to and application of realist principles as normative and culturally motivated, and does the same for constructivist principles.¹ I then proceed with a brief description of the concepts underlying constructivism, and illustrate how these concepts can be reconciled with indicators found in the case study.

In the second part of the essay, I give a chronological description of the Kosovo War, encompassing the diplomatic maneuvers that led to the war and to its resolution. In this section, it will be useful to recall that constructivism was part of the *zeitgeist* of the 1990s. I conclude by discussing the contradiction between the optimistic spirit of constructivism and the “realistic” decision to launch the campaign against Serbia. The resulting irony is that the safeguard of the “new world order” is the dominant interest of the international community, because it is the embodiment of the change which itself is the expression of constructivism. Therefore, states—alone or in concert—declare war under conditions that realists would not recognize as being in their national interests, but are nevertheless interpreted as power-driven, save that power is applied for the preservation of the new *status quo*.

* Frederic Labarre is a Ph.D. Candidate at the Royal Military College of Canada.

¹ Ronald Jepperson, Alexander Wendt, and Peter J. Katzenstein, “Norms, Identity, and Culture in National Security,” in *The Culture of National Security: Norms and Identity in World Politics*, ed. Peter J. Katzenstein (New York: Columbia University Press, 1996), 33.

Theoretical Underpinnings

Traditional Realism: The Source of Constructivism?

This section presumes that the reader is familiar with the basic principles of realist theory, namely that power-seeking, anarchy, and inherent human wickedness are prevalent. The space is lacking to make an in-depth investigation of the connection between realism and constructivism, yet a quick foray into its traditional thinking will show that realism carries some of its influences into constructivism.

Niccolò Machiavelli's short treatise on power and politics—*The Prince*—is widely regarded as the seminal text of realist statecraft. Machiavelli's work differs from others precisely because, by his own admission, he does not examine utopian solutions to the problems of government, but rather studies government as it is really practiced.² Whereas the fantasies of a Plato or Socrates are purely normative, *The Prince* is empirical. Machiavelli's prince sees power as essential, and has no qualms about its *use*. Yet we will see that the logic of power is not inescapable. Dougherty and Pfaltzgraff trace a brief evolution of realist theory from Machiavelli until the early twentieth century, which shows a number of analytical loopholes permitting the future elaboration of a constructivist approach to international relations.³ For example, Thomas Hobbes' remedy against the state of nature is tantamount to world government, a choice antithetical with realistic self-help and notions of the balance of power. Hegel "elevated the position of the state" more than any other philosopher, but it doesn't mean his conclusions were correct;⁴ the idea that the state has an *objective* reality is patently false. The existence of the state is *subjective*; that is, it is a human construct built upon a structure of human interactions, and states, having acquired their "individual totality" by this action, are also related based on human choices.⁵ Humans choose to live in society or not. Their societies decide what kind of relations they will have. They are not totally or permanently conflicting. Finally, Weber's acknowledgement of the absolute ethic of conviction and its antithetical ethic of responsibility shows that the logic of power in human and international relations is a matter of choice. These are only a few of the criticisms that can be leveled against the seemingly inescapable logic of power and anarchy in realist theory.

The pessimism of the postwar years was spawned by a resurgently aggressive Soviet Union and the experience of a second devastating war in less than a generation—experiences that were concordant with a vicious and uncompromising view of international relations. Hans Morgenthau suggested that "abstract moral principles cannot be universally applied to specific political actions."⁶ Realist theory is generally doubtful

² Niccolò Machiavelli, *The Prince* (1515), trans. W.K. Marriott (London: J.M. Dent and Sons, 1908), Ch. 15.

³ James E. Dougherty and Robert L. Pfaltzgraff, Jr., *Contending Theories of International Relations: A Comprehensive Survey*, 5th ed. (New York: Longman, 2001), 69–71.

⁴ *Ibid.*, 70.

⁵ *Ibid.*, 70.

⁶ Dougherty and Pfaltzgraff, *Contending Theories*, 71.

of the ability of human behavior to be influenced, because “human nature is flawed, power-seeking and otherwise imperfect.”⁷ This resonates perfectly with Machiavelli, who stated: “the wish to acquire is in truth very natural and common.”⁸ But in his examination of French King Louis XII’s adventures in Italy, he wrote that the King has made six errors, three of which are attributable directly to realist thought (or prudent policy-making): he destroyed the minor powers and increased the strength of one of the greater powers in Italy (Pope Alexander VI); he brought in a foreign power (Spain); and he reduced Venice, which alone could have served as a counterweight to the ambitions of other actors.⁹ If talent and good judgment are not always equally distributed among statesmen, this does not otherwise affect the universality of rationality; in other words, policy choices do not impose themselves. King Louis, according to realist principles, sought to reduce the small powers because “the weak must suffer what they must” (to paraphrase Thucydides). So why did Machiavelli consider this a mistake? If the pursuit of power is both a means and an end, as modern realism suggests, then this solution would seem to make sense.¹⁰

If many were surprised that the King would seem too willing to yield or otherwise cooperate with the Church, it was because of a *quid pro quo* with the Pope, who promised to annul the King’s marriage if he helped him recover Romagna. Realism would have urged the strongest to become stronger still by not empowering an already powerful adversary. In other words, the logic of power is not always prevalent, and I would wager that this is because anarchy is not always complete; the Church may have held enough legitimacy for Louis that he would have insisted on Papal blessing for the annulment of his marriage. This also means that the interests of the state are not objective; they are sometimes confused or replaced by human interests. Power is not the only interest. There are other examples where human purpose preceded political decision. In Machiavelli’s view, a Prince can either maintain the laws of a city he has annexed, reside there, or ruin it.¹¹ Here the use of princely power is differently applied. Machiavelli also suggests that there are moral limits to the use of force: “barbarous cruelty and inhumanity with infinite wickednesses do not permit [...] to be celebrated among the most excellent men.”¹² He also advises to do “wrong” or not according to necessity. Again, the Prince has a choice, even if necessity is objective.¹³ In Chapter 18, he writes that the law is insufficient to attain or maintain power.¹⁴ He never states that force should replace the law, and since those laws can be modified, it is manifest proof that humans can live either according to force or to law, which raises doubts re-

⁷ Ibid., 71.

⁸ Machiavelli, *The Prince*, Ch. 3.

⁹ Machiavelli, *The Prince*, Ch. 3.

¹⁰ See John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: Norton, 2001).

¹¹ Machiavelli, *The Prince*, Ch. 5.

¹² Ibid., Ch. 8.

¹³ Ibid., Ch. 15. “Wrong” here is intended as “immoral,” and does not denote an erroneous decision.

¹⁴ Machiavelli, *The Prince*, Ch. 18.

garding the validity of inherent anarchy. Indeed, Machiavelli acknowledges the possibility of change, which is anathema ideologies that insist on the permanence of human wickedness: “the Prince must have a mind ready to turn itself accordingly as the winds and variations of fortune force it...”¹⁵ Finally, his “exhortation to free Italy from the barbarians” is purely emotional, and has no bearing on notions of “princely,” “republican,” or “Italian” strategic interests in the realist sense.¹⁶ Machiavelli wants a return to a previous Italian identity akin to that of ancient Rome. His motivation to write *The Prince* was a desire for change. His dedication of the book to the Medici family further shows that he was seeking an end to the anarchy that was gripping Italy. If anarchy can come to an end, can it really be called anarchy, or is it “what states make of it?”¹⁷

Constructivism and Regime Theory

The preceding discussion supports the suggestion that identities and interests of actors are not exogenously given, or consequences of the anarchy of the system, or dependent upon the distribution of power within it. “[Any] social system confronts each of its members as an objective social fact that reinforces certain behaviors and discourages others. Self-help systems, for example, tend to reward competition and punish altruism.”¹⁸ In other words, self-help as conceived in realist theory is a social construct created by the agents of the system—or, at least, the conditions that lead to self-help are not objective. It is actors’ identities and corresponding interests that determine the character of their relations, not the fact that there is no overlord among them. Survival may not always depend on the absolute pursuit of power (as in a “minimax” solution in game theory, for example), but on occasional accommodation and cooperation. Social scientists have noticed that, whereas defection from cooperation is always an attractive policy for “punctual” encounters in the state of nature, the structure of relations is rather based on repeated interactions.¹⁹ Thus, I would argue that the topic of power is classical realism, and that the need for cooperation in neo-liberal and institutionalist theory are *both* socially constructed. We therefore need to distinguish between each version of the construct and from other neo-realist and neo-liberal theories. This is why in the rest of this essay I call “realist constructivism” the policies and events that indicate reliance on self-help, and invoke respect for the traditional attributes of statehood (i.e., a Weberian outlook, where the state in an anarchical environment is the sole arbiter of what goes on within its borders). This is opposed by what I call “liberal constructivism,” which refers to approach that holds that policies and events are grounded in norms and rules as defined by international actors and the various institutions they create. This modifies the concept articulated by Nye and Keohane (later refined by

¹⁵ Machiavelli, *The Prince*, Ch. 18.

¹⁶ *Ibid.*, Ch. 26.

¹⁷ Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” *International Organization* 46:2 (Spring 1992): 391-425.

¹⁸ *Ibid.*, 411.

¹⁹ James A. Caporaso, “International Relations Theory and Multilateralism: The Search for Foundations,” *International Organization* 46:3 (Summer 1992): 606-7.

Wendt) because it grants a more prominent role to a realism which, if it is classically considered, explains why there can be cooperation (rather than dominance) in asymmetric power relations and defection in repeated “games.”

This distinction postulates no difference between constructivist, positivist, neo-liberal, or regime theory, or theories of institutionalism, functionalism, or multilateralism. There was a debate, early in the 1990s, as to the nature of multilateralism and institutionalism, but I think the nuanced differences between these concepts are rather insignificant for our purposes here;²⁰ as they all explain state behavior through socially constructed norms, rules, and principles that are more (laws, treaties, international organizations) or less (customs, habits) formally made operational.²¹ This definition, given by Robert O. Keohane, will suffice to illustrate our point, and accurately represents the world as it evolved between the end of the Cold War and the beginning of the post-9/11 era in which we now live.²²

During this period, a wealth of international organizations were either born or grew to such a degree to support newfound optimism; in 1991, the Maastricht Treaty gave rise to the European Union as we now know it; in 1994–95, the General Agreement on Tariffs and Trade became the World Trade Organization, the Conference on Security and Cooperation in Europe became an Organization (OSCE); and the arrival of several important anniversaries (among which were the fiftieth anniversaries of the United Nations in 1995 and of NATO in 1999) reminded public opinion and policy circles that there were instruments ready to support the decisions of states to adopt a more cooperative stance. These international institutions were in alignment with trade regimes that stood to globalize economic relationships, now that the planet was operating under the same free market model. Certainly, all these institutions are embedded with norms and rules, and the principle is cooperation.

What these norms and rules do is usher an element of predictability into international relations. They never, however, limit the sovereign rights of states to dispose of themselves (or other institutions); the case of the Western European Union, the precursor to NATO, comes to mind. It was absorbed into the EU in 1999–2000, and this represents the sovereign decision of member states to let this organization disappear.

²⁰ Ibid., 602, for *multilateral* vs. *multilateralism*; see also John Gerard Ruggie, “Multilateralism: Anatomy of an Institution,” *International Organization* 46:3 (Summer 1992): 570, where “multilateral” qualifies “institution” and where “multilateralism” is an institution.

²¹ See Robert O. Keohane, “Multilateralism: An Agenda for Research,” *International Journal* 45 (Autumn 1990): 731-64.

²² Sean Kay, “NATO, the Kosovo War and Neoliberal Theory,” *Contemporary Security Policy* 25:2 (August 2004): 252. See also, in support of the notion of the development of “civil society,” Craufurd Goodwyn and Michael Nacht, eds., *Beyond Government* (Boulder, CO: Westview Press, 1995). The 1990s reflected a popular and generalized relief from the balance of terror which, once lifted, signaled to large swaths of global civil society that the time was ripe for activism in favor of disarmament, environmental responsibility, an increase in foreign aid and, in general, more reliance on international organizations such as the UN and the OSCE to solve problems in the field, with the assistance of increasing numbers of private non-governmental organizations.

Other forms of rules and norms emerged. The North Atlantic Free Trade Agreement (NAFTA) is not an organization, but rather a treaty that delimits the geographical and functional areas of trade in goods and services, buttressed by the World Trade Organization, as well as by the fact that other principles—namely that of good-neighborly relations—had operated in the region on a habitual basis since the early nineteenth century for Canada, and since the early twentieth for Mexico. Certainly, the Dayton Peace Accords that put an end to the first Balkan war of the 1990s figures as a norm-instituting treaty. The fact that the signatories agreed to the terms of the DPA under duress does not change the fact that the option to resolve issues peacefully rather than via self-help was always open to them. The aim of such an effort is to affect the practices of the belligerents in peace so that their behavior manifests a change in interest and identity. Certain treaties, such as the Anti-Ballistic Missile (ABM) Treaty (repealed in 2002), are covenants that codify realist principles.

Finally, ideas such as “good-neighborly relations” and “confidence building measures” are international bureaucratic concepts that underpin the practice of regime creation.²³ It is under such conditions that certain dyads—such as the United States and Canada, Switzerland and its neighbors, the Scandinavian countries, to name only a few—have coexisted for centuries. Both concepts not only verify regime theory, they seek to apply it. In sum, the examples given above, and the definition unifying them are sufficient to give a constructivist account of the Kosovo War, which can be interpreted as nothing less than a clash between what Stefan Popov describes as “human rights vs. sovereignty,”²⁴ or what Filip Tesar sees as a dilemma between the “pragmatic and the just”²⁵ – or, as we see it here, between Serbo-Albanian realist constructivism and Western liberal constructivism as it has emerged since 1989.²⁶ But these values have never been, and likely will never be, universal.

The end of the Cold War has had profound consequences for the nation-state. Robert Cooper argues that, for the most advanced liberal democracies, this has meant an erosion of sovereignty in favor of regimes, rules, norms of behavior, and the inclusion of non-traditional subjects of security, like the environment, human rights, and so on. But many states, like Serbia, have remained “modern”—tied to traditional notions of sovereignty, non-interference, and holders of classical realist viewpoints when considering state security. Still more, released from their superpower sponsors, fell into “pre-modern” status, where the state is unable to secure its own borders, and where sovereignty has dissolved in favor of the small group. There, survival is the most

²³ NATO, *Study on Enlargement* (Brussels: NATO Office of Information and Press, 1995), lists “good-neighborly relations” as one of the concrete measures that aspiring NATO members had to take to be worthy of consideration. “Confidence building measure” is a recurrent concept in UN and OSCE terminology.

²⁴ Stefan Popov, “NATO Expansion: From Collective Defence to Collective Security,” *Perspectives* 13 (1999): 66.

²⁵ Filip Tesar, “What has NATO Achieved in Kosovo?” *Perspectives* 13 (1999): 56.

²⁶ John Williams, *Legitimacy and the Rise and Fall of Yugoslavia* (London: McMillan, 1998), 41.

pressing concern, and whatever norms of good national or international conduct we may hold are but chaff in the wind.²⁷

Thus we see newly “modern” Serbia trying to hold on to its territorial integrity, while Kosovo, trying to be modern, flirts dangerously with pre-modernity. Above it all, the post-modern (only incompletely so) Euro-Atlantic region is trying to come to grips with the clash of three perceptions of the state, and two corresponding interaction principles: constructivism and savage realism.

It was in this context that the saga of Kosovo unfolded and revealed two paradoxes, one general, and one particular. The particular paradox is that Kosovar Albanians succeeded in internationalizing the crisis so as to bolster their separatist claims. In other words, they are seeking the help of international multilateral actors to validate their realist constructivist norm of sovereign self-determination. To them, multilateralism is instrumental; they use institutional norms and rules as a self-help tool. The only consistent actor in this drama is Serbia, obstinate in the preservation of its Weberian/Westphalian privileges of absolute sovereignty and norms of non-interference in internal matters. For John Williams, this is logical:

Only by controlling their own State can [national self-determination movements] gain the protection of international law and the rules and norms of international society.... It has been argued that this sort of communitarian basis for statehood is strongly reflected in Realism...²⁸

The general paradox is that the international community, here represented by multilateral institutions, is composed of legitimate members who have a vested interest in both the territorial *status quo* and the promotion of cooperative international relations, and in peaceful settlement of disputes. In other words, there is an uncomfortable oscillation between the preservation of realist constructivist norms of sovereignty and non-interference and the preservation of liberal constructivist norms of human rights and obedience to rules of good conduct. As we will see, an international organization of nineteen members needed to violate its rules in order to better preserve them.

Chronology and Theory Application

Any historical depiction of the scope of conflict in the Balkans is notoriously daunting. Yet, since every conflict has its context—which itself begs a historical analysis of a region that “has more history than it can consume”—the exercise will inevitably be incomplete. This article considers Serbia’s decision to apply coercive pressure on the population of one of its provinces, and the international response to Serbia’s actions. Thus the start of the “Kosovo War” occurred when ethnic Serb forces began attacking

²⁷ Christopher Dandeker, “The End of War? The Strategic Context of International Missions in the 21st Century,” in *Eight Essays in Contemporary War Studies*, ed. Magnus Christiansson (Stockholm: Försvarshögskolan, 2007), quoting Robert Cooper, *The Breaking of Nations: Peace and Order in the 21st Century* (New York: Atlantic Monthly Press, 2004).

²⁸ John Williams, *Legitimacy and the Rise and Fall of Yugoslavia*, 33. Those who have argued this point are Palan and Blair in the *Review of International Studies* 19 (1993).

Kosovar Albanian militias and engaging in what came to be termed “ethnic cleansing.” The Kosovo War was at the same time a contest of will between the Republic of Serbia and the international community, which issued warning after warning, which turned to coercion when the Rambouillet negotiations failed in early 1999. It concluded with the capitulation of Serbia after NATO’s air campaign in June of that year.

As was mentioned above, this conflict cannot be divorced from its convoluted context. It is relevant to say that Kosovo bears acute significance in the heritage of Serbia; it was on the fields of Kosovo, in late June 1389, that the nascent Serb people were defeated by the Ottoman Turks. This founding myth has never been forgotten by the Serbs and, on the occasion of a clash between ethnic Serbs and Kosovar Albanians in Kosovo as early as 1987, future Serbian president Slobodan Milosevic first tasted the potency of nationalistic demagoguery by assuring the amassed Serbs “you will not be beaten (again).”²⁹

It is tempting to only present a case at the group level of analysis, confident that the Kosovo War was essentially a contest between the in-group (Serbs) and the out-group (Kosovar Albanians). However, the analysis would break down once the NATO variable was introduced to the equation. A multinational organization like NATO makes decisions based on consensus. Group-level analysis would therefore “expect” the Greeks to support the Serbs because the Turks would support the Kosovar Albanians, creating a stalemate within the organization. There is evidence that some Greek interests would have in fact leaned in favor of the Kosovar Albanians (and thus would not have vetoed coercive diplomacy).³⁰ Neither can hegemonic theory help us here; the United States was showing clear and well-documented signs of intervention fatigue in the late 1990s. Therefore, the decision to intervene must have been based on a more universal concept of identity. As we will see, constructivism can help explain the pre-NATO portion of the Kosovo conflict, the internationalization of the conflict, as well as NATO’s ultimate decision to intervene.

²⁹ International Criminal Tribunal for Yugoslavia (ICTY), *Transcripts from the Milosevic Trial* (The Hague, Netherlands, 2 February 2005), 35943–48; available at <http://www.un.org/icty/transe54/050209IT.htm>. This event has also been recorded on video, and can be seen in the BBC documentary “Death of Yugoslavia” (1995), produced by Nicholas Fraser and Brian Lapping. It is unclear whether the word “again” was actually pronounced. Despite Mr. Milosevic’s attempts at setting the translation records straight, the fact remains that his words inflamed passions in a way designed to guarantee him political support.

³⁰ Filip Tesar, “What Has NATO Achieved in Kosovo?” 56. The realist inclination of certain authors from former Warsaw Pact countries is evident in their choice of explanations and indicators of support for or against the Kosovo air strikes. See Ladislav Cabada and Martin Ehl, “The Kosovo Crisis and the Prospects for the Balkans,” *Perspectives* 13 (1999): 25. 90 percent of Greeks opposed the air strikes, yet the government retained solidarity with the Alliance, and the Italians went along in spite of the electoral risk the decision posed to the d’Alema government.

The Federal Republic of Yugoslavia Against Kosovar Separatists

Serbia's position regarding Kosovo depended upon the need for Mr. Milosevic to make good on his promise to protect the Serb minority in Kosovo, which was until June 1989 an autonomous province of Yugoslavia. According to Stefan Troebst, Milosevic had to go back on previously-made reconciliation gestures (in 1996) when he was confronted by an ultra-nationalist opposition in Belgrade.³¹ When the Dayton Peace Accords were signed in December 1995, the only mention of Kosovo was linked to recognition of the former Republic of Yugoslavia and its participation in international regimes and organizations.³² This means that Milosevic (the lone Serb negotiator in Dayton) must have committed—either voluntarily or not—to an institutional worldview, in the sense that he wished for Serbia's participation in international institutions. It is in this light that we must explain the overtures made to the Kosovar Albanians in 1996. Yet, we could say that the Serbian parliamentary opposition did not share this viewpoint. Furthermore, their position—and the decision by Mr. Milosevic to send militias (and the notorious proto-terrorist “Arkan”) back into Kosovo—has as much to do with the logic of political survival as the decision by Kosovar Albanians to challenge the policy of non-violent resistance of Kosovo's Dr. Ibrahim Rugova. Serb “democracy” pushed Milosevic to the extremes at the same time that the Kosovar Albanians were becoming frustrated with moderation.³³ The fact remains that the decisions both of Mr. Rugova and Milosevic to initially try to keep tensions to a minimum were made independent of the logic of power politics. It was their respective constituencies that had non-cooperative viewpoints. The fact that both constituencies succeeded in making each of them adopt self-help policies shows that there is the possibility of oscillation between cooperative and non-cooperative behavior. Not only is the Serb leadership's desire to join the “international community” through its institutions a sign of the potency of constructivism, so is the shift between choices predicated by identity.

The brief ethnic conflict between opposing Serbs and Kosovar Albanians was thus a conflict of identity, where the “other” was socially constructed as threatening. The reasons given by the Serb side for this construction appear compelling: astronomically rapid demographic growth in the Albanian population, coupled with chronic economic stagnation, on top of being the ethnic majority in the province where the Serb nation's foundation myth had its roots. The rhetoric surrounding this myth (based on the defeat of Serb forces by Ottoman Turks in June 1389) was part of the social construction of policy. Mr. Milosevic's address on the occasion of the 600th anniversary of the battle

³¹ Stefan Troebst, *Conflict in Kosovo: Failure of Prevention? Analytical Documentation, 1992–1998*, ECMI Working Paper # 1 (Flensburg: European Centre for Minority Issues, 1998), 20. See also Ladislav Cabada and Martin Ehl, “The Kosovo Crisis and the Prospects for the Balkans,” *Perspectives* 13 (1999): 23; and Eric D. Gordy, “Why Milosevic Still?” *Current History* (March 2000): 100.

³² Troebst, *Conflict in Kosovo*, 19.

³³ Dick Leurdijk and Dick Zandee, *Kosovo: From Crisis to Crisis* (Aldershot, U.K.: Ashgate, 2000), 22, quoting Miranda Vickers, *Between Serbs and Albanians: A History of Kosovo*, (London: 1999).

of Kosovo Polje shows the enunciation of a clear path to conflict: “Today, six centuries later, we are still fighting battles. They are not armed battles, although such things can not yet be excluded.”³⁴

The Albanian program of separation from Serbia was not a figment of the imagination (although the hope for re-integration with a “Greater Albania” has been shown to be a fantasy).³⁵ The political emancipation of the Kosovar Albanians and their lack of any economic outlet in a context where there was clear discrimination against them triggered powerful secessionist tendencies.³⁶ The emergence of the Kosovo Liberation Army went hand-in-hand with the appearance of Serbian paramilitaries in Kosovo, in breach of the promises made by Serbia in the Dayton Accords.

In essence, the Serb side had effectively chosen to secure its identity as it was conceived in opposition to the Kosovar Albanians, rather than to re-invent an identity that would see it integrate with international institutions (in other words, an identity rooted in norms-based behavior). It is worth considering whether the Albanians realized that, if this were to occur, they themselves would never achieve independence, and thus sought to push the Serbs toward non-cooperation. Western reluctance at creating a precedent in establishing the independence of Kosovo was understandable, since most nations have communities within their borders that are eager for more advantages, if not outright separation. The only way, therefore, for the Kosovar Albanians to achieve what they wanted was to get the Serbs to depict themselves as not being bound by the rules of humanitarian conduct.

Belgrade and Pristina’s attitude towards each other typified a traditional realist contest for survival. The former saw national survival as heavily dependent on the maintenance of territorial integrity, and, indeed, the Milosevic regime may have ultimately been cornered by its own rhetoric—the nationalist claim that Kosovo *in particular* cannot be let go. Kosovar separatists, for their part, sought full-blown independence. As a result, they could not accede to Belgrade’s offers of dialogue (two offers were made in May and June of 1992, both rejected by Kosovar Albanians).

The power of constructivism is revealed not only as a theory, but as a policy approach; Troebst writes that the two sides had been trying to enter into serious dialogue between 1992 and 1996, but each leader’s position was made untenable by the political fragmentation within their respective constituencies. This fragmentation reflected the conflict between core international (realist) values of territorial unity and non-inter-

³⁴ Leurdijk and Zandee, *Kosovo: From Crisis to Crisis*, 8, quoting Vickers.

³⁵ Troebst, *Conflict in Kosovo*, 18 and 24. Rugova tried his best to avoid a military secession of Kosovo, but the goodwill he garnered in the West triggered resentment at home and ultimately, the creation of the Kosovo Liberation Army (KLA).

³⁶ Leurdijk and Zandee, *Kosovo: From Crisis to Crisis*, 22–23. It is not the aim of this essay to rehash the facts leading to the Kosovo War between Serbs and Albanians. For a description of the hardships that befell the minority of Albanians during the 1990s, and especially after the DPA, see Leurdijk and Zandee.

vention, and norms of protection of human rights.³⁷ As a result, the best both could achieve was non-binding “Track 2” diplomatic efforts.³⁸ In the autumn of 1998, ethnic cleansing began, and the international community, which had shown some well-documented concern since the early 1990s, began to rouse itself.

Internationalization of the Crisis

Dagmar Skrpec has summarized the period from 1992 until January 1999, which culminated with the failure of the Rambouillet accords, as a decade of warning and a year of diplomacy.³⁹ This decade of warnings was a further expression of liberal constructivism by the international institutions, who saw themselves as the legitimate heirs (and, ironically, guarantors) of the post-Cold War state system. The year of diplomacy—which is best illustrated by the content of the Rambouillet accords—stands as a confirmation that the spirit of the times was dominated by the “normalization” of relations, which has come to mean relating to other countries either through international organizations or obeying their rules or the prescriptions of international law. This behavior is the expression of liberal constructivism. Any country choosing to operate outside those norms and rules in pursuit of its own security is openly defying those norms and rules; it is thus defined as a “rogue” state.

The internationalization of the crisis began after attempts at resolving the simmering crisis in Kosovo domestically had failed. It is ironic to see that a province seeking to become a sovereign state (in the traditional realist sense) would become so dependent on multilateralism and international actors. This highlights yet another paradox associated with regime theory and multilateralism, one that makes the distinction between realist constructivism and liberal constructivism more acute. This paradox has to do with whether multilateralism is an instrumental or teleological choice—in other words, whether multilateralism is simply a façade, and a tool of states’ egotistical interest, or whether multilateral cooperation is a goal unto itself, undertaken for its own sake.

James Caporaso has written that, “In instrumental theories ... cooperation has been used to mean a process by which states actively adjust their policies to take into account the preferences of others.”⁴⁰ Cabada and Ehl have, I think, correctly understood that the “nationalistic fury” of the Balkan Wars “influence both the character of the unification of Europe under the heading of the European Union, and relations between major powers,” suggesting that the institutionalization of Europe and the creation of a regime based on rules and norms is a *telos*, a goal of policy.⁴¹ Yet there are still power-

³⁷ Marc Weller, “The Rambouillet Conference on Kosovo,” *International Affairs* 75:2 (1999): 216.

³⁸ Troebst, *Conflict in Kosovo*, 29–30. “Track 1” refers to official diplomacy, whereas Track 2 concerns NGO-led (and therefore unofficial) efforts.

³⁹ Dagmar Skrpec, “European and American Reactions to Kosovo: The Policy Divide Revisited in the Iraq War,” *SAIS Review* 23:2 (2003): 94, 98.

⁴⁰ Caporaso, “International Relations and Multilateralism,” 603–4.

⁴¹ Cabada and Ehl, “The Kosovo Crisis and the Prospects for the Balkans,” 21.

ful indicators that make certain commentators unable to shake the notion that international institutions are tools of national power.⁴²

It seems clear that Kosovar Albanians have sought to generate international goodwill from powerful international organizations simply by acknowledging their role as conflict managers. This is one way to show that they speak the same language of liberal constructivism, in opposition to Belgrade's realist constructivism and language of force. In fact, Kosovar Albanians were really speaking the same language as Belgrade. Their behavior was also diametrically opposed to that of international institutions, not only because some members of the Albanian minority in Kosovo actively endorsed terrorism and political assassinations, but also due to the fact that institutional actors (including the great powers involved in the crisis) saw multilateralism as *an end* in itself, not as a tool of their own selfish national goals.

And so, for nearly a decade, both international organizations and the Kosovar Albanians were brought face to face with a dilemma: the former intended to maintain Serbia's sovereignty while simultaneously trying to lead the FRY on the path of international law, while the latter sought the very same privileges of statehood. Internationalization of the crisis meant that the principles of non-intervention enshrined in the 1975 Helsinki Final Act would need to play second fiddle to other international documents, such as the 1948 UN Declaration on Human Rights. Both the Final Act and the Declaration on Human Rights are part of the same body of international law, which are rules and norms. Hence the international community had to decide and justify whether it was better to obey the spirit or the letter of those laws. Between Serbia, Kosovo, and the international community, the only actor that managed to solve this evident dissonance was Serbia, which sought to have the principles of non-intervention respected by the international community.⁴³ Christopher Lord introduces this caveat, however:

The fundamental problem is one of creating and preserving an international legal order.... Once the Belgrade government authorised these operations [against Kosovo militias], though, it stepped over a threshold which rendered its own actions illegitimate.... Although it is a desperately difficult situation, surely our only legitimate course is to seek to establish an international legal order, so that governments cannot carry out this policy in the first place....⁴⁴

Belgrade exposed itself to sanctions the minute it could be demonstrated that it did not comply with Article VII (respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion, and belief), Article VIII (equal rights and self-determination of peoples), and Article X (fulfillment in good faith of obligations under international law).⁴⁵

⁴² Erik Yesson, "NATO and Russia in Kosovo," *Perspectives* 13 (1999): 15, quoting Philip Zelikow.

⁴³ Conference on Security and Cooperation in Europe, "Final Act," Helsinki 1975, Chapter 1, Articles I, III, IV and VI.

⁴⁴ Christopher Lord, "Now America Takes Over," *Perspectives* 13 (1999): 39–40.

⁴⁵ Helsinki Final Act, 1975.

The liberal character of the international community's position vis-à-vis the FRY is evidenced by the content of its repeated warnings. These warnings sought a multilateral solution for its own sake. A multilateral solution is one that simultaneously validates the role of international organizations as conflict managers and the supremacy of cooperative norms and rules in interstate behavior. It is this behavior that the FRY was so obstinate in resisting; yet, it is also the behavior that the Kosovar Albanians had an interest in encouraging, for it justified the international community siding with them against Belgrade. The international community took for granted that Belgrade wanted to be an integral part of the Euro-Atlantic security architecture, or of other institutional arrangements designed to regulate economic and political exchanges.⁴⁶ But the evidence so far points to a perception by Belgrade of legitimate international relations as state-based, not institution-based. It is for this reason that the policy of linking good Serbian behavior in Bosnia-Herzegovina with re-admittance to the OSCE (then CSCE) as a participant in the summer of 1992 was insignificant; all it offered was a pretext to get completely rid of OSCE observers.⁴⁷ Neither was the U.S. "wall of sanctions"—designed to pressure the Milosevic regime to implement a 1996 Memorandum of Understanding with the Pristina government over education and school curricula—any more effective in getting the Milosevic regime to abide by international standards.⁴⁸

The best that the United Nations General Assembly could do was to "urge" the FRY to "allow the immediate unconditional return of the long-term mission of the Organization of Security and Cooperation in Europe to Kosovo."⁴⁹ The UN Security Council effectively left the burden of conflict management to the OSCE, recognizing its contribution to conflict prevention and stability building, and concurred with the relevant General Assembly resolutions by recommending that the FRY "reconsider their refusal to allow the continuation of the activities of the CSCE missions in Kosovo..." and to "cooperate with the CSCE..."⁵⁰

⁴⁶ For example, many resolutions of the European Parliament betray this assumption: "The European Parliament ... aware of the desire of the governments of Serbia and the Federal Republic of Yugoslavia for full diplomatic recognition and for the ending of all sanctions imposed on them by the United Nations ... [will only grant full diplomatic recognition] if a full and satisfactory settlement is reached...." In Official Journal of the European Communities, *Future of Kosovo (Rule 92)*, A4-0054/96 of 18 March 1996. The Parliament also called on the Council of Europe "to make steady negotiations on Kosovo a condition for any further development of the EU's relations with the Federal Republic of Yugoslavia." In Bulletin of the EU, *Parliament Resolution on Kosovo* (OJ C 115) of 14 April 1997. The Parliament made a similar call again in October 1997, stating that "future relations with the EU ... [should be] dependent on respect for human rights and positive developments in the situation in Kosovo." See Troebst, *Conflict in Kosovo*, 64.

⁴⁷ Troebst, *Conflict in Kosovo*, 37.

⁴⁸ *Ibid.*, 19.

⁴⁹ "Situation of Human Rights in Kosovo," UN GA Draft Resolution #A/C.3/52/L.61, 20 November 1997.

⁵⁰ UN Security Council Resolution S/RES/855, 9 August 1993.

The CSCE (later OSCE) had taken the lead role early on in the crisis, but most of its diplomatic efforts were spent, between 1993 and 1996, attempting to secure monitoring missions of various durations and to guarantee the safety of monitors. This insistence on the return of verification missions was routinely and successfully frustrated by Belgrade.⁵¹ In essence, selfish realism was triumphing against liberal constructivist idealism by virtue of the fact that the Helsinki Final Act, which is the basis of the existence of the OSCE, trapped the organization into respecting the principle of non-interference. Belgrade refused to grant OSCE Chairman Van der Stoep a visa to discuss the Kosovo issue up until March 1998.⁵² Until that date, the only thing that the OSCE could do was to repeatedly ask for permission to return to Kosovo, and “express serious concern” over the unrest there. When the Helsinki Final Act was signed in November 1975, it was impossible to predict how public opinion would react to the end of the Cold War. In fact, if the Final Act had hastened the demise of the USSR by stressing its inner contradictions, there could not be an “image” of when the Cold War would be over, nor of how it would end. The OSCE cannot be faulted for the fact that the Final Act codified an understanding of statehood which is realist in nature, and that the pious few references to human rights and self-determination are just as weak and ineffectual as the OSCE itself in reconciling state sovereignty with those concepts.

Moribund, the OSCE had to enlist the help of “competing” security institutions to compel Belgrade to let it act. This was a fateful step, which would see it progressively shunted to the margins of the situation. The Council of Europe called on the FRY to accept the EU’s help in conducting a census in Kosovo, urging Serbs to resume negotiations based on “full recognition of, and respect for, the ... rights of the Kosovo Albanians in accordance with Council of Europe principles and instruments,” and lastly urged the OSCE to allow FRY participation in its work.⁵³

In the end, the Council of Europe could not do much more than the OSCE, not only because it shared the same values and norms as that organization, but also because they shared many of the same members. There is little more to be expected if the only thing that changes is the messenger. Clearly, the problem had to do with the way the message was delivered. The only advantage of this contribution was to show the world that every diplomatic avenue was being exhausted. The exception to the rule of “double condemnation” of Serb repression and Kosovar terrorism came on the occasion of the Drenica massacre, which prompted a delegation of the European Parliament, a body that scarcely two months before had called on the FRY to instantly re-establish the human rights and fundamental freedoms of the Albanian population of Kosovo and had sought to establish a permanent presence to help implement the Belgrade-Pristina Memorandum of Understanding on education.⁵⁴ According to Dagmar Skrpec, it was

⁵¹ Troebst, *Conflict in Kosovo*, 38.

⁵² *Ibid.*, 40.

⁵³ Council of Europe, Resolution 1077 (1996), Strasbourg, 24 January 1996.

⁵⁴ Troebst, *Conflict in Kosovo*, 44–45.

this massacre that kick-started the “year of diplomacy” and prompted greater involvement of the United States in the crisis.⁵⁵

By 1998, the OSCE had finally managed to negotiate the return of its verification mission, and was calling on the FRY to cooperate with other international organizations, making such cooperation conditional on further integration.⁵⁶ This time, however, the UN Security Council was casting more than a passing glance at the problem. There was recognition that the OSCE was largely incapable of making its message heard, and so the UNSC took hold of its “primary responsibility for the maintenance of international peace and security” and *demande*d of all parties concerned the “full and prompt implementation of ... agreements [16 October 1998 agreement between FRY and OSCE, and the 17 October 1998 between FRY and NATO, pursuant to UNSC Res 1199/1998] by the Federal Republic of Yugoslavia.”⁵⁷

Yet, there was nothing new under the sun; the UN Security Council, faithful to the ways of the international community, persisted in trying to pressure the FRY in such a manner that international organizations would reap maximum validation for their existence (if ever they were allowed to perform in Kosovo). Calls by the UNSC to have Serbia facilitate the return of refugees in cooperation with the Red Cross and the UN High Commissioner for Refugees reminded all states of their obligations under UNSC Res. 1160, all the while reaffirming the territorial integrity of the FRY.⁵⁸

The Contact Group on Bosnia-Herzegovina, which had been enlarged to include Germany and Italy in 1996, began to consider Kosovo as being linked with the reduction of tensions in Bosnia.⁵⁹ The essence of their concerns and recommendations to Belgrade mirrored those of the UN, OSCE, and other international agencies. The difference is that these were *states* that actively advocated a solution “in accordance with OSCE standards and the UN Charter,” and to implement the Education agreement negotiated in 1996 between Mr. Rugova and Milosevic.⁶⁰ This further demonstrates that the spirit of the times was occupied by an internationalist perspective that Belgrade was purposefully resisting, despite the many reassurances that Serbia’s territorial integrity would be protected.

In the end, the only thing the Albanian population of Kosovo could achieve in internationalizing the problem was a promise to have educational reform upheld; they never achieved self-determination in the sense of complete independence from Belgrade. As Tim Judah writes, the Kosovar Albanian policy of peaceful resistance had largely failed to impress the international community, and the Dayton Peace Accords shattered a fragile assumption that Kosovo independence could be achieved. First, the

⁵⁵ Skrpec, “European and American Reactions to Kosovo,” 97.

⁵⁶ OSCE Permanent Council Decision #218, 11 March 1998.

⁵⁷ UNSC Res 1203/1998, 24 October 1998.

⁵⁸ These principles are repeated in UNSC Res 1199/1988, 23 September 1998, and UNSC Res 1203/1998, 24 October 1998.

⁵⁹ The Contact Group was made up of France, Germany, Italy, Russia, U.K. and U.S.

⁶⁰ According to Stefan Troebst, these demands were made three times officially in the space of less than six months. See Troebst, *Conflict in Kosovo*, 48–49.

Kosovar Albanian leadership had thought that—unimpeded by the international community—Belgrade would achieve its “Greater Serbia” ambitions, which could create the precedent and excuse for Kosovo to legitimately separate.⁶¹ This belief underlines yet again their faith in a traditional approach to international relations, where the local and global powers would let Yugoslavia implode, and burn itself out since, after all, realist assumptions foresaw no vital interests at stake for Europe or even the United States that would compel intervention in the region. Yet, as early as 1992, President George H.W. Bush issued a “Christmas Warning” (repeated by President Clinton)⁶² hinting that the United States would intervene in Kosovo “for a safer world, for ... democratic values.”⁶³

Between the spring and fall of 1998, matters in Kosovo escalated quickly. Dr. Rugova’s tactic of non-violence became completely discredited, which allowed the Kosovo Liberation Army—whose nature as a terrorist organization was a matter of consensus from Belgrade to Washington, by way of Moscow—filled the political void. This is what prompted the Serbian regime to launch an ethnic cleansing operation there, which was only stopped once the United States sent Richard Holbrooke (of Dayton fame) to successfully negotiate a withdrawal from Kosovo and the return of OSCE monitors there.⁶⁴ Even if this success seems directly related to the decision by NATO to launch an Activation Warning order (ACTWARN) to buttress Holbrooke’s negotiations, this organizational decision was heavily dependent on the willingness of the U.S. administration to keep the precepts of constructivism alive by “[rallying] international support for an eventual use of force.”⁶⁵ Now, the negotiators would no longer be under the “influence of foolish idealism.”⁶⁶

Faced with German and French opposition, the United States accepted one final round of talks at the castle of Rambouillet in January 1999. The controversy concerning the content of the Kosovo Interim Agreement, otherwise known as the Rambouillet Agreement, is well documented. Some say it was an agreement specifically designed to be rejected.⁶⁷ Others say it was tantamount to signing a *fait accompli*. It was, without a doubt, an ultimatum. It was at this moment that the international community moved from being a mediator to a participant to the dispute.⁶⁸ It was at this moment that great powers and institutional actors presented themselves in such a way as to impose an in-

⁶¹ Judah, “Kosovo’s Road to War,” 12.

⁶² Skrpec, “European and American Reactions to Kosovo,” 95–96.

⁶³ Stephen P. Aubin, “Operation Allied Force: War or ‘Coercive Diplomacy’?” *Strategic Review* (Summer 1999): 4.

⁶⁴ Filip Tesar, “What Has NATO Achieved in Kosovo?” 53.

⁶⁵ Skrpec, “European and American Reactions to Kosovo,” 103.

⁶⁶ Tesar, “What has NATO Achieved in Kosovo?,” 53.

⁶⁷ Judah, “Kosovo’s Road to War,” 14.

⁶⁸ Marc Weller, “The Rambouillet Conference on Kosovo,” 222–23, claims that the U.S.–EU–Russia Contact Group would “hold both sides accountable if they fail to take the opportunity now offered....,” and the North Atlantic Council, on 30 January 1999, threatened that NATO was ready to “take whatever measures are necessary... to avert a humanitarian catastrophe.”

stitutional framework for the management of the Kosovo crisis. Judah's interpretation seems incomplete compared to the detailed account given by Marc Weller. On 23 February 1999, the Serb delegation and the Kosovo delegation had almost agreed on a text which was, to the Serbs, the launching pad for further negotiations two weeks later. At that subsequent conference, the Serbs produced a counterproposal that attempted to reopen matters that had been deemed non-negotiable by the Contact Group. In other words, the Rambouillet Agreement was not so difficult to accept, given that talks broke down so late in the game. The only event that permits an analyst to think that the international community, NATO, and the U.S. in particular "engineered" the failure of negotiations came when the Kosovo delegation was encouraged to wait for Serb comments on a final text (comments which took the form of the counterproposal described above).

Otherwise, it was the Serb side that took every opportunity to delay the process, and to sabotage the talks.⁶⁹ Yet the Rambouillet Agreement is a statement saying that the territorial integrity of the FRY would be preserved, that refugees would be authorized to return, that their fundamental rights would be respected, but that the implementation of this plan would be overseen by interlocking international institutions, including humanitarian organizations. As I have mentioned previously, only one concept enumerated above qualifies as worthy of the traditional understanding of the state, and corresponding to a realist constructivist perspective. The other concepts of human rights and institutional stewardship refer directly to a liberal constructivist approach.

When the Kosovar Albanian delegation very reluctantly signed the document (Dr. Rugova had lost much of his clout to the KLA by that time) and when Serbia walked out, the end result was that the minority side was in fact accepting the territorial integrity of the FRY and agreeing to guarantees to the majority party's rights. The Kosovar Albanians were seemingly the losers, because they were signing away their dreams of independence. But it was a case of choosing the lesser of two evils: stick to the plan for independence and be wiped clean from Kosovo by Serb forces, or sign it away, and survive under the protection of KFOR. By signing, the Kosovo Albanians were ratifying a legal construct of a realist nature. If Serbia had signed, it would not only have been acceding to a legal construct corresponding to its realist perception of statehood, but it would also have been signing for liberal constructivist ones as well. The fact that the Serb delegation walked out not only meant that it was against the idea of having NATO troops stationed to enforce the work of the OSCE, UNHCR, and the UN; it also meant that it did not recognize the work of these organizations as legitimate, and that it rejected the principles, rules, and norms under which they were created and continued to function.⁷⁰ It preferred the logic of power.⁷¹

⁶⁹ Marc Weller, "The Rambouillet Conference on Kosovo," 233–35.

⁷⁰ This aim was explicit in Madeleine Albright's plea to the Senate Appropriations Committee on Foreign Relations, made 20 May 1999, to make the United States "innovators and trailblazers, builders of new institutions and adapters of old."

⁷¹ Judah, "Kosovo's Road to War," 14.

When NATO launched military actions against Serbia in late March 1999, it was retaliating against a perception of international relations that threatened the fragile cooperative security architecture that was emerging in the post-Cold War environment. According to U.S. Secretary of State Albright, “Milosevic’s use of violence and terror poses a profound threat to the security and *character* of Europe.”⁷² NATO’s “humanitarian war” was simultaneously the application and protection of liberal constructivism; this organization and its members were defending their region against the possibility of egotistic self-help in international relations, the prospect of which could unravel the Alliance. After all, Europe was proving incapable of mustering an adequate response to deal with Milosevic, even though it had set out in the “Petersberg Tasks” in 1992 what humanitarian catastrophes would be deemed worthy of intervention and how that intervention would occur.⁷³ No international organization or group of actors seemed able to stem the rising tide of predatory realism, and so force had to be applied against a state (Serbia) and one of its provinces (Kosovo) whose identity was deemed detrimental to the survival of the system of international relations that had helped keep the peace in Europe for fifty years. Adam Roberts writes that there was no “obvious alternative course of action” but force, since cooperative accommodation was being resisted.⁷⁴ Cooperative accommodation, which implies respect for the norms, rules, and laws that support international relations in a constructive framework, is deemed to function best when membership is as universal as possible. The object becomes to change the identity (very often the regime or leadership) to make sure that the state in question becomes able to integrate into the international institutions that make the peaceful settlement of disputes possible, much like a hockey player must conform to different standards when he walks onto a golf course.⁷⁵ As Adam Roberts writes, “The available evidence suggests that the critical considerations impelling NATO to take action were those of humanity and credibility.”⁷⁶

Operation Allied Force

Most NATO powers have chosen to frame their decision to intervene Kosovo through what can only be termed a constructivist understanding of international relations. Even the way in which NATO took action speaks of the respect that member states had for NATO’s rules of procedure (which, admittedly, irritated more pragmatic Americans).

⁷² U.S. Secretary of State Madeleine K. Albright’s Statement before the Senate Appropriations Committee on Foreign Relations, 20 May 1999.

⁷³ Petersberg Declaration, adopted at the Ministerial Council of the Western European Union (WEU), June 1992; available at www.weu.int.

⁷⁴ Adam Roberts, “NATO’s ‘Humanitarian War’ over Kosovo,” *Survival* 41:3 (Fall 1999): 104.

⁷⁵ Elton Atwater, Kent Forster, and Jan S. Prybyla, *World Tensions: Conflict and Accommodation*, 2nd ed. (New York: Meredith, 1972), 355. On integration, and the realist-constructivist divide, see Frederic Labarre, “Regional Integration through the Stability Pact,” in *The Stability Pact for South East Europe—Dawn of an Era of Regional Cooperation?*, ed. Predrag Jurekovic (Vienna: National Defense University, 2002), 130.

⁷⁶ Adam Roberts, “NATO’s ‘Humanitarian War’ over Kosovo,” 109.

I will not discuss here the details of the air campaign and its attendant controversy, which have been covered at length elsewhere. It is nevertheless necessary to summarize that the air campaign did not produce results rapidly enough for NATO; the option for escalation was always present, and it was used. Operation Allied Force was not war. Rather, it was figured as a “pattern of diplomacy backed by force” reflecting “a combination of escalation theory and high-tech attrition warfare—minus the casualties (ours, that is) ... designed to signal the enemy first, and gradually wear him down if he did not yield early on. Moreover, it had the benefit of being acceptable to all nineteen members of NATO.”⁷⁷ This consensus was bought at the price of heavily criticized high-altitude bombing,⁷⁸ but to Stephen Aubin, this gradualism is only explainable “as part of a conscious decision by NATO political and military leaders.”⁷⁹

Gradualism also meant that NATO was reluctant in undertaking the action, not only for its own sake, but also because of the legal conundrum in which it found itself. It did not want to create the impression that it would wantonly launch assaults against any state it deemed to not be respecting human rights within its own borders, or at least launch such an attack as to reduce adversary to complete destruction. Aubin writes that *Operation Allied Force* was not designed to achieve victory, but to signal that NATO was serious about the pressure it sought to apply. In the end, Serbia was not defeated, but was forced to strike a deal. This approach was essential if Serbia was to remain in a position to integrate in mainstream Europe later on.

Dagmar Skrpec wrote that the European approach to crisis management focused too much on process for the taste of the Americans, who were concerned about the “bottom line.” This is rooted in the European preference of using diplomacy to maintain a structural *status quo* with the current balance of power in Europe, whereas the U.S. is motivated by efficiency.⁸⁰ While this assessment is not inaccurate, the basis for it is. A constructivist approach would see the Europeans’ lengthy diplomatic maneuvers as a signal unto itself; it is the message that tells Serbia that it is part of Europe, simply because Serbia is being addressed. The only difference is that a U.S. interpretation would maintain that the identity of this interlocutor is mismatched with that of Europe, so that offers of integration and participation are less efficient (because misunderstood) than the threat of force. As evidenced by the national positions of NATO members regarding their decision to use force (which will be discussed below), it is

⁷⁷ Stephen P. Aubin, “Operation Allied Force,” 5.

⁷⁸ Adam Roberts, “NATO’s ‘Humanitarian War’ over Kosovo,” 111–12.

⁷⁹ Aubin, “Operation Allied Force,” 7. A NATO Parliamentary Assembly resolution stated that “any intervention with the purpose of preventing or ending massive human rights violations can only be the last resort and [...] has to respect the principle of proportionality.” Heinz Gärtner, “European Security, the Transatlantic Link and Crisis Management,” in *Europe’s New Security Challenges*, eds. Gärtner, Hyde-Price, and Reiter (Boulder, CO: Lynne Rienner, 2001), 130, quoting a NATO Parliamentary resolution made at Amsterdam, 15 November 1999.

⁸⁰ Skrpec, “European and American Reactions,” 106–7.

clear that a constructivist explanation is more fruitful than one that relies on the balance of power, especially since Serbia was never in a position to threaten it.

NATO as an organization does not “decide” to declare war. It is the combined and consensual decision of all its members that permit it to take military action. Although there is evidence that the United States had grown tired of what it perceived as useless diplomatic overtures to the Milosevic regime and had become more adamant that force should be used, it cannot be said that the United States imposed their unilateral decision through the North Atlantic Council. Rather, “the Alliance can be conceived as a mechanism for helping to codetermine the American ‘national interest,’ with the result being that the latter resembles a collective (Western) interest that is constituted from a Western ‘identity’ and set of shared values.”⁸¹

Therefore, it cannot be said that the Alliance is the tool of even the more powerful of its members. For example, “Canadian policy makers [and opinion shapers] have seen in the ‘new’ NATO a tool that promises to fulfill the loftier purposes once associated with the United Nations.”⁸² For Canada, the UN’s purpose is also associated with Canada’s contemporary interests of promoting “human security.”⁸³ More “realistically,” however, Canada equates European stability with national security. The constructivist element of Canadian policy emerges by virtue of its firm commitment to the UN and NATO as international organizations, which is reflected in the National Defense Act. So if European stability is (ill-)defined as a vital interest of Canada, our “obligation” to participate in the Kosovo war nonetheless has the effect of buttressing Alliance policies;⁸⁴ our laws perpetuate international institutionalism, not as an indictment of realist thinking, but as a profession of liberal constructivism. Not participating in the Kosovo campaign would have been to act “out of character,” at odds with Pearsonian idealism, and with our own identity, which is determined by values, ideas, and standards of conduct. The Canadian motivation to participate “reveals little support for what might be thought of as the classical concern of realism in international politics.”⁸⁵

In the United Kingdom, Prime Minister Blair’s “ethical foreign policy” called for a “doctrine of international community” that saw an exception to the rule of non-inter-

⁸¹ David G. Haglund, “Allied Force or Forced Allies? The Allies’ Perspective,” in *Alliance Politics, Kosovo and NATO’s War: Allied Force or Forced Allies?*, eds. Martin and Brawley (Basingstoke, Hamps.: Palgrave, 2000), 92.

⁸² *Ibid.*, 103.

⁸³ See www.humansecurity.gc.ca/menu-en.asp. See also Steven Wallace Lowe, *Peacekeeping, Peace building, Human security and Self-interest: Why Canada Remains the Foremost Peacekeeper*, notes to the 3rd Annual Graduate Studies Symposium of the Canadian Defense Associations Institute, 4 Nov. 2000; available at www.cda-cdai.ca/symposia/2000/lowe.htm (accessed 8 January 2007).

⁸⁴ Kim Richard Nossal and Stéphane Roussel, “Canada and the Kosovo War: The Happy Follower,” in *Alliance Politics, Kosovo and NATO’s War: Allied Force or Forced Allies?*, 187.

⁸⁵ *Ibid.*, 194. Richard Nossal and Roussel also emphasize the multi-party consensus over the humanitarian emergency that Kosovo represented, thus reinforcing the notion that a government’s predisposition to act for non-power related issues is identity-based. This strengthens the notion that constructivism is a more powerful explanatory tool for the Kosovo War.

ference if the international community was convinced of its case for intervention, if diplomacy had been exhausted, if military action were proportional, if the participants could see it through to the finish, and *lastly* if national interests were involved.⁸⁶ The U.K. gave three reasons to act—including the protection of NATO credibility, so popular to critics of the intervention—but even more convincing than the maintenance of the special relationship with the United States was the moral imperative that “barbarity cannot be allowed to defeat justice.”⁸⁷

In other words, the rule of law must not yield to anarchical pressures, or to a system of relations, habits of behavior that could reintroduce the realistic constructivism of self-help. The urge to protect norms of humanitarian conduct was as strong as that of protecting the national interest, or rather, Labour Party policy in the U.K. meant that protecting humanitarian conduct was equal to the national interest; after all, Great Britain had sought to secure the respect of other nations through its contributions to keeping the peace and promoting democracy.⁸⁸ The strategic and moral considerations found themselves to be mutually reinforcing.

In Germany—a nation whose current identity is very much defined by its World War II and post-War experiences—one could expect a neutral stance, yet the political climate in the late 1990s favored a strong commitment to human rights, which made it impossible to back down when it became clear that diplomacy was useless in response to Milosevic. As Peter Rudolf notes, “If the war had not been fought for ‘moral values’ but for traditional ‘national interests’ such as oil or national stability, domestic resistance to German military participation would have been much greater and politically more effective.”⁸⁹

Another indicator suggesting a liberal constructivist approach was Germany’s preference for the use of multilateral institutions during the Kosovo crisis. This had the effect of demonstrating to friend and foe alike that Germany was not falling back into a self-help attitude. This was not a foregone conclusion, given Germany’s hasty recognition of Croatian independence in 1991 (without due consultation with other European and Atlantic partners) and the evidence that the former East Germany was more hostile to humanitarian intervention (which suggests a different degree of integration of Western values).⁹⁰

France’s backing, however, was fragile and confused, which is normal in the context of a strategic role reassessment. Already one of the principal leaders of Europe, it had only recently (1996) returned to the NATO fold after an absence of thirty years. These were years of defense self-sufficiency, where the traditional features of state sovereignty were still operating side-by-side with the elevation of a typically European

⁸⁶ Louise Richardson, “A Force for Good in the World? Britain’s Role in the Kosovo Crisis,” in *Alliance Politics, Kosovo and NATO’s War: Allied Force or Forced Allies?*, 149.

⁸⁷ *Ibid.*, 160.

⁸⁸ *Ibid.*, 158–59.

⁸⁹ Peter Rudolf, “Germany and the Kosovo Conflict,” in *Alliance Politics, Kosovo and NATO’s War: Allied Force or Forced Allies?*, 132.

⁹⁰ *Ibid.*, 136–37.

solution to its regional problems. It is not surprising, therefore, that France in general conceived of the war as a “battle for a certain conception of Europe and European values, for human rights, even for European civilization.”⁹¹

Of all the countries that intervened in Kosovo, France’s participation, rationale, and behavior were the most consistent with a realist understanding of international relations, and thus it is the only example that can come close to invalidating the claim that liberal constructivism is the most potent explanation for the Kosovo war. French foreign policy is aimed at greater multilateralism and multipolarity. Intrinsic to these two apparently antithetical terms is the notion of balancing against the current hegemon, but by enlisting the help of international organizations. Little wonder, then, that it sought to limit what it saw as U.S. unilateralism and NATO predominance by giving added weight to UN participation in the conflict.

Can we therefore convincingly claim that France was acting in a realist fashion when its primary bone of contention with the U.S. was to ensure that the UN remained the “ultimate source of international law and legitimacy for the use of force”?⁹² At best, we can speak of a balance of institutions, not a balance of power. The liberal constructivist motivations behind France’s participation seem best represented by the fact that “backing for NATO action appeared emotional, inspired by the news and pictures of massacres and streams of refugees, rather than political.”⁹³

Such a decision may have been an awkward one to make at a moment when France was attempting to deepen European integration, but the way it behaved was consistent with its stated policy of maintaining French influence, using international organizations in collective decisions (as they are no longer a constraint, but a facilitator of policy), using IOs for their own sake, initiating norms, and defending European identity (rather than directly defending national interests). French decision-makers have come to the conclusion that foreign policy cannot be confined to interstate diplomacy; it now goes for institutions, in particular the EU and the UN.⁹⁴ There can be no doubt that power considerations are always at the forefront of French foreign policy thinking, but it does not detract from a strong institutionalist and functionalist component. Realism is therefore not the adequate framework with which to explain French policy decisions.

Two other exceptions stand out, which either have no impact or work to reinforce the interpretive power of the liberal constructivist explanation of the Kosovo war. Italy’s participation was more directly related to its national interests, because the flood of refugees from the conflict would ultimately materialize on its shores, as it did in the wake of the Albanian financial collapse of 1997–98. But it is also well known that reputation acquires material significance in Italian behavior, and so being seen as a credible participant in NATO was always important to retain international legitimacy as an actor in international and European affairs. But the fragmentation of public

⁹¹ Alex McLeod, “France: Kosovo and the Emergence of a New European Security,” in *Alliance Politics, Kosovo and NATO’s War: Allied Force or Forced Allies?*, 117.

⁹² *Ibid.*, 118.

⁹³ *Ibid.*, 125.

⁹⁴ *Ibid.*, 115.

opinion and of political life (Italy has notoriously fragile and unstable coalition governments) has meant that the decision to participate, the manner in which to participate, and how to rationalize that participation was directly related to Massimo d'Alema's desire to maintain his governing coalition intact. A motion explaining Italy's position that was passed on 26 March 1999 sought to reassure public opinion, avoid the alienation of the Italian Communists (who maintained strong ties with Moscow—always helpful if the Soviets had won the Cold War), and to signal to the pacifists that NATO's intentions were not to obliterate Belgrade, but bring it to the negotiating table.⁹⁵ Italy's posturing thus had less to do with the ethical principles of humanitarian intervention than the survival of a chronically paralyzed government.

Spain, by contrast, found itself militating in favor of the Kosovo campaign also for reasons of reputation. Whereas the general Spanish public was admittedly cold to the idea of intervention (the parallel between the Kosovo and Basque situation was uncanny), Jose Maria Aznar's government seemed eager, according to David Haglund, to be counted among Europe's major powers, and—as if he knew that this meant adopting features of continental identity—reproduced essentially the same discourse as that deployed by other great powers (Britain, in particular).⁹⁶ So again, the notion of national interest did not find a policy expression in the traditional sense, but rather the attraction of shared European values held sway – or, rather, to be counted among those sharing those values was deemed a prize unto itself. This gives added weight to the notion of a constructive understanding of the Kosovo War.

By far the most heavily criticized member of NATO to participate in the air campaign was the United States. Having shouldered most of the burden, pundits were quick to point to a U.S. hegemonic strategic drive in the Balkans. Even here, it seems, the pundits can be proven wrong. There is no doubt that the fact of contributing more than all the other Allies combined generates its own rewards and comes with privileges. But it is striking, in hindsight, to see how the U.S. did not translate these privileges and advantages into absolute gains, as realist theory would have predicted.⁹⁷

What were the American motivations for engaging in the Kosovo war? Charles Kupchan paints a growing isolationist portrait of twenty-first century America, hinging on the fact that novice policy-makers will not have had first-hand experience of World War II or the Cold War, unlike Secretary of State Madeleine Albright (whose family fled Nazi-occupied Czechoslovakia), who was adamant that Milosevic “should not be allowed to do to Kosovo what he got away with in Bosnia.” Changes in U.S. policy thus have less to do with external developments than with internal demography. It is for this reason that the American public—represented by its Congress—was uneasy

⁹⁵ Maurizio Cremasco, “Italy and the Management of International Crises,” in *Alliance Politics, Kosovo and NATO's War: Allied Force or Forced Allies?*, 171–72.

⁹⁶ David G. Haglund, “Allied Force or Forced Allies? The Allies' Perspective,” 104–7.

⁹⁷ In fact, it is the experience of the Kosovo air war (and the way the campaign was waged) that is most often given as a reason for President Bush's refusal to acknowledge the Article V help offered by NATO on 12 September 2001, and the movement of “transformation” of the Alliance ushered in at the November 2002 Prague Summit.

about foreign adventures in Bosnia and Somalia. The activism of Clintonian foreign policy was at odds with the changing identity of the United States. The end of the Cold War had promised a peace dividend, following which the United States could take care of its own backyard (the North Atlantic Free Trade Agreement is a testimony to this care), while Europe would take care of its own. The United States knew that not only was the rest of the planet weary of their hegemony, but also that if internationalism were to triumph, the United States would have to let international organizations take the lead. Stephen Walt mentions that this attitude changed during President Clinton's time in office and approached traditional *realpolitik*. But this is hardly an indictment of constructivism by stating that the United States had a habit of "relying on international institutions when they suit U.S. purposes or criticizing or ignoring them when they do not."⁹⁸ Such an argument still demonstrates that notions of power and dominance are not exogenous to states, but are the product of social choices within societies.

Even though Walt, a realist, is eager to show that his preferred theory prevailed in the waning years of Clinton's presidency (which happened to coincide with the Kosovo war), he nevertheless argues that it was failures in humanitarian intervention like the effort in Somalia that paved the way for even grosser omissions in Rwanda and, finally, contributed to a hesitant stance over the war in Kosovo. Walt forgets to mention that the public aversion at launching a military action against Serbia could not have been overcome had the Clinton Administration decided to intervene unilaterally (that is, outside of multilateral structures). The administration became personally committed to intervention in great part because of the key players' past experiences.⁹⁹

Here, therefore, there seems to be a mismatch between how U.S. interest is perceived by the public (a preference for non-intervention, or at least heavily conditional intervention) and the Clinton Administration's "assertive multilateralism," motivated by the desire to promote human rights and rule of law. This is where constructivism is better supplanted by leadership theories. U.S. identity should drive its interests, in constructivist parlance. If the Clinton Administration had enunciated an interest (lukewarm at best, but this was motivated by domestic constraints as much as by the need to not be perceived as an overbearing hegemon) towards humanitarian intervention, it was still a feature of liberal constructivist policy-making. Mr. Clinton had to use NATO as a tool of intervention; not doing so would have meant seeking authority from Congress (which he clearly would not have received, considering the American public's predisposition). U.S. Representative Ron Paul's testimony to Congress would seem to support the notion that international organizations are instrumentalized for U.S. interests,

⁹⁸ Stephen M. Walt, "Two Cheers for Clinton's Foreign Policy," *Foreign Affairs* (March/April 2000): 77. See also Ivo H. Daalder and Micheal O'Hanlon, "Unlearning the Lessons of Kosovo," *Foreign Policy Online* (Fall 1999); available at www.brookings.edu/views/articles/daalder/19990920FP.htm. Daalder and O'Hanlon quote National Security Adviser Sandy Berger saying that future humanitarian intervention would be weighed against national interest priorities.

⁹⁹ Matt Welch, "Temporary Doves," *Reason Magazine* (May 2004); at www.reason.com/news/show/29124.html.

but clearly, in this case, interests had nothing to do with power in the realist sense (despite what the critics say):

This war is illegal. It is undeclared. There has been no congressional authorization and no money has been appropriated for it. The war is pursued by the U.S. under NATO's terms, yet it is illegal even according to NATO's treaty as well as the U.N. charter. The internationalists do not even follow their own laws and do not care about the U.S. Constitution.¹⁰⁰

Charles Kupchan assessed President Clinton's response as a happy medium, "authorizing an air campaign and nothing more," knowing that "failure to confront Milosevic over Kosovo would likely jeopardize Macedonia and the whole Balkan peninsula."¹⁰¹ Clearly, this assessment is true, but lacks nuance. Failure to confront Milosevic would have also represented a threat to Euro-Atlantic identity, and to shared Euro-Atlantic norms and values. In the end, liberal constructivism remains the most potent explanation for the Kosovo war. Clinton's policy shows that "Americans do not like to think of themselves as practicing realpoliticians, but they do like being number one."¹⁰²

It is no surprise, then, that the 2006 *NATO Handbook* summarized the Kosovo campaign as one where the international community was concerned about the risk of conflict contagion, the humanitarian consequences, and Mr. Milosevic's disregard for diplomatic initiatives to resolve the issue.¹⁰³ The international community (here wearing its NATO hat) had resolved to confront the Milosevic regime because of humanitarian reasons, and not out of a desire for a power grab. Whereas the level and quality of military involvement varied from country to country, this can be blamed on domestic constraints. The underlying policy was one of preservation of multilateral conflict resolution capacities and institutionalism in a bid to stave off widespread temptations to return to a self-help system of international relations.

It would not be going far out on a limb to say that NATO nations understood the implications of this conflict not as one that threatened their security or access to strategic resources, but one that threatened stability in the "new world order" dictated by obedience to cooperative/associative norms of behavior. In support of the earlier claim that *both* Serbia and the Kosovar Albanians were operating under clearly dissociative realist norms is NATO's policy of pointing the finger of blame at *both* protagonists.¹⁰⁴ It is only by adopting the language of power that the Milosevic regime could be forced to reverse its policies. The other indicator suggesting that the international community could have its way can be found in the current protracted discussions about the status

¹⁰⁰ Statement by the Hon. Ron Paul (R-Texas) to Congress, 5 May 1999, *Congressional Record* 1999, H2779.

¹⁰¹ Charles A. Kupchan, "Kosovo and the Future of U.S. Engagement in Europe," in *Alliance Politics, Kosovo and NATO's War: Allied Force or Forced Allies?*, 77.

¹⁰² Stephen M. Walt, "Two Cheers for Clinton's Foreign Policy," 79.

¹⁰³ NATO, *Handbook* (Brussels: Office of Information and Press, 2006), 149.

¹⁰⁴ *Ibid.*

of Kosovo. Though this is not within the scope of this essay to analyze, it is nevertheless useful to remember that UN resolutions (and international organizations, up to the point of the Rambouillet documents) stressed at every turn the territorial integrity of Serbia—that is, that Kosovo would not find statehood in the internationalization of the dispute that opposed it to Belgrade. In other words, NATO’s air campaign over Kosovo was a representation of institutional anger at having two communities defy the principles, rules, and norms that guide international and intranational behavior.

Intervention in Kosovo: Catch-22

Heiko Borchert writes that “joint liberal and democratic norms safeguard democratic peace, and Europe’s security organizations contribute to the establishment of such norms at the domestic and international levels.” He continues by saying that “Europe’s security organizations strengthen national democratic norms [by broadening] the protection of human rights.”¹⁰⁵ Yet neither NATO nor OSCE rules authorize military intervention for humanitarian principles, this being the exclusive privilege of the United Nations, through its Security Council and its Charter.¹⁰⁶ Heinz Gärtner has recommended that large international organizations like the OSCE and the UN be the source of legitimacy for crisis management operations.¹⁰⁷ In the case of Kosovo, the OSCE displayed its customary incompetence, and the UN Security Council found itself paralyzed. Katarina Saariluoma and others, on the contrary, have successfully argued that customary international law was sufficient as a basis for *Operation Allied Force*.¹⁰⁸ Nevertheless, the strong desire to legitimize the air war after the fact seems suspect. As Martha Finnemore puts it, “Realists or neoliberal institutionalists might argue that in the contemporary world, multilateral behavior is efficient and unproblematically self-interested because multilateralism helps to generate political support both domestically and internationally for intervention.”¹⁰⁹

If democratic peace is safeguarded by norms, how can these norms themselves be safeguarded? Because these norms are established by international institutions, it follows that it is the institutions themselves that need to be preserved. As Sean Kay writes, “The credibility of NATO’s *institutional adaptation* became a critical, if not *the*

¹⁰⁵ Heiko Borchert, “Strengthening Europe’s Security Architecture: Where Do We Stand? Where Do We Go?”, in *Europe’s New Security Challenges*, 169.

¹⁰⁶ *Ibid.*, 172–73. See also Martin Smith, *On Rocky Foundations: NATO-UN Cooperation* (Bradford, U.K.: Bradford University Press, 1994) on the subject of NATO support for UN SC mandates.

¹⁰⁷ Heinz Gärtner, “European Security, the Transatlantic Link and Crisis Management,” 145.

¹⁰⁸ Katarina Saariluoma, *Operation Allied Force: A Case of Humanitarian Intervention?*, Athena Paper # 1 (Garmisch-Partenkirchen: Marshall Center, 2004), 61–75. See also David M. Ackerman, “Kosovo and NATO: Selected Issues of International Law,” in *Kosovo-Serbia: A Just War?*, ed. Frank Columbus (Commack, NY: Nova Science Publishers, 1999), 155–66.

¹⁰⁹ Martha Finnemore, “Constructing Norms of Humanitarian Intervention,” in *The Culture of National Security: Norms and Identity in World Politics*, ed. Peter J. Katzenstein (New York: Columbia University Press, 1996), 183.

critical, reason that its members chose to fight a war through the institution as opposed to pursuing a coalition of the willing.”¹¹⁰ Thomas Risse-Kappen makes a strong effort at explaining why NATO has survived the end of the Cold War. On one hand, it has adapted to the new environment. While this may be a feature of bureaucratic theory, another interpretation may hold that the threat perception is heavily dependent on a value structure that is alien to the Alliance. In this sense, NATO has not changed. Just as the “Soviet domestic structure and values ... were regarded as alien,” the behavior of Serbia was seen as roguish, and it is this behavior that is the threat.¹¹¹ NATO’s adaptation has to do with even denser institutionalization, particularly with its former adversaries in Central and Eastern Europe and the former Soviet Union, and this is seen as a defense of the identity of the Alliance members. There can be no projection of power without a corresponding projection of values and forms of society, “hence the changing Western agenda of international politics, aid, humanitarian intervention, economic development.... The powerful idea of sovereignty as a barrier between the domestic and international realms is under growing challenge.”¹¹²

Without a UN mandate, NATO (that is, the sum of its parts) chose to protect rules-based international relations. If it had respected UN authority in the first place, it would have created a “modern precedent,” signaling to the world that it intended to stand by as the Milosevic regime and the KLA went head-to-head. This would have been a signal that the principle of non-interference, which is based in the realist respect for state sovereignty, is held in higher regard than the principles of respect for human rights instituted by the OSCE, the UN, and its agencies. It would have been an acknowledgement that the vision of a New World Order could give way to the “business as usual” of Machiavellian *realpolitik*.

Conclusion

Martha Finnemore has written that “the international normative structure is created by and serves the most powerful. Humanitarian action generally, and humanitarian intervention specifically, do not obviously serve the most powerful.”¹¹³ This statement is patently applicable to the conflict between Serbia and its Albanian minority. Without a local normative structure, the protagonists could only “serve themselves” through self-help. Seeing the asymmetry of the situation, the Kosovars’ only recourse was to internationalize the dispute.

This essay has demonstrated that the multilateral attempts at solving the dispute were a convincing indication that liberal constructivism was at work at the moment when Europe and the United States attempted to resolve the dispute diplomatically. Anne Deighton has perfectly illustrated how international institutions drove policy

¹¹⁰ Sean Kay, “NATO, the Kosovo War and Neoliberal Theory,” 259; italics mine.

¹¹¹ Thomas Risse-Kappen, “Collective Identity in a Democratic Community: The Case of NATO,” in *The Culture of National Security: Norms and Identity in World Politics*, 395.

¹¹² John Williams, *Legitimacy and the Rise and Fall of Yugoslavia*, 43.

¹¹³ Martha Finnemore, “Constructing Norms of Humanitarian Intervention,” 187.

around Kosovo. The OSCE, NATO, the EU, and the UN together made liberal constructivism operationable.¹¹⁴ Most of these institutions function by consensus, which is the fruit of the collective and sovereign decisions (in the Westphalian/Weberian modern sense) of members. Those decisions would be impossible outside the legal rules and other norms under which their relations are based. Such rules and norms would not have been agreed to, nor kept in force without the interest to do so—interests that are based on a shared identity. The defense of interest becomes equated with the defense of identity. In that sense, it becomes irresponsible to say “no existential threat has existed in Europe on a continental scale since the end of the Cold War.”¹¹⁵

Obedience to cooperative norms and rules, multilateral international relations, and the defense of issues that are not traditionally of the realm of power politics—what we have called here “liberal constructivism”—is characteristic of post-modern states and groups of states. But, in contrast, some modern states still hold traditional norms of sovereign independence and non-interference as superior to the pressures of respect for human rights. Russia, China, North Korea, and Iran are all modern states by that definition, and it is no surprise that some of these gave aid and comfort to Serbia (also a modern state) during the Kosovo crisis. “Realist constructivism” being the framework of choice in modern states to understand and practice international relations, I argue here that the identity of post-modern states is always under threat when, in their geographical region, different norms and rules of behavior operate.

When NATO was selected as the agent that would be used to correct the behavior of Serbia, it found itself facing a dilemma that had been in the making since the end of World War II. The corpus of international law is embodied mostly in the charters of multilateral institutions created during the Cold War, when all the signatories agreed to the content (all of them being “modern” states) and referred to realistic principles of international relations, such as non-interference, balance of power, etc. Such charters *codified what a state does in reality*. But a significant part of international law also became codified when these international institutions became free from the embrace of the Cold War. This portion of the corpus of law remains post-modern in essence; it *codifies what states would do in an ideal world*.

As was stated at the outset of this essay, some states have remained modern, and others have become post-modern. I have shown that many a national public was appalled at what was happening in the former Yugoslavia, and so political survival for many a post-modern regime meant intervention. While the political persuasion of such regimes (center-left) can be invoked as a partial explanation for the decision to intervene, the intervention itself was seen by many as illegal. Yet, as we have argued, had NATO not done anything (and the Alliance was quick to point out the need for a doctrine of humanitarian intervention), not intervening would have threatened the validity

¹¹⁴ Anne Deighton, “The European Union and NATO’s War over Kosovo: Towards the Glass Ceiling?”, in *Alliance Politics, Kosovo, and NATO’s War: Allied Force or Forced Allies?*, 57–75.

¹¹⁵ Carlo Jean, “Arms Control in Transition: Building a New Security Order,” in *The Future of Arms Control Agenda*, ed. Adam Rotfeld (Oxford: Oxford University Press, 2001), 120.

of liberal constructive norms and rules of behavior. In a world also composed of pre-modern states, minorities lacking the most basic protections of the central government would have fallen victim to the depredations of more aggressive groups, and the sad story of UN peacekeeping failures in the Balkans, Rwanda, Somalia, and others lesser known (Chechnya, Nagorno-Karabakh, Timor, etc.) would have become common occurrences in the post-Cold War world. NATO had to go by the widest possible interpretation of its Article I, where the

Parties undertake, as set forth by the Charter of the United Nations, to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Peaceful diplomatic means and economic incentives having been exhausted, NATO members saw that refraining from the use of force would have catapulted the nature of international relations back to self-help norms. If these norms assumed their previous place of precedence in international life, post-modern identities would have been lost and, in this sense, national interests would have been under threat. Also, not acting would have weakened Article II of the North Atlantic Treaty, where the Parties must

contribute to the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being....

This article is the only one of the NATO Charter that bears any post-modernistic inclinations. NATO could have sat this one out, its members shielding themselves behind Article VII, which claims that the UN Security Council is the ultimate arbiter of the use of force in international relations (but the UNSC being occupied by two modern states that hold veto power, the minority on the Security Council would effectively hold hostage the existence of the many post-modern member-states of NATO, as well as other European states seeking to escape the Hobbesian world of the war of all against all, and push them to frame their relations in a Kantian way). Finally, the urgency with which several NATO members rushed to reassure the world that the intervention was an isolated case further indicates the acuteness of the perception that it could have been a façade for realist depredation. In the end, not only did the countries promoting liberal constructivist policies have to violate the very rules they swore to protect to enable the survival of liberal constructivism, they confirmed their identity as holders of such values by a public *nostra culpa* of their disobedience to the UN Security Council.

Origins, Development, and Consolidation of the Shanghai Cooperation Organization after the Bishkek Summit

Lorena Di Placido *

Introduction

Over the centuries the history of the Central Asian states has been marked by the growth and decline of numerous empires which rotated around deserts and plains inhabited by nomads. They continued to live in distinct but interdependent communities, even though they shared the same cultural influence created by Turkish, Persian, and Islamic traditions, spoke different languages, and had different lifestyles.¹

The Tsarist empire conquered the entire region through the eighteenth and nineteenth centuries and outdid Great Britain in the so-called “Great Game,” a true competition between the two powers in order to obtain domination over Central Asia. The Tsar did not establish central control over the Region, but preferred to maintain a traditional form of government as long as the situation remained stable. The Soviets imposed a more incisive level of control from 1924-1936.² The current border situation in Central Asia is the result of a choice made by Stalin, who created precise borders that were not “national” or “ethnically demarcated” (an issue still difficult to distinguish considering the composition of the area’s population), but were intended to determine in each republic an artificial titular ethnic majority, a group just a little larger than the numerous minority groups who were already present.³

* Lorena Di Placido is an Analyst at the Military Centre for Strategic Studies (CeMiSS) in Italy.

¹ Adrienne L. Edgar, “Identities, Communities and Nations in Central Asia: A Historical Perspective,” presentation given at a panel discussion entitled “Central Asia and Russia: Responses to the ‘War on Terrorism,’” held at the University of California Berkeley on 29 October 2001; at www.socrates.berkeley.edu/~bsp/caucasus/articles/edgar_2001-1029.pdf.

² Rajan Menon and Hendrik Spruyt, “The Limits of Neorealism: Understanding Security in Central Asia,” *Review of International Studies* 25 (1999)

³ According to a current minority of Russian scholars, the contemporary Central Asian *ethnos* is not the result of ancient conflicts or population movements, but of reforms launched during the period of Russian colonization and even more during the Soviet era. This constructive approach analyzes Central Asian events by taking into consideration that, prior to the Russians’ arrival in the region, nobody possessed an ethnic consciousness as it is understood today, and that there were no common categories or identities in Central Asia. Someone suggested that if a Central Asian inhabitant was to be questioned about his/her identity his/her immediate reply would be that of being a Muslim, followed by the city or region of residency; in other words, they do not perceive themselves as belonging to a specific nation or population. Such a consciousness only emerged following the artificial divisions caused by Russia. For an in-depth analysis, see Sergei Abashin, “The Transformation of Ethnic Identity in Central Asia: A Case Study of the Uzbeks and Tajiks,” *Russian Regional Perspectives Journal* 1:2 (2006): 32–35; available at www.iiss.org.

Those territorial delimitations that were imposed on Central Asian republics recently resurfaced with all their complexities intact right after the dismantlement of the USSR. Following the October Revolution, the best way to allocate Turkistan was debated, and this involved states such as Kazakhstan, Turkmenistan, Tajikistan, Kyrgyzstan, and Uzbekistan. Throughout the Soviet period ancient disagreements, rivalries, and patterns of inter-ethnic cohabitation remained frozen, but they dangerously reemerged in the early 1990s, when the five Central Asian republics suddenly became independent and were deprived of Moscow's tutelage. They might still have needed central protection because of the total lack of experience of the "non-Russian" populations in these new states, who until that moment had never been given any significant administrative tasks or political responsibilities. Even China and the former Soviet Republics had unresolved border disputes that resurfaced in the 1990s. They intervened with both bilateral and multilateral negotiations that led to the formation of the *Forum Shanghai Five* in 1996. During the Forum, they decided to tackle the inter-state border issues, not on the basis of ethnic separation and territorial partition, but on the basis of common benefit and compromise.⁴

This proved to be an original and significant choice for the region, to the extent that the expression "the spirit of Shanghai" was invented to define the profound novelty of this method of formulating the relations between major regional protagonists and former Soviet Republics of Central Asia – a spirit characterized by mutual trust, common advantage, equality, cooperation, respect for cultural diversity, and collective development.

Thorny issues still remain unresolved, such as the lack of border guards in some states and the presence of wide minefields in inter-state areas where interethnic conflicts are very intense. The hot-button topic of granting visas in many countries caused the closure of borders to both domestic and commercial traffic. This inheritance led to the constitution of the Shanghai Cooperation Organization.

The Origins

The Shanghai Cooperation Organization originated from negotiations held between 1991 and 1994 that initiated the settlement of the hoary disputes over the status of 4,600 kilometers of border between the Soviet Union and China.

After the fall of the Soviet Union, Kazakhstan, Tajikistan, and Kyrgyzstan (three former Soviet republics bordering on the Chinese giant) joined the table of negotiations. On 26 April 1996, Russia, China, and the three new negotiators signed in Shanghai an "Agreement to strengthen mutual trust measures on the border area," known as the Shanghai Agreement).

The signatories of the Shanghai Agreement were defined as the *Shanghai Five*. The agreement included measures essentially based on a drastic reduction of military activities in an area extending one hundred kilometers on both sides of the shared bor-

⁴ "Central Asia: Border Disputes and Conflict Potential," *Asia Report* 33 (4 April 2002); available at www.crisisgroup.org.

ders. This first meeting was followed by several others on an annual basis; the guidelines of such a particular model of regional cooperation remained rooted in a mechanism of permanent consultation.

The year 2000 witnessed several meetings held by experts from the Defense and Foreign Affairs Ministries of the Shanghai Five who worked hard to intensify the collaboration process and the effectiveness of the consultation mechanism.

The fifth summit of the heads of state, held on 5 July 2000 in Dushanbe, was clearly seen as a significant evolution of this effort. The final statement strongly emphasized the intention to transform the Shanghai Five into a regional structure of multilateral cooperation. This became necessary not only in relation to the sphere of activity but also with a view to creating more efficient and coordinated collaboration within the framework of the agreements that were already in place. The final declaration, therefore, established that each summit should be followed by meetings of heads of state and annual conferences of Ministers of Foreign Affairs. The perspective to institutionalize the Shanghai process brought about the decision to define it as a “Forum.”

All members acknowledged their common willingness to fight against international terrorism, religious extremism, and national separatism which—together with criminal activities such as the illegal circulation of weapons and narcotics, as well as illegal immigration—represent the great threats to national security in the region. In order to combat these elements, they decided to take steps aimed at countering terrorist and violent activities.

As a corollary to this statement, the three Central Asian states expressed their support for China and Russia in their fights against “separatist movements,” in Xingjiang and Chechnya, respectively. They acknowledged the United Nation’s role as the sole global forum for the resolution of international controversies and for keeping up the principles and objectives of the United Nation’s mediation cards. In consideration of the principles of equality and mutual benefit, all parties committed themselves to form a partnership covering issues related to the improvement of investment methods and providing for measures designed to resolve any disputes that might arise during the cooperation process.

On this occasion it is worth mentioning that Uzbekistan participated for the first time with observer status, and that Kyrgyzstan proposed the establishment of an anti-terrorism center in Bishkek. A trilateral agreement regarding border issues between Kyrgyzstan, China, and Tajikistan was also signed.⁵

With the “Declaration of the Creation of the Shanghai Cooperation Organization” (henceforth, SCO) on 15 June 2001, the heads of state of the Republic of Kazakhstan, the Chinese People’s Republic, the Kyrgyz Republic, the Russian Federation, and the Republic of Tajikistan welcomed the Republic of Uzbekistan as a new member of the Forum Shanghai Five and unanimously decided to transform this consolidated mechanism of cooperation into a full regional organization that would be better suited

⁵ Dinara A. Kalieva, *Ot “Shangajskoj Piaterki” k Shangajskoj Organizatii Sotrydnicestva*,” available at www.kisi.kz.

to effectively face the challenges threatening regional security and to secure relations with extra-regional players in the fields of economics, environmental protection, and culture. Additionally, the SCO's member states signed the "The Shanghai Convention on the fight against terrorism, separatism, and extremism," reaffirming their intention to immediately establish an antiterrorism center and thus confirming their willingness to keep their commitments. Now the SCO covers an area of 32 million square kilometers, corresponding to 60 percent of the Euro-Asian landmass, with a population of about a billion and a half people, or almost a third of the global population.

On the fifth anniversary of the SCO's foundation, the entry of Uzbekistan highlighted the increasing interest that other regional players have shown toward this new form of regional cooperation, and pointed out that much is expected from multilateral cooperation in the fight against terrorism. In fact, after a period when it only had observer status within the Forum, Uzbekistan, which has suffered seriously from Islamist insurgencies, joined the group as a full member. The decision to overcome strong initial skepticism about joining the forum was influenced by the prospects of growth in the context of economic cooperation and the improvement of regional communication networks.

The SCO promotes actions aimed at the development of a new security concept, based on the principle of reciprocity and disarmament. It additionally promotes renewed relations between states based on partnership and on a new model of regional cooperation.⁶ The SCO's mission mostly resides in waging the war declared on the three major dangers identified by the member states: Islamist terrorism, religious extremism, and national separatism.

In spite of all the efforts spent to obtain an effective instrument through the SCO to respond to the common threats and to improve the general conditions of all member states, numerous observers have considered that these cooperative efforts were nothing more than an attempt by Russia and China to exclude the United States from the "Great Game" that has been reopened in Central Asia, and to mask this ambition through a regional initiative with a multi-polar façade. Therefore, "minor" members have no other option but to join and hope to exploit this position for their own future advantage.

According to other observers, this initiative is a response to the growth of Western influence in Central Asia, rather than to a security threat coming from Afghanistan or from a joint force of Chechens, Taliban, and Uighurs, and is therefore meant on the one hand to compensate for the decline of Russia's influence in the region and on the other hand to meet China's security needs in the area across its western borders.⁷

Some analysts suppose that this could become a forum to meet the interests of Russia and China in the context of mutual containment or even integration into the Central Asian Cooperation Organization (CACO).⁸ On the contrary, other experts believe that

⁶ See www.sectSCO.org.

⁷ "Shanghai Cooperation Organization Established," *Monitor* 7:120 (22 June 2001); available at www.jamestown.org.

⁸ Farkhod Tolipov, "On the Role of the Central Asian Cooperation Organization within the SCO," *Central Asia and the Caucasus* 3 (2004); available at www.cacianalyst.org.

the SCO satisfies the national interests of all members and not only those of the major states, since it resolves border disputes between all member states in addition to recognizing their common fight against religious extremism and Islamist terrorism. The SCO includes two members of the United Nations Security Council that could give voice to Central Asian interests, and it also opens new collaborative possibilities in the social and economic spheres. At any rate, the strengthening of regional cooperation does not create the conditions for a clear and irreversible closure of Central Asia to the West, since all Central Asian nations rely on vital foreign investments.

The first steps towards integration started in the year 2001. On September 14 of that year, the heads of state who met in Almaty signed a memorandum on “The principal aspirations and tendencies of economic ties in the Region,” whereby they created a mechanism of ministerial consultations in the commercial and economic sphere and set up working groups to deal with various cooperation processes. Considering the fact that they met just after the events of 11 September 2001, the heads of state adopted a joint declaration that strongly condemned the terrorist acts against the United States, and confirmed their full preparedness to cooperate with other states and organizations to combat this new global threat.⁹

Development and Consolidation

In the years 2002 and 2003 the foundation was laid for the realization of the Organization’s complete structures. On the occasion of the St. Petersburg Summit, held on 7 June 2002, SCO members signed the “Shanghai Organization Paper,” with which they clearly expanded the principles and the methods of operation of the SCO, both on the international scene and in regional cooperation. This agreement strengthened mutual trust and neighborly ties between member states and set out frameworks for enhanced cooperation in political affairs and in a number of other fields such as economy, commerce, science, technology, energy, transportation, environmental protection, peace, culture, security, and stability. The document was dedicated to the promotion and creation of a new international order based on democracy, justice, and rationality. Increasing the institutional focus of the SCO did not, however, lead the member states to neglect their commitment to combat terrorism, which culminated in the multinational military exercises known as *Cooperation 2003*.

The General Secretariat in Beijing and the Regional Antiterrorism Center in Tashkent both became operative on 1 January 2004. The director of the Study Center for the Shanghai Cooperation Organization recognizes these institutions as containing many important instruments to manage both ordinary and emergency issues: once the historic border issues were resolved, the level of cooperation deployed to fight against the “three evil forces” was intensified, first of all by paying more attention to Afghanistan and then by announcing a new campaign against drug trafficking in the region. The non-definitive disappearance of the Taliban together with the 2004 terrorist attacks

⁹ Dmitri Trofimov, “Shanghai Process: From the ‘Five’ to the Cooperation Organization. Summing up the 1990s and Looking Ahead,” *Central Asia and the Caucasus* (2002), Centre for Social and Political Studies (Sweden).

in Uzbekistan followed by the attacks on Chinese workers in Afghanistan reinforced the necessity to coordinate antiterrorism initiatives by the SCO nations with all the efforts already active in Afghanistan.

During the Tashkent Summit, Russia's President Vladimir Putin proposed and obtained the establishment of an SCO-Afghanistan Contact Group in order to promote initiatives aimed at reconstruction, peacekeeping, and the fight against terrorism in the context of a "Cooperation Agreement between SCO Members for the fight against narcotics." Following this path, all the member nations supported Uzbekistan's initiative to keep regular meetings with the Organization's General Secretariat in order to enforce anti-criminal and antiterrorist cooperation efforts at maximum levels.

Potential New Admissions

During the annual summit of heads of member states held in Astana on 5 July 2005, and at the conclusion of a biennial summit devoted to the consolidation of the SCO's institutions, the improvement of the Organization's prestige, the development of external relations, and the reinvigoration of commercial ties, the members launched a cooperation mechanism on the basis of regional participation. They accepted new observer-status members, such as Iran, India, and Pakistan and thus projected themselves on one side towards the greater Middle East and on another towards the emerging Indian subcontinent.

In recent years, the initiatives launched under the "spirit of Shanghai" attracted the attention of many international actors, and an increasing number of nations and organizations have sought to restore contacts with SCO member nations, to the extent that on the occasion of the Council of Foreign Ministers in November 2002, a "Scheme of the Relations between the Shanghai Cooperation Organization and the other States or International Organizations" was adopted, which formally launched the program of external relations with the SCO. This program provides for guest participation in the meetings of the Council of Foreign Ministers and in diplomatic consultations on a reciprocal basis.

In 2003, SCO representatives participated in several special sessions of the United Nations Security Council Antiterrorism Committee. The SCO's relationship with the United Nations seems to be a privileged one; in fact Kofi Annan, then the UN Secretary-General, attended the inauguration ceremony of the Beijing General Secretariat on 15 January 2004: he expressed appreciation for the progress achieved in regional security, and did not hesitate to define the Organization as a strategic partner. At his invitation, the SCO General Secretary Zhang Deguang participated as an observer in the UN General Assembly for the sixtieth anniversary of the United Nations (14–16 September

2005), where he delivered a celebratory speech. Additionally, the SCO has concluded agreements with ASEAN,¹⁰ with the CIS, and with Interpol.¹¹

Prior to the admission of new members, the Organization decided to allow itself an additional period of rest and consolidation, and it also succeeded in obtaining a regulation of the status of observers at the Tashkent Summit of 2004. Today, by considering Iran, India, and Pakistan, the Organization has definitely reached a high level of quality and, following its first contacts with Mongolia in 2004, it confirmed its commitment to high-profile regional cooperation, which encompasses expanding the space for a coordinated antiterrorism action towards the greater Middle East and projecting itself into South Asia in pursuit of new trade channels. This evolutionary process attracted the interest of Turkey, Afghanistan, and Japan, who asked to be admitted as new observers as soon as possible.¹²

Antiterrorism Coalition Bases in Afghanistan

The Astana Summit provoked a certain debate due to the final declarations made by the various members regarding the antiterrorism coalition operating in Afghanistan. In these declarations, they requested that a final date be set for the temporary use of the land and air space infrastructures that were originally conceded solely for the limited amount of time necessary for the ongoing stabilization operations in Afghanistan.

This request was expressed in the context of considerations related to special economic and social assistance programs desirable for Afghanistan, which is still at the crossroads of a flourishing traffic of narcotics. Regional experts have generally detected in those statements a desire to expel the United States from countries that host U.S. troops on their territory and the consequent alignment of these countries with the positions of the major regional powers (Russia and China). It is most probable that the latter may have inspired these declarations with the intention to contain the U.S. presence in Central Asia, and thus to reaffirm their own influence in the area. They also

¹⁰ On 21 April 2005, General Secretary Zhang Deguang met with ASEAN General Secretary Ong Keng in the Secretariat headquarters of Jakarta. The organizations are geographically contiguous, and they share common interests in the Pacific area; this is how they decided to establish cooperation in several sectors for their mutual advantage, by creating forms of interaction through an Agreement Memorandum subscribed during that occasion. The ASEAN General Secretary also expressed his desire to obtain the status of a Shanghai Organization Observer. For in depth analysis, see www.sectsc.org.

¹¹ Through an invitation by the Interpol General Secretary, the Assistant Manager of the Executive Committee of the Regional Antiterrorism Structure participated in the group workshop on the “Kalkan” project regarding the theme “Terrorism in Central Asia,” which was held in Almaty and was organized by Interpol and the Kazakhstan Ministry of Internal Affairs. They discussed cooperation methods, since both institutions are committed in gathering information and coordinating both preventative and responsive anti-terrorism activities. For in depth analysis, see www.ecrats.com.

¹² Pan Guang, “The New SCO Observers: Making a Leap Forward in Cautious Augmentation,” *CEF Quarterly—The Journal of the China-Eurasian Forum* (July 2005); available at www.chinaeurasia.org.

benefited from the unsettled mood caused in Uzbekistan by Washington's criticism of the Uzbek regime's harsh repression of the Andijan disorders: following the U.S. request to allow an independent commission to investigate the May events that were considered by Tashkent as an appropriate response to an insurrection by terrorist groups, the Uzbek government replied by a letter dated July 29, in which it gave the United States a period of 180 days to withdraw its forces (about 800 troops) from the base of Kharshi-Khanabad.

Consequently, the U.S. Secretary of Defense, Donald Rumsfeld, declared that military operations in Afghanistan would continue, given the persistence of the Taliban forces, along with elements with Al Qaeda. Meanwhile, military experts worked to identify new options for continuing these military operations, as well as for providing support for humanitarian efforts in Afghanistan. According to Rumsfeld, the bases in Central Asia have been extraordinarily useful in supporting the antiterrorism coalition that has been active in combating terrorism as well as drugs trafficking.¹³

The United States has so far paid Uzbekistan USD 15.5 million for the use of the base for a period of time that ranged between October 2001 to December 2002, and is still due to pay the sum of USD 23 million for the period from January 2003 through December 2005. The payment was halted right after the bloody repression of the Andijan uprising.

Faced with certain statements that were scarcely compatible with the behavior of Tashkent, China declared its intention to invest in Uzbekistan; it even sympathized with the way this country had behaved during the Andijan clashes, which was considered by China as a lesson that demonstrated the necessity of not giving in the fight against terrorism. The Russian Defense Minister Ivanov declared his intention to include technical and military assistance to Kyrgyzstan in the Russian Federation's budget, to hold joint antiterrorism exercises in 2006, and to maintain the commitment to improve the infrastructures of the Kant base currently used by Russian troops stationed in the country.¹⁴

The behavior of the Central Asian states does not seem to be bound by the Declaration of Astana which, however ambiguous it may appear, only focuses on the base concession issues, programmatically leaving to the members' initiative "if" and "how" to proceed, and thus giving free rein to the political independence of each state as far as operationalizing the common vision is concerned. Uzbekistan, therefore, prefers to safeguard its own regime by maintaining its *status quo* in the region (this has been repeatedly emphasized by reference to the shared principle of non-interference into the internal affairs of the Shanghai Cooperation Organization member states) and waits for

¹³ In March 2002, Uzbekistan President Karimov made his first official visit to U.S. The two countries formalized a bilateral agreement: the United States offered economic support that would have guaranteed (together with institutional reforms) a concrete commitment against the Islamist terrorist threat. See "Historic Visit," at <http://2004.press-service.uz>. See also "U.S. Still Welcome at Manas Air Base."

¹⁴ Roger McDermott, "Russia Offers 'Quality' Military Assistance to Kyrgyzstan," at www.jamestown.org.

the consolidation of investments of a regional nature instead of benefiting from those already offered in the form of U.S. financial support which is, politically speaking, potentially more “onerous,” considering that it is conditional upon the realization of democratic reforms.

The Shanghai Summit: The Results of Five Years of Activity and the Perspective of Consolidation and Cooperation with Observer Countries

Five years after its birth, the SCO held its annual summit in the city of its foundation in an atmosphere of great celebration. In addition to the presidents of the six member states, the summit included the participation of the Organization’s leaders (Secretary General Zhang Deguang and Viaceslav Temirovic Kasyanov, director of the RATS executive committee), as well as representatives of the observer countries,¹⁵ the CIS, and ASEAN.¹⁶

This attendance significantly describes the path adopted so far by the SCO, as the representatives of observer states expressed their desire to be admitted in the near future as full members. Therefore one can witness on the one hand the increasing regional interest in the Organization, and on the other hand the possibility to project this successful model of cooperation beyond the strictly Central Asian geographic context.

At this point there is a situation in which self-concerned regimes use the instrument of a cooperation model to favor the maintenance of the current regional balance and to exclude the possibility of any sort of intervention by third parties. This aim is expressed in the Astana Declaration, where the principle of safeguarding the *status quo* is particularly emphasized to the detriment of promoting “regional opening.” One can predict a phase of additional consolidation of the institutions and ties between current member states who have already established privileged relations with some organizations related to Asia and Central Asia and have attracted the interest of other regional players who in the future could become new SCO members.

Putin advocated the constitution of an Energy Club within the SCO context, and announced that his country is evaluating the possibility to finance development projects in the field of energy as well as in transportation and communication. Even if their contents are still vague, these proposals seem to represent a reply to the generous

¹⁵ The following participated as observers: Shri Murli Deora, India’s Oil and Natural Gas Minister; Mahmud Ahmadinejad, President of the Islamic Republic of Iran; Nambaryn Enkhbayar, President of Mongolia; Pervez Musharraf, President of the Islamic Republic of Pakistan; and Hamid Karzai, President of the Islamic Republic of Afghanistan.

¹⁶ The United Nation Secretary General sent his congratulations to the participants of the Shanghai Summit for their profound engagement and the results obtained throughout the first five years of life of the SCO, ever since its first steps like the Shanghai Forum up to actions taken in regard to their most cherished interests for international reality. Kofi Annan anticipated the SCO’s participation in the UN’s next summit with regional and intergovernmental organizations; see www.scosummit2006.org.

Chinese investments that were formalized during the summit, in a context in which Russia could want to again play a key role in the Central Asian “near-abroad.”¹⁷

The fact of belonging to the “club” of energy supplier countries has two facets: on the one hand, it represents an element of proximity, which creates a common space of economic interest between Russia and the Central Asian republics; on the other hand, it gives rise to a situation of competition between suppliers *vis-à-vis* the complementary Chinese economy, a producer of low-cost consumer goods and technological know-how. During this phase it seems that a certain Chinese “advantage” in relations with its Central Asian partners has been consolidated. This was also confirmed by China’s generous financing of a series of development projects. According to some observers, closer ties with China could lead to the transformation of Central Asian culture into a Chinese culture; this “threat” is particularly felt in countries that have common borders with China.

The Shanghai Summit produced a regulatory framework with provisions for the admission of new members but it did not make, for the time being, any decisions regarding new entries. All observer states have asked to become full members of the Organization, but current members believe that the time is not yet ripe to expand the composition of the SCO. In fact, there are ongoing important changes in institutions destined to reinforce the participation of all national components and assure continuity in the stabilization process. Important projects regarding the economy are under study, while others are under development: this will certainly boost the aspect of economic cooperation that has always been emphasized in words, but is only now beginning to be concretely implemented.

Another target not to be underestimated concerns the privileged bilateral relations that all observers have had so far with China, which has been a key economic partner of extraordinary importance and whose role continues to grow constantly in the region. It seems that the prospect of participating in a project of regional organic development led by the most dynamic economic partner in that area accounts for the interest expressed by current observers in joining the SCO.

Consequently, if on the one hand the Organization continues its cautious political approach when it comes to admitting new members, on the other hand it has expressed the will to immediately launch a privileged relationship of strong cooperation with observer countries. Probably one has to consider that it might have been provocative to admit new members at a time when the Iranian decision to acquire nuclear technology is causing criticism and preoccupations; Iran’s application to be admitted to the SCO in Spring 2006 has met with lively responses.¹⁸

The U.S. government strongly criticized Russia and China for accepting the presence of a “terrorist state” at such an important summit, as this was considered to be an infringement of the Organization’s declared commitment to fight against terrorism. The

¹⁷ Vladimir Putin, Speech at the Shanghai Cooperation Organization Council of Heads of State, available at www.kremlin.ru.

¹⁸ “Iran Hopes to Join Shanghai Group This Summer,” at <http://english.people.com.cn>, 15 April 2006.

possibility for Iran to become a full member of the SCO was heavily scrutinized, but very few analysts have considered the Iranian potential membership as an aspect of the enlargement issue *tout court*. Iran is undoubtedly the observer nation that attracts the most attention, and therefore its application for full memberships causes doubts and perplexities regarding the Organization's true nature: Is it an anti-Western alliance? A protective block of governments that promote terrorism? A combination of oil and gas producers sustained by the country most in need of energy for its own economic growth? Nonetheless, the attitude of caution that has been so often adopted regarding the expansion issue could be particularly justified now, in view of the extraordinary consequences that the Iran case is likely to bring about in terms of image and credibility when compared to the proclaimed principles that inspired the Organization.

The potential admission of Iran drove out of sight the issue of expansion with regard to observer nations in general; expanding the membership to include Iran would have unavoidably opened the SCO doors for other observers, since there would have been no reasons to keep them out if such a troublesome neighbor as Iran had been allowed in. Such a situation would have opened a new scenario: the Organization would have had an extraordinary expansion, and its tremendously expanded human and geographic dimension would have imposed an original and extraordinary strategic challenge that would have required a serious debate about maturity, solidity, stability, and equilibrium among the members.

First of all, the SCO needs some more time to stabilize itself before admitting new members. Moreover, participation in a privileged dialogue with the SCO makes observers already part of the increasing growth of the Eurasian area. Thus, enlargement is not a pressing issue either for observers or for member states.

SCO: A Mirror of the Central Asian Dimension in Russian-Chinese Relations

The SCO represents a privileged observatory from which one can look at the nature, the modalities, and even the tone of bilateral relations between Russia and China. Each of these two countries has its own "Central Asian dimension." For Russia, it is characterized by a "near-abroad" perceived as the legacy of centuries of domination—first tsarist, then Soviet, and finally Russian. In the case of China, it has a vast territory extending into the heart of Central Asia, the Xinjiang Uighur, the westernmost and among the poorest areas in the country, and one that is badly in need of urgent industrial investment and of effective measures to counter the separatist movement in Eastern Turkestan. And it is in its "Central Asian dimension" that China finds the reasons to continue (in the context of the SCO) to pursue its economic, energy supply, and security interests, all of which are considered essential for its western province to become a flywheel for the development of the whole country.

Central Asia's energy resources are of huge interest to China, which is undergoing economic development of enormous momentum. This is why the fight against terrorism, separatism, and extremism; the preservation of safe borders and regional stability; and the pursuit of joint economic development initiatives and friendly relations with

Central Asian states (keeping the latter safe from the influence of hostile powers or military alliances) are considered to be preconditions for regional security to become a factor in the security and development of China. For its part, China offers its Central Asian partners not only cheap commodities but also, and most importantly, infrastructure investments and a mutually beneficial commitment to the maintenance of regional stability.¹⁹

The quick growth of investments and commercial relations has opened the borders between China and the Central Asian countries, restored the route of the old Silk Road, and revived links and interconnections that are vital for both Central Asian economies and for China's underdeveloped western provinces. The establishment of such important economic ties leads to better political, legal, and social relations in the region, and thereby enhances political compatibility and stability not only at the bilateral level, but also for the benefit of the whole region.²⁰

China recognizes Central Asia's strategic importance and its potential impact on global events, and it understands the role the region can play as a gas and oil supplier in its own economic development. China is eager to avoid scenarios in which Central Asian countries might evolve towards situations detrimental to Chinese interests by giving birth to radical governments. Most important, it recognizes that a multilateral approach is a useful instrument to achieve common interests, and it considers the region as a trans-continental bridge not only from a geographic but also from a cultural and political viewpoint.²¹

High levels of interaction among the peoples of the area have existed for centuries, and have often been accompanied by territorial, religious, national, and water utilization disputes. At present the situation is apparently becoming stabilized, but some instability factors are still present that might turn out to be prejudicial to Chinese interests, mainly in the field of security. But Central Asia attracts the interest not only of China, but also of various regional powers (Russia, India, Iran, and Turkey) and of powers of regional relevance (United States, European Union, Japan). The new security balance in the years to come will be dependent on the mutual relationships between all these actors.

China is dependent on oil imports from Central Asia to secure its economic development. In 1997, China imported 35.47 million tons of oil, and doubled that figure after five years, when it imported 69.40 million tons; in 2003, Chinese oil imports reached 90 million tons, and in 2004 they were over 100. As China clearly depends on foreign sources for its energy supply, 50 percent of which comes from the Middle East

¹⁹ Zhao Huasheng, "Kitaj, Tsentral'najja Azija i Shanhajskaja Organizatsija Sotrudnicstva," *Moskovskij Zentr Karnegi, Rabocje Materialy* 5 (2005).

²⁰ Niklas Swanström, "Chinese Business Interest in Central Asia: A Quest for Dominance," 2003, at www.cacianalyst.org.

²¹ Adiljon Umarov and Dmitry Pashkun, "The Prospects for Chinese Influence in Central Asia," *CEF Quarterly—The Journal of the China-Eurasia Forum* (February 2005), at www.chinaeurasia.org.

and 22 percent from Africa, it has now opened a new flow from Central Asia in order to diversify its sources.²²

This new trend is still subject to a number of constraints both on the Chinese side—where the interests of Beijing’s politicians and those of the state-run oil companies sometimes diverge, and at times have to take into account the latter’s limited financial resources—and on the Central Asian side, due to the fact that the government-owned oil industries have been left with the infrastructure (pipelines, roads, railroads) they inherited from the Soviet period, which were designed to serve only Russia, and are therefore unsuitable for the new trade flows. At present it would be incorrect to consider Central Asia as an integral part of a consolidated supply system; what can be said, in view of the investments being made, is that it is a medium/long-term goal.²³

From an economic and energy supply viewpoint, China has fruitful bilateral relations primarily with Kazakhstan and Uzbekistan, the two largest Central Asian countries. The Kazakh Embassy in China reports that in 2003 the volume of trade between the two countries accounted for USD 3.29 billion—i.e., 68 percent more than the previous year, with a growth outlook of USD 5 billion by 2010.²⁴ Against these rosy prospects of mutual economic advantages there are still a number of unsolved issues related to migration flows and the utilization of water resources; these issues, however, do not affect the importance of bilateral relations between Kazakhstan and China, which concern:

- Border security
- Counterterrorism efforts
- The prospects for strengthening and expanding energy imports to meet China’s fast growing demand.

More recently the two Asian giants, Russia and China, have undertaken a fruitful bilateral cooperative effort in the aerospace and satellite field. Beijing has announced that it will launch its first scientific research satellite, and wishes to participate in joint projects with Moscow. The satellite, which is planned to be launched in 2010, will carry an X-ray modulation telescope developed by Chinese scientists to investigate black holes and other space phenomena. Moreover, China will participate in the Russian project to send a remote-controlled shuttle to Phobos, a satellite of Mars, to gather material from the ground of that celestial body.

China, which at the beginning of 2007 already possessed an excellent anti-satellite missile capability, will be spending USD 45 billion on the defense sector in 2007—an

²² *China Energy Database* (Berkeley, CA: Lawrence Berkeley National Laboratory, June 2004); available at www.china.gov/china_policy-ced.html.

²³ Kevin Sheives, “China and Central Asia’s New Energy Relationship: Keeping Things in Perspective,” *CEF Quarterly—The Journal of the China-Eurasia Forum* (February 2005), at www.chinaeurasia.org.

²⁴ “Crescono gli interessi di Pechino nell’Asia Centrale,” 5 July 2005, at www.asianews.it.

18 percent increase over the previous year—which is a matter of no little concern for many American politicians.²⁵

Russia, for its part, having settled all territorial issues with China in the Far East, has no intention to discontinue its huge military spending. Its military procurement budget has risen from 16 billion Euros in 2005 to 19 billion in 2006 and the destinations of its defense-sector exports are the same as the former USSR's: India, Malaysia, Pakistan, the Arab world and, as a new entry, China. The 3000 firms classified as strategic at the end of the past century have been reduced to 1059, and out of these 700 have been privatized. The Russian state, however, has retained a large share of control: it has full control over 21 percent of Russia's aircraft companies, 35 percent of its ground armaments firms, 40 percent of the shipbuilding sector, 54 percent of missile industries, and 82 percent of munitions firms. This actually precludes joint ventures, since non-Russian subjects are prohibited by law from owning more than a 25 percent share in a firm that is considered to be strategic. Moscow continues to deploy Topol-M intercontinental missiles, the ones NATO calls SS-27s, and hundreds of firms work in the missile sector. The aircraft industry is still very powerful as well; Russia's aircraft engine production capacity equals that of the rest of the world as a whole, and the cost of labor is very competitive as compared to the West's, which is three times as much.²⁶

As a matter of fact, China and Russia have never been closer. Trade between them has grown by 15 percent over the past 12 months, and has reached an annual level of USD 33 billion. During a visit to Moscow by the Chinese president in late March 2007, twenty-one contracts were signed, totaling USD 4 billion. As far as energy is concerned, Russia has undertaken to supply Beijing in 2007 with fifteen million tons of crude oil by railroad while waiting for the construction of an oil pipeline and two gas pipelines which it plans to undertake before long to send Russian oil and gas to China.²⁷

The regional scenario has been witness since 2001 to the massive presence of the United States, which has undertaken its global war on terror by focusing primarily on Afghanistan. I share the view of those who believe that the presence of the three great powers in Central Asia is not a factor of inevitable instability or of predominance, where the supremacy of one would annihilate the other, but rather a form of a balance of power, where each actor counterbalances the expansion of the other and where any unilateral initiative automatically generates deterrents and counterweights.²⁸ What may appear as disadvantages or potential threats might on the contrary conceal forms of mutual benefit if not of cooperation, unintentional but eventually beneficial.

²⁵ Finlay Lewis, "To Hunter, China is Cause for Alarm," *San Diego Union Tribune* (11 March 2007). USA often accuse China that official Chinese defense budget is much less than the real expenditure.

²⁶ Antonio Missiroli and Alessandro Pansa, "La difesa europea," *Ed. Il Melangolo* (2007).

²⁷ "Firmati al Cremlino 21 contratti per un valore di 4 miliardi di dollari," *Osservatore Romano* (29 March 2007).

²⁸ Murad Esenov, in the essay *The Anti-Terrorist Campaign and the Regional Security System*, supposes an unspoken agreement on the balance of power in Central Asia; www.ca.c.org.

If we change our point of view, we can say that the massive entry of the United States into Central Asia can be considered as an extremely favorable event for the region, as it has put an end to the Taliban regime and thereby weakened the Islamist terrorist movements that acted within its orbit, among which were the groups of East Turkestan. At the same time, Russia and China, by sharing the common goal of containing U.S. influence, might find new bases for cooperation by focusing their relations on their mutual benefit rather than on competition. The Shanghai Cooperation Organization, whose members have chosen to focus on common general principles shared by everyone and put aside any controversial matters, seems to be the most suitable forum in which Russia and China might pursue such efforts. Thus, while coordinating their efforts to check the U.S. presence in the region, China and Russia might strengthen their bilateral relations as well as their ties with the Central Asian states, and this would be a result of the balance of power.

The joint communiqué released on 3 July 2005 after an official visit to Moscow by the Chinese president serves to confirm the analysis above.²⁹ In this document, the two parties recognize their bilateral relations as a priority of their foreign policy, and they espouse a fundamental interest of the two countries in terms of preserving peace, stability, and regional development and contributing to global prosperity.

Particularly ambitious are the goals set for economic cooperation, which accounted for USD 21.23 billion in 2004, with a growth trend of 20 percent in 2005, and the final target of reaching USD 60–80 billion dollars in 2010. An Investment Promotion Conference was held in St. Petersburg in June 2005, where many agreements were signed on investment projects for large and medium-scale enterprises. Special attention was devoted to the strategic exploitation of Siberia's energy resources to the mutual benefit and for the promotion of the Russian Far East, Siberia, and the northwest region of China.

Russia's interest in the SCO is witnessed by a statement made by Vladimir Putin during his address to the Federal Assembly of the Russian Federation on 26 April 2007. The President encouraged Russia to promote processes of economic integration among CIS countries, and particularly with those of the Euro-Asian area. In this context, reinforcing integration and the synergies of EURASEC and the SCO is of crucial importance since, as Putin said, "this is one of those cases where economy means security, the security of our borders."³⁰ And here the reason for the founding of the SCO—i.e. safe borders—appears again to give new impetus to Russia's relations with the Euro-Asian region, bringing a message which is still valid and relevant.

SCO's Military Counterterrorism Activities

The joint counterterrorism exercises planned by the Organization almost every year prove that there has been a qualitative leap in its coordination of military forces. The

²⁹ "China-Russia Communiqué," *CEF Quarterly* (July 2005).

³⁰ Vladimir Putin, Annual Address to the Federal Assembly, Moscow, 26 April 2007; available at www.kremlin.ru.

first exercises took place on 11–12 October 2002, and marked the beginning of the SCO's actual counterterrorism campaign. China and Kyrgyzstan participated in the exercises, although they both remained within their national borders. Some observers were so favorably impressed as to predict a growing role of the military dimension in the counterterrorism campaign within SCO.³¹

In August 2003, the first exercises took place in which five of the six member countries participated, sending both troops and observers. The goal was to improve the Organization's capacity to intervene as a reaction to a terrorist attack. Apart from the success of the initiative, known as *Cooperation 2003*, it is worth noting that for the first time China invited foreign troops to enter its territory. Organization members participated in joint military maneuvers as well as in the intelligence and command activities. Over 1300 men participated in the counterterrorism exercise across the Sino-Kazakh border. The exercises were organized in two stages. The first was meant to improve the command and control system. Participants included over 500 men belonging to Kazakh air defense units, as well as a Kyrgyz assault and reconnaissance platoon and a Russian motorized artillery company. During this stage, China and Tajikistan had observer status. As far as the latter was concerned, it was still suffering from the economic consequences of its civil war and had been unable to make troops and equipment available.

The second stage of the exercise was conducted on Chinese territory in the Autonomous Region of Xinjiang Uighur. The operation—designed to counter the entry into the country of one hundred separatist militants—was led by the Chinese, with the participation of Kyrgyz special forces. These training exercises were at the same time a first step towards a more effective fight against the terrorist threat in the region and a new attempt to coordinate local forces as an alternative to U.S. forces, which had entered the region at the outset of the global antiterrorist campaign and had been supported by the Central Asian republics, which had made available military bases in Uzbekistan and Kyrgyzstan and, as far as Kazakhstan was concerned, had participated in the *Steppe Eagle 2003* operations with NATO in the days just before the SCO exercises.³²

Chinese military sources declared that it was their intention to share with Russia, Kyrgyzstan, Tajikistan, and Kazakhstan their experience in combating terrorism, and that they were willing to agree on a shared approach against the common threats to regional stability. These training exercises were the first opportunity for the People's Liberation Army to work closely with foreign military structures, thus promoting understanding, cooperation, and development with the other member states.³³

In the opinion of some observers, the joint exercises have marked a turning point in the development of the Organization, which has thus acquired an increased stature in

³¹ Pan Guang, "Shanghai Cooperation Organization in the Context of International Antiterrorist Campaign," at www.ca-c.org.

³² Malia K. Du Mont, "Cooperation 2003: Style, Substance and Some Surprises," *CEF Monthly* (September 2003), at www.chianeurasiaforum.org.

³³ "SCO Launches Joint Exercise," at www.china.org.cn.

the region and a heightened credibility outside Central Asia; in addition, the SCO has gained confidence in its own abilities.³⁴ Despite the success of the joint operations and the shared recognition that threats to regional security should be faced by using the military if need be, Russian Defense Minister Ivanov stated that the Organization is not intended to be transformed into a military bloc.³⁵

Joint Sino-Russian exercises, named *Peace Mission 2005*, were conducted in the Shandong Peninsula between 18–25 August 2005. Russian observers praised this event; they pointed out that not only were they an immediate success for bilateral relations, but that they also held promise for regional stability in the context of the SCO. According to Russian observers, Russia attached to these exercises a dual significance: on the one hand, they were meant to advise the United States as to the potential of a possible military alliance between Russia and China, and on the other they certified Russia's presence in its own "Far East."³⁶

The exercises involved 1800 Russian and 8000 Chinese troops, and involved a counterterrorist operation involving the Army, the Navy and the Air Force. Some observers have pointed out that probably, since no terrorist group is known to possess ships as yet, the reasons for the exercises were not solely limited to coordination purposes as declared.³⁷ Actually, the *Peace Mission 2005* exercises have reasserted that a special bilateral link exists between Russia and China with a view to containing the U.S. presence in Central Asia and to protecting the region from "colored revolutions" induced from outside.

Although they were only bilateral, these exercises have had amplified effects with respect to the other SCO partners, as they evidenced a high level of military understanding between the two main regional powers, as well as their capability to guarantee regional security and attract new partners.³⁸ Joint counterterrorism exercises named *Vostok Anti Terror 2006* were conducted in Uzbekistan in 2006 within the framework of RATS. The scenario concerned the protection of the Tashkent Nuclear Physics Institute, which hosts a nuclear reactor. This target had already been indicated by the United States as highly vulnerable. Considering the instability that had characterized the Andijan region the year before, it was thought advisable to give special attention to this vulnerable research institute; the purpose was, according to some observers, to

³⁴ Roger McDermott, "Shanghai Cooperation Organization Takes Significant Step Towards Viability," 9 May 2003, at www.eurasianet.org.

³⁵ "SCO Needs Military to Fight Regional Terrorist Threat—Official," 18 April 2006, available at www.rian.ru.

³⁶ "Russian and Chinese Defense Ministers Praise Joint Military Exercise," RFE/RL 9:161, Part I (25 August 2005).

³⁷ *Eurasia Daily Monitor* 2:162, at www.jamestown.org.

³⁸ "The Significance of Sino-Russian Military Exercises," 14 September 2005, available at www.pinr.com.

strengthen the RATS intervention capacity so as to be able to tackle any emergencies that may occur as a result of U.S. troops leaving the region.³⁹

Joint military exercises are planned to take place in the Chelyabinsk region in August 2007. Participation will involve some 4000 troops, from all services. Russia will send 2000 men and China 1600, whereas the other SCO member countries will send groups of 50 to 100 soldiers each.⁴⁰

Some Considerations after the Bishkek Summit

Due to the growing economic influence of China and India, the difficult interaction between Russia and the West, the great interest in Central Asian resources, the Afghan drama, and the region's role as a transnational crime nexus, the SCO's evolution is becoming one of the most useful keys to interpret Central Asian trends. At the last heads of state summit (held on August 16, 2007 in Bishkek), the Shanghai Cooperation Organization more and more evolved in importance and geographic scope. Its members are real economic and political powers (both at the regional and global level), and the Organization is establishing a wide network of cooperative ties with the most influential international and regional organizations. Given this, we should consider as a "pending question" among SCO members the admission of new full members while, from the Western point of view, it is of basic importance to consider a possible dialogue or even partnership with the SCO. So far, only Western organizations such as the European Union and NATO have not yet established any kind of cooperation with the SCO.

An initiative effecting that direction was taken by the German Presidency of the European Union, which organized on 3 April in Berlin an international conference entitled "Shanghai Cooperation Organization: EU Partnership Opportunities." Participants included the SCO Secretary General Bolat Nurgaliev, the EU Special Representative for Central Asia Pierre Morel, experts from SCO countries, and German scholars and politicians. This initiative had the effect of paving the way for possible cooperation between the EU and the SCO (which might lead to the EU acquiring the status of dialogue partner).⁴¹ On the other hand, the way this dialogue has been launched makes it too dependent on Germany's unilateral wishes. Germany has long been conducting an active bilateral policy towards Central Asia, and its over-exposure in this initiative creates stronger links with Berlin than with Brussels.

Energy has been one of the core topics of the meetings between European Union and Central Asian countries held during the German tenure in the EU presidency. Due to the strategic relevance of the Eurasian region, the fight against terrorism in Central

³⁹ Nicklas Norling, "RATS Exercise in Tashkent: Concern Over Nuclear Terrorism?," available at www.caianalyst.org.

⁴⁰ *Silk Road Studies Weekly Newsletter*, 23 April 2007, at www.silkroadstudies.org.

⁴¹ "Berlin Hosts International Conference 'SCO: EU Partnership Opportunities,'" available at www.sectsc.org.

Asia, and the great interest in energy supplies, the EU raised its level of commitment in Central Asian matters.⁴²

The energy matter is now fully included in the SCO's internal debates. The constitution of a SCO Energy Club was widely debated during a round table held in Tashkent on 27 February 2007, aiming toward the development of a SCO Energy Club model and concept. This initiative was carried out only few months before the agreement among Russia, Kazakhstan, and Turkmenistan regarding joint exploitation of the Caspian Sea gas supply. If this kind of agreement also became part of the SCO's activities, the organization would have in its membership both the main energy exporting countries and one of the main consumers, China (this point is even more strongly drawn when one considers that the whole SCO space, including observers, such as Iran, includes additional energy producers, but also adds India among consumers). Thus, the organization would have continental monopoly over energy supplies, with huge ramifications for the global energy market.

For its part, NATO has just recently examined the possibility of some form of dialogue, though low-profile, with the SCO.⁴³ A rapprochement process between the two organizations would require overcoming a purely Atlantic logic in order to reach the pragmatic consideration that the Euro-Asian region is bound to be a protagonist on the international stage in the years to come, and that NATO cannot exclude itself and deny an inevitable arena for projection beyond its original area of concern. Perhaps we will have to wait for more mature times before we see a reorientation of NATO's perspective.

It would be a strategic mistake to ignore such a player, which is already the largest regional organization in the world. Actually, by "taking care" of the SCO's development, Western organizations could take care of themselves. The aim should be to be included in an increasingly important chess game, one that will probably determine the political, military and economic development of the Eurasian area in the coming decades.

The field of military cooperation has also gained new prominence in its regional dimension. The 2007 military drills *Anti-terror*, led by RATS, and the SCO's *Peace Mission* have had the CSTO as observer. The possibility to establish a security partnership with such a regional military organization (moreover one led by Russia, and whose membership overlaps with that of the SCO) could open the possibility of sharing information or organizing joint military drills in the near future. The development of a mature security and military SCO branch is probably still far away, because it would involve the deepening and widening of cooperation in the military and security field at the same time as promising cooperation in the energy field is being launched. It should also be considered that a strengthened partnership between SCO and CSTO would put

⁴² Atho Lobjakas, "EU: German presidency's focus on Central Asia, Black Sea, Russia," 19 December 2006, at www.rferl.org.

⁴³ Richard Weitz, "Rinnovare i partenariati dell'Asia Centrale," *Nato Review* (Autumn 2006); available at www.nato.int/docu/review/2006/issue3/italian/analysis2.html.

Russia in a leadership role in security and military matters that could probably meet with Chinese opposition.

Beyond the present spheres of potential SCO development, the organization maintained during its growth and consolidation phases some features that represent its strength. The great novelty of the SCO has since the beginning been its will to put at the core of the organization the common interest of all the members (border issues at the very beginning, then the fight against the “three evil forces,” the joint military drills, economic cooperation, and finally joint exploitation of energy resources). All these aims have been pragmatically pursued in the light of a cautious growth process which is at the same time able to pay attention to the interests of outside countries.

If the SCO is able to maintain the correct balance between consolidation and growth, it will surely be one of the main engines of Asian economic development. At this point, Western organizations, namely EU and NATO, should start a dialogue with the SCO, in order not to find themselves of the sidelines of the new great game of Asian growth.

Russian Oil and Gas Challenges

Robert Pirog *

Introduction

The Russian Federation is a major player in world energy markets. It has more proven natural gas reserves than any other country, and is among the top ten countries in proven oil reserves.¹ It is the world's largest exporter of natural gas, the second-largest oil producer and exporter, and the third-largest energy consumer. Given that the United States also is a major energy producer and user, Russian energy trends and policies affect U.S. energy markets, and U.S. economic welfare in general.²

Oil and Gas Reserves and Production

Most of Russia's 60–74 billion barrels of proven oil reserves (Table 1) are located in Western Siberia, between the Ural Mountains and the Central Siberian Plateau. The ample endowment of this region made the Soviet Union a major world oil producer in the 1980s, reaching production of 12.5 million barrels per day (bbl/d) in 1988.³ However, roughly 25 percent of Russia's oil reserves and 6 percent of its gas reserves are on Sakhalin Island in the far eastern region of the country, just north of Japan.

Russian oil production—which had begun to decline before the Soviet Union dissolved in 1991—fell more steeply afterward, to less than six million bbl/d in 1997 and 1998.⁴ State-mandated production surges had accelerated the depletion of the large Western Siberian fields, and the Soviet central-planning system collapsed. Russian oil output started to recover in 1999. Many analysts attribute this to privatization of the industry, which clarified incentives and shifted activity to less expensive production methods. Increases in world oil prices, application of technology that was standard practice in the West, and rejuvenation of old oil fields helped boost output. The after-effects of the 1998 financial crisis and the subsequent devaluation of the ruble may

* Robert Pirog is a Specialist in Energy Economics and Policy Resources in the Science, and Industry Division of the Congressional Research Service. This essay was prepared as a CRS Report for Congress, Order Code RL33212. The original version of this report was written by Bernard A. Gelb.

¹ *Oil and Gas Journal* (19 December 2005). Estimates of proven oil and/or gas reserves by country can differ widely, depending partly on what types of resources are included. Thus, Russia's ranking of reserve holdings may differ among organizations that compile such data.

² For broader coverage of Russian political and economic issues, see Stuart D. Goldman, *Russian Political, Economic, and Security Issues and U.S. Interests*, CRS Report RL33407 (Washington, D.C.: Congressional Research Service, updated 31 May 2007).

³ British Petroleum (BP), *BP Statistical Review of World Energy*, June 1992. Data for Russia only are not available for 1988.

⁴ British Petroleum, *BP Statistical Review of World Energy 1997*, June 1997.



Figure 1: Russia⁵

well have contributed in this regard. Russian crude oil production reached 9.0 million bbl/d in 2005 and rose slowly in 2006 to 9.2 million bbl/d.⁶

However, Russian crude oil production has been exceeding growth in reserves, as “intensive deposit exploitation” combined with the continued reliance on old technology is leaving 65 percent of the oil in the ground, according to the director of the Russian Natural Resources Ministry. Between 1994 and 2005, the increase in Russian oil extraction was about eight billion barrels greater than the increase in reserves. Reserves in Western Siberia, Russia’s prime oil producing region, fell by almost 23 billion barrels between 1993 and 2005.⁷

With about 1,700 trillion cubic feet (tcf), Russia has the world’s largest reserves of natural gas. In 2005, it was the world’s largest natural gas producer and the world’s largest exporter. However, production by its natural gas industry has increased very little in recent years, and is projected to continue to increase slowly.⁸ Exports have only recently re-attained their level of the late 1990s.

The growth of Russia’s natural gas sector has been impaired by aging fields, near monopolistic domination over the industry by Gazprom (with substantial government holdings), state regulation, and insufficient export pipelines. Gazprom, Russia’s 51

⁵ Energy Information Administration, *Russia Country Analysis Brief*, February 2005; available at www.eia.doe.gov/emeu/cabs/Region_ni.html (viewed 3 December 2005).

⁶ Energy Information Administration (EIA), *Country Analysis Briefs, Russia*, April 2007; available at www.eia.doe.gov/emeu/cabs/Russia/Oil.html (viewed 8 January 2007).

⁷ “Russian Companies Face Crude Crunch,” *FSU Oil & Gas Monitor* (18 April 2007), 12.

⁸ EIA, *Country Analysis Briefs, Russia*, April 2007; available at www.eia.doe.gov/emeu/cabs/Russia/Natural Gas.html (viewed 15 May 2007).

percent state-owned natural gas monopoly, holds more than one-fourth of the world's natural gas reserves, produces nearly 90 percent of Russia's natural gas, and operates the country's natural gas pipeline network. The company's tax payments account for around 25 percent of Russian federal tax revenues. Gazprom is heavily regulated, however. By law, it must supply the natural gas used to heat and power Russia's domestic market at government-regulated, below-market prices.

Table 1: Oil and Natural Gas^a Reserves and Production⁹

Country or Region		Proved Reserves (billion bbls of oil/ trillion cu. ft. of gas)		Production (mil. bbls/day of oil/ trillion cu. ft. of gas)
		BP (End of 2005)	O & G Journal (1/1/07)	BP (2005)
Russian Federation		74/1,688	60/1,680	9.6/21.1
Reference Areas	United States	29/193	22/204	6.8/18.9
	North Sea ^b	n.a./n.a.	13/161	5.9 ^c /n.a.
	Saudi Arabia	264/244	260/240	11.0/2.5
	WORLD	1,200/6,348	1,317/6,183	80.0/97.5

n.a. — not available.

a. Includes natural gas liquids.

b. Includes Denmark, Germany, Netherlands, Norway, and United Kingdom.

c. Energy Information Administration estimate.

Potential growth of both oil and natural gas production in Russia is limited by the failure to fully introduce the most modern Western exploration, development, and production technologies. Also, oil companies, whose natural gas is largely flared, and independent gas companies will play an important role by increasing their share of Russian total gas production from 9 percent in 2005 to around 17 percent by 2010, according to the Energy Information Administration.¹⁰ Their success, however, depends largely on gaining access to Gazprom's transportation network.

However, while the investment climate in Russia had been considered to be improving, there are reasons to argue that it is now worsening. As will be discussed below, a reported proposal to tighten restrictions on the extent to which foreign compa-

⁹ Information drawn from *BP Statistical Review of World Energy*, June 2006; Energy Information Administration, *Country Analysis Briefs: North Sea*, "Oil," August 2005 (available at www.eia.doe.gov/emeu/cabs/North_Sea/Oil.html); *Oil & Gas Journal* (18 December 2006).

¹⁰ EIA, *Country Analysis Briefs, Russia*, April 2007.

nies can participate in Russian oil and natural gas production would seem to discourage investment. An unsettled judicial system provides limited and uncertain protection of property rights and the rights of minority shareholders. Also, investors complain that the investment climate is inhospitable, citing factors such as burdensome tax laws and inefficient government bureaucracy.

Exports

Energy exports have been a major driver of Russia's economic growth over the last five years, as Russian oil production has risen significantly and world oil and gas prices have been relatively high. This type of growth has made the Russian economy highly dependent on oil and natural gas exports, and vulnerable to fluctuations in world oil prices. Based upon an International Monetary Fund study, a USD 1 per barrel increase in the price of Urals blend crude oil for a year results in a USD 3 billion increase in Russia's nominal gross domestic product.¹¹

Petroleum

Almost three-fourths of Russian crude oil production is exported; the rest is refined in Russia, with some refined products then being exported. Of Russia's 6.7 million bbl/d of crude oil exports in 2004, two-thirds went to Belarus, Ukraine, Germany, Poland, and other destinations in Central and Eastern Europe. The remaining portion went to maritime ports and was sold in world markets. Recent high oil prices have enabled as much as 40 percent of Russia's oil exports to be shipped via railroad and river barge routes, which are more costly modes of transport than pipelines. Most of Russia's exports of refined petroleum products to Europe are distillate oil used for heating and by trucks.

Russia's capacity to export oil faces difficulties, however. One stems from the fact that crude oil exports via pipeline are under the exclusive jurisdiction of Russia's state-owned pipeline monopoly, Transneft. Bottlenecks in the Transneft system prevent its export capacity from meeting oil producers' export ambitions. Only about four million bbl/d can be transported in Transneft's major trunk pipelines; the rest is shipped by rail and river routes. Most of what is transported via alternative transport modes is refined petroleum. The rail and river routes could become less economically viable if oil prices fall sufficiently. The Russian government and Transneft are striving to improve the export infrastructure.

Unless significant investments are made in improving the Russian oil pipeline system, the level of non-pipeline transported exports probably will grow. For example, rail routes presently are the only way to transport Russian crude oil to East Asia. Russia is exporting about 200,000 bbl/d via rail to the cities of Harbin and Daqing in

¹¹ Antonio Spilimbergo, *Measuring the Performance of Fiscal Policy in Russia*, IMF Working Paper WP/05/241 (Washington, D.C.: International Monetary Fund, December 2005), 7. CRS has applied the IMF sensitivity factor to Russia's GDP for 2005 at the official exchange rate, USD 740.7 billion, as given in the Central Intelligence Agency's *World Fact Book*, available at <https://www.cia.gov/cia/publications/factbook/geos/rs.html#Econ>.

northeast China, and to central China via Mongolia. Since Yukos was the leading Russian exporter of oil to China, there was concern that the breakup of Yukos by the Russian government (see below, under “Energy Policy”) might affect rail exports to China. However, Lukoil now is the chief supplier of Russian oil to China.

U.S. markets could benefit from a proposed pipeline that would carry crude oil from Russia’s West Siberian basin and Timan-Pechora basin westward to a deep-water tanker terminal at Murmansk on the Barents Sea. This could allow for between 1.6 and 2.4 million bbl/d of Russian oil exports to reach the United States via tankers within only nine days, much faster than shipping from the Middle East or Africa. Liquefied natural gas (LNG) facilities at Murmansk and Arkhangelsk (to the southeast) have also been suggested, possibly allowing for gas exports to American markets.

Oil transportation in the Black Sea region is in flux. A significant portion of Russia’s oil is shipped by tankers from the Black Sea to the Mediterranean and to Asia, much of it from the port of Novorossiysk. However, transit through the shallow and congested Bosphorus Straits is limited by Turkey for environmental and safety reasons, limiting the effective capacity of pipelines that terminate in Novorossiysk.¹² Oil shipped through the Baku-Tbilisi-Ceyhan (BTC) pipeline is from Azerbaijan (and potentially from Kazakhstan as well), posing competition to Russian oil.¹³ Oil production in Azerbaijan has risen steeply in 2007 and, with ample BTC capacity, the Azerbaijan International Operating Company consortium has stopped using the Baku-Novorossiysk pipeline.¹⁴

To the east, Russia faces competition for China’s oil market from Kazakhstan, which, in cooperation with China, completed in late 2005 the construction of a pipeline from Atasu in central Kazakhstan to Alaskankou on China’s western border. Eventual capacity will be 190,000 bbl/d.¹⁵ Several consortia have also begun producing and exporting oil (mainly to East Asia at present) from Sakhalin island (Figure 4). They also plan to export gas to the United States via pipelines to the Siberian mainland and then from LNG terminals.

¹² See, for example, Yigal Schleifer, “Russian Oil Ships Stuck in Bosphorus Strait Traffic Jam,” *Christian Science Monitor* (25 January 2005). Limited depth, heavy traffic, and environmental considerations have resulted in restrictions by Turkish authorities on travel through the Bosphorus. The Baku-to-Ceyhan pipeline has an advantage in that Ceyhan, a Turkish port on the Mediterranean, can handle very large carriers, while the ports of Novorossiysk and Supsa (in Georgia) are restricted to smaller tankers that can transit the Bosphorus straits. Ceyhan can also remain open all year, whereas Novorossiysk is closed up to two months.

¹³ Kazakhstan and Azerbaijan have agreed to allow Kazakh oil to flow through the BTC pipeline. See “Kazakhstan Inks BTC Deal,” *The Oil Daily* (19 June 2006), 7.

¹⁴ “AIOC: Oil Production Up, BTC Now Handling All Exports,” *FSU Oil & Gas Monitor* (25 April 2007).

¹⁵ Martin Clark, “Beijing Triumphs with Inauguration of Kazakhstani Crude Pipe,” *FSU Oil & Gas Monitor* (21 December 2005).

Natural Gas

Historically, most of Russia's natural gas exports went to Eastern Europe and to customers in countries that were part of the Soviet Union. But, in the mid-1980s, Russia began trying to diversify its export options. Gazprom has continued to shift some of its exports to meet the rising demand of European Union countries, Turkey, Japan, and other Asian countries. For Gazprom to attain its long-term goal of increasing its European sales, it will have to boost production as well as secure more reliable export routes to the west.

Issues have arisen with the growth of Russia's gas sales to Europe. EU trade representatives have criticized Gazprom's abuse of its dominant market position and two-tiered pricing system, which charged higher prices on exports than on domestic sales. Russia agreed to grant domestic independent natural gas producers access to Gazprom's pipelines, and, in response to calls for fair pricing, the Russian government doubled prices to Russian industrial consumers. But the new price level still is less than half of the prices charged at the German and Ukrainian borders. To correct this, the Russian government has decided to increase domestic gas prices gradually over the next few years, with the aim of more than doubling them by 2011.¹⁶

As a major supplier of natural gas to European countries, and the dominant supplier to some, Russia has some ability to set prices.¹⁷ For example, as will be discussed below, Gazprom has threatened to cut off natural gas supplies to certain countries if they did not agree to pay higher prices, and has actually done so. As the only seller of Russia's gas, Gazprom is Russia's largest earner of hard currency.

Russia's natural gas exports to Europe declined markedly in January 2006 as a result of severely cold weather in Russia that greatly increased Russian gas consumption, and also reduced oil exports somewhat. The cold conditions lasted through the month.¹⁸

As with oil, Russia faces competition for Asian gas markets from Kazakhstan, which, in concert with China, is studying the feasibility of building a gas pipeline from the former to the latter to complement the oil pipeline completed in 2005.¹⁹ Given the proximity of gas producers Turkmenistan and Uzbekistan to Kazakhstan, it is possible that their gas also would go to China via that route.

¹⁶ Ed Reed, "Russian Gas Prices to Rise," *FSU Oil & Gas Monitor* (6 December 2006), 2.

¹⁷ For detailed data on the extent of Europe's dependence on Russian natural gas, see Bernard A. Gelb, *Russian Natural Gas: Regional Dependence*, CRS Report RS22562 (Washington, D.C.: Congressional Research Service, 18 January 2007).

¹⁸ "Cold Spell Cuts Russian Gas to Europe," *Financial Times* (18 January 2006), at www.FT.com; "Cold Weather Cutting Russian Gas Exports," *Oil & Gas Journal Online* (23 January 2006).

¹⁹ "Kazakhstan, China Consider Gas Pipeline Construction," *FSU Oil & Gas Monitor* (7 December 2005).

Energy Policy²⁰

The Russian government has moved to take control of the country's energy resources, and to try to use that control to exert its influence elsewhere. It is arguable that this push for control was partly the motivation behind the government's prosecution of Mikhail Khodorkovsky, the CEO of Yukos, who acquired state-owned assets during the period of privatization and adopted open and "transparent" business practices while transforming Yukos into a major global energy company. Yukos is being broken up, with its principal assets being sold off to meet alleged tax debts. Yuganskneftegaz, Yukos' main oil production subsidiary, was sold at a state-run auction to the Baikal Finans Group—a previously unknown entity, which was the sole bidder—for USD 9.4 billion (about half its market value, according to Western industry specialists). The Baikal group soon after sold the unit to Rosneft, the state-run oil company.²¹ Yukos' creditors voted to liquidate the company on 25 July 2006, and the Moscow arbitration court confirmed the vote.²² Portions of Yukos have been sold off piecemeal since then. Another government takeover followed when Gazprom bought 75 percent of Sibneft, Russia's fifth-largest oil company.²³

A possible shift to a less aggressive policy stance was hinted at when President Putin announced on 31 January 2006 that Russia would not seek state control of any additional oil companies.²⁴ However, the Duma voted to give Gazprom the exclusive right to export natural gas, and, as described below, Russia moved to limit participation by foreign companies in oil and gas production.²⁵ In addition, Gazprom gained majority control of the Sakhalin energy projects.

In Eastern Europe, Russian firms with close links to the Russian government have used leverage to buy energy companies in order to gain a higher level of control over

²⁰ Much of the material in this section is from Goldman, *Russian Political, Economic, and Security Issues and U.S. Interests*, and Emma Chanlett-Avery, *Rising Energy Competition and Energy Security in Northeast Asia: Issues for U.S. Policy*, CRS Report RL32466 (Washington, D.C: Congressional Research Service, 20 January 2006).

²¹ It was subsequently revealed that Baikal Finans consisted of a group of Kremlin insiders headed by Igor Sechin, Deputy Head of the Presidential Administration and a close associate of President Putin. Sechin has been Chairman of Rosneft's board of directors since July 2004. The *de facto* nationalization of Yuganskneftegaz was declared "the fraud of the year" by Andrei Illarionov, President Putin's chief economic advisor; see Simon Romero and Erin E. Arvedlund, "U.S. Court to Hear Arguments for Dismissal of Yukos Case," *New York Times* (7 January 2005).

²² "Yukos: The Final Curtain," *FSU Oil & Gas Monitor* (26 July 2006), 5; Ben Aris, "Death of Yukos," *FSU Oil & Gas Monitor* (2 August 2006), 4.

²³ "New Takeover to Make Russia's Giant Gazprom one of the World's Largest Oil and Gas Companies," *Pravda* (1 October 2005); at english.pravda.ru/russia/economics/01-10-2005/8997-gazprom-0 (viewed 6 February 2006).

²⁴ "Putin: Private Oil Companies to Remain Private," *FSU Oil & Gas Monitor* (1 February 2006).

²⁵ Tobias Buck and Neil Buckley, "Russian Parliament Vote Backs Gazprom Export Monopoly," *Financial Times* (16 June 2006), 8.

energy supply. For example, Yukos obtained majority control over a Lithuanian refinery (the only one in the Baltic states) by slowing the oil supply to it, and then buying it at a reduced price. The Transneft pipeline monopoly diverted the flow of oil shipments to Primorsk, a Russian port, stopping flow to the Latvian port of Ventspils. Some see Transneft's action as a move to obtain control of the firm that operates the Ventspils terminal.²⁶ Transneft also refused to finalize an agreement to transport Kazakh oil to Lithuania, undermining Kazakhstan's KazMunaiGaz's attempt to buy the refinery. After several developments, an agreement was reached for Yukos to sell the refinery to a Polish firm.²⁷

Another example of Russia's efforts to maintain or increase control over regional energy supplies is the routing of new and planned export pipelines. For example, Russia has agreed with Germany, with the support of the United Kingdom, to supply Germany (and, eventually, the U.K.) directly by building a natural gas pipeline under the Baltic Sea, thus bypassing Ukraine and Poland. In late January 2006, Gazprom was negotiating with Uzbekistan to obtain control of three of that country's gas fields.²⁸ Russia is also hoping to participate in the venture that is constructing a gas pipeline between Turkey and Greece.²⁹

Several actions in recent years by Russia or its economic agents have been characterized by some as perhaps overaggressive. In 2005, Gazprom wanted to raise the price paid by Ukraine for gas to market levels (this price was originally a fraction of the world market price, a discount offered by Russia in return for Ukraine's transmission of Russian gas).³⁰ When negotiations failed, Gazprom reduced gas pressure and flow through the Ukrainian network on 1 January 2006. Ukraine compensated by using some gas intended for sale in Western Europe. Gazprom restored supply very shortly after, when those European countries complained and pointed out that Russia was risking its reputation as a reliable energy supplier.³¹ The dispute was resolved temporarily on 4 January 2006 when Gazprom agreed to sell gas at its asking price to a trading company that would mix Russian gas with less expensive gas from Central Asia and sell the mixture to Ukraine at a higher price than Ukraine had indicated it was willing to pay, but one that was much lower than the price that Gazprom had initially sought to impose. Gazprom would pay cash instead of gas in kind to Ukraine's pipeline

²⁶ Ariel Cohen, "Don't Punish Latvia," *Washington Times* (5 May 2003).

²⁷ "Poland's PKN Buys Lithuania Refinery for \$2.6 Billion," *Reuters* (26 May 2006).

²⁸ Vladimir Kovalev, "Gazprom Secures Uzbekistan Gas through Politics and Pipelines," *FSU Oil & Gas Monitor* (23 January 2006).

²⁹ Kerin Hope, "Russia to Discuss Gazprom Role in Aegean Pipeline," *FT.com* (5 February 2006), at http://search.ft.com/search/quickSearch_Run.html (viewed 6 February 2006).

³⁰ A large share of Russia's natural gas exports to Western Europe pass through Ukraine and Belarus, which withdraw a certain amount of gas from the pipelines for their own use.

³¹ "Russia Turns up the Gas," *Guardian Weekly* (23 December 2005–5 January 2006), 41; Peter Finn, "Russia Reverses Itself on Gas Cuts," *The Washington Post* (3 January 2006), A12; Andrew E. Kramer, "Russia Restores Most of Gas Cut to Ukraine Line," *The New York Times* (3 January 2006), at <http://www.nytimes.com/2006/01/03/international/europe/03ukraine.html?pagewanted=print> (viewed 3 January 2006).

business for increased transit fees.³² One report stated that Gazprom wanted to gain at least some ownership of Ukraine's pipeline system.³³

Later in January 2006, through no fault of Russia, the apparent reliability of its natural gas supplies suffered further when severely cold weather raised Russian demand for gas and cut exports below contracted volumes. After a few temporary gas price agreements, a deal was reached between Russia and Ukraine in October 2006 under which Ukraine pays a moderate price for gas in return for political and other favors.³⁴

In other actions, Russia cut off gas supplies to Moldova during a price dispute in early January 2006. The countries reached an interim agreement after Moldova had been without Russian gas for two weeks.³⁵ In late 2006, Gazprom appeared to be preparing to cut off gas supplies to Belarus and Georgia unless they agreed to pay much higher prices in 2007. Reportedly, Georgia soon "agreed" to a doubling of Gazprom's prices.³⁶ Belarus and Gazprom signed a five-year contract on 1 January 2007, which stipulates that Belarus will pay increasingly higher prices for gas (starting at more than twice the old price) and that Gazprom will purchase a 50 percent interest in Belarus' gas pipeline network.³⁷ The next week, Russia shut off the flow of crude oil to and through Belarus following its announcement of an oil export tax and Belarus' dual action of imposing a customs duty on oil transiting Belarus to other export markets, and taking some of the oil flow as payment of the customs duty.³⁸ Destination countries had adequate inventory to cope in the short run, but criticized Russia's failure to warn

³² Graeme Smith, "Russia, Ukraine Settle Gas Dispute," *GlobeandMail.com* (5 January 2006), at www.theglobeandmail.com/international, type "Russia" in search box; Peter Finn, "Russia and Ukraine Reach Deal on Gas, Ending Dispute," *The Washington Post* (5 January 2006), A12; Mark Smedley and Mitchell Ritchie, "Russia, Ukraine Settle Gas Pricing Dispute," *Oil Daily* (5 January 2006), 1.

³³ *Oil Daily* (5 January 2006). For a fuller discussion and analysis of the Russia-Ukraine gas dispute, see Jim Nichol, Steven Woehrel, and Bernard A. Gelb, *Russia's Cutoff of Natural Gas to Ukraine: Context and Implications*, CRS Report RS22378 (Washington, D.C.: Congressional Research Service, 15 February 2006).

³⁴ "Ukraine Secures Gas Supplies for Questionable Political Price," *FSU Oil & Gas Monitor* (1 November 2006), 7; *Gas Monitor* (5 July 2006).

³⁵ Neil Buckley and Sarah Laitner, "Moldova Reaches Gas Deal with Gazprom," *FT.com* (17 January 2006), at http://search.ft.com/search/quickSearch_Run.html (viewed February 2006).

³⁶ Information Division, OAO Gazprom, Press Release, "Gazprom Seals Contracts to Supply Gas to Georgia in 2007," 22 December 2006; "Georgia 'Agrees (to) Russia Gas Bill,'" *BBC News* (22 December 2006), available at <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/business/6203721.stm> (viewed 11 January 2007).

³⁷ Alan Cullison, "Belarus Yields to Russia," *The Wall Street Journal* (2 January 2007), A4; "Belarus, Russian Firm Sign 5-Year Deal for Gas," *The Washington Post* (2 January 2007), A10.

³⁸ "Russian Oil Disruption Rattles European Commission, Germany," *Oil Daily* (9 January 2007), 2; Guy Chazen, Gregory L. White, and Marc Champion, "Russian Oil Cutoff Rouses Europe's Doubt," *The Wall Street Journal* (9 January 2007), A3.

them that a shut-off was possible.³⁹ Oil began flowing again late on 10 January 2007, after Belarus lifted the transit duty, helping the countries reach a tentative agreement.⁴⁰ The Moldova, Georgia, and Belarus incidents have heightened concern about Russia's reliability and encouraged investigations of non-Russian energy sources by several states of the former Soviet Union as well as Western Europe.

Russia initially opposed any Western investment in Caspian Sea energy projects, insisting that oil from the region be transported through Russian territory to Black Sea ports and arguing for equal sharing of Caspian Sea oil and gas. This attitude reflected the extensive energy ties between Russia and Central Asian countries, stemming from the numerous transportation routes from that area through Russia. But Russia has recently become more agreeable toward (and even cooperative with) Western energy projects, and it has signed an agreement with Azerbaijan and Kazakhstan on Caspian seabed borders, essentially based upon shore mileage.

In East Asia, China, Japan, and South Korea are trying to gain access to the largely undeveloped energy resources of Eastern Siberia as those countries strive to meet their increasing energy needs while reducing their dependence on the Middle East. China and Japan appear to be engaged in a bidding war over Russian projects, and are contesting access to Russian rival oil pipeline routes.

Many observers believe that Russia tried to use potential participation by U.S. firms in the development of the large Shtokmanovskoye gas field as leverage in its negotiations to gain entry into the World Trade Organization (WTO).⁴¹ Ultimately, Russia decided to rule out foreign equity participation in developing Shtokmanovskoye, but agreed to allow foreign companies to be involved as contractors and owners of the operating company.⁴² Another recent development—the July 2006 initial public offering (IPO) in which a portion of the state-owned oil company Rosneft was sold—has been seen by some as an attempt by Russia to attract investments by major foreign oil companies. Presumably, these firms hope that investing in the Rosneft IPO would gain them easier access to participation in Russian oil and gas projects.⁴³

³⁹ Gregory L. White and Guy Chazen, "Oil Spat Deepens Worry Over Russia's Reliability."

⁴⁰ "Russia, Belarus End Druzhba Spat," *Oil Daily* (11 January 2007), 1; Peter Finn, "Russia-Belarus Standoff Over Oil Ends, Clearing Way for Accord," *The Washington Post* (11 January 2007).

⁴¹ Ed Reed, "Shtokmanovskoye: the Wait Continues," *NewsBase CIS Oil & Gas Special Report* (July 2006); "G8 Adopts Energy Plan; Shtokman Slipping Away from U.S. Firms?" *Oil Daily* (18 July 2006); "Russian State Interference" and "Test Drilling on Shtokmanovskoye Begins," *FSU Oil & Gas Monitor* (26 July 2006).

⁴² "Shtokmanovskoye: Door Opens," *FSU Oil & Gas Monitor* (13 December 2006), 8; "Gazprom Rethinks Shtokmanovskoye Involvement," *FSU Oil & Gas Monitor* (11 April 2007), 6.

⁴³ Steven Mufson, "Russian Oil Firm IPO Ends Early," *The Washington Post* (13 July 2006), D5; Gregory L. White and Alistair MacDonald, "Demand Allows Rosneft to Price IPO at High End," *The Wall Street Journal* (14 July 2006), C1. Selling was stopped when only 13–14 percent of the stock had been sold, yielding about USD 10.4 billion. Joanna Chung and Arkady Ostrovsky, "Rosneft IPO Fails to Attract Big Players," *Financial Times* (15–16 July 2006), 9.

Another instance of Russia's efforts to gain greater control over its energy resources is Gazprom's takeover of the majority interest in the Sakhalin Energy Investment Company (SEIC) on 21 December 2006, from Royal Dutch Shell. SEIC will remain the operator of the Sakhalin II project.⁴⁴ The current SEIC partners will each dilute their stakes by half: Shell will retain a 27.5 percent stake, with Mitsui and Mitsubishi holding 12.5 percent and 10 percent stakes, respectively. In another Sakhalin development, the Russian government effectively rewrote the production-sharing agreement for Sakhalin-II, which now provides for a large annual dividend to Russia before the project's shareholders have recovered their capital expenditures (under the original agreement, capital expenditures were to be recovered before any dividends were paid).⁴⁵

Given foreign companies' technological capabilities and Russia's need for the most modern oil and gas extraction technology, a reported proposal to tighten restrictions on the extent to which foreign oil companies can participate in Russian oil and natural gas production and other ventures is potentially significant, and perhaps represents a move that is against Russia's own interests. Foreign companies (or Russian companies with at least 50 percent foreign participation) would not be allowed to develop fields with more than 513 million barrels of oil and 1.77 billion cubic feet of natural gas.⁴⁶

Major Proposed New or Expanded Pipelines⁴⁷

Because Russia's export facilities have limitations of both location and size, there are a number of proposals to build new terminals or to expand existing Russian oil and natural gas export pipelines and related facilities. Some proposals are contentious and—while the Russian government perceives a need to expand its oil and gas export capacity—it has limited resources. Several selected proposals are discussed below.

Druzhba Pipeline

With a 1.2–1.4 million bbl/d capacity, the 2,500-mile Druzhba line is the largest of Russia's oil pipelines to Europe. It begins in southern Russia, near Kazakhstan, where it collects oil from fields in the Urals and the Caspian Sea. In Belarus, it forks at Mozyr: one branch runs through Belarus, Poland, and Germany; and the other through Belarus, Ukraine, Slovakia, the Czech Republic, and Hungary (see Figure 2). Work has begun to increase capacity between Belarus and Poland. An extension to Wilhelms-

⁴⁴ Sakhalin Energy, "Gazprom, Shell, Mitsui, Mitsubishi Sign Sakhalin II Protocol," at www.sakhalinenergy.com/en/ (viewed 11 January 2007); Ed Reed, "Sakhalin Smash and Grab," *FSU Oil & Gas Monitor* (10 January 2007), 2.

⁴⁵ "Moscow to Receive Sakhalin Dividends Ahead of Schedule," *FSU Oil & Gas Monitor* (2 May 2007), 11.

⁴⁶ Arkady Ostrovsky, "Russia May Tighten Foreign Oil Groups' Access to Reserves," *Financial Times* (14 June 2006), 8.

⁴⁷ Much of the discussion of Russian oil and gas pipelines is taken from the *Russia Country Analysis Brief* of February 2005 and April 2007, prepared by the Energy Information Administration.



Figure 2: Druzhba and Adria Oil Pipelines⁴⁸

haven, Germany would reduce Baltic Sea tanker traffic and allow Russia to export oil to the United States via Germany.

Baltic Pipeline System

The Baltic Pipeline System (BPS) carries crude oil from Russia's West Siberian and Tyumen-Pechora oil provinces westward to the newly completed port of Primorsk on the Russian Gulf of Finland (see Figure 3). Throughput capacity at Primorsk has been raised to around one million bbl/d, and, pending government approval, will be expanded to 1.2 million bbl/d. The BPS gives Russia a direct outlet to Northern European markets, reducing dependence on routes that run through the Baltic states. The re-routing of Russian crude through the BPS has come at a considerable cost to those countries. Russian authorities have stated that preference will be given to sea ports in which Russia has a stake over foreign ones. But the waterways through which tankers leaving from Primorsk and most other Russian export ports must transit limit tanker size, and therefore the price competitiveness of their cargoes.

Additional Proposed Pipelines

Some additional proposed lines would carry oil from Russia's West Siberian and Tyumen-Pechora basins west and north, going above the Baltic port at Primorsk to a deepwater terminal at Murmansk or Indiga on the Barents Sea (see Figure 3). This would enable 1.6–2.4 million bbl/d of Russian oil to reach the United States via tankers in only nine days, a much shorter transit time than from the Middle East or Africa. Liquefied natural gas facilities at Murmansk and Arkhangelsk have also been suggested, possibly allowing for gas exports to U.S. markets. The Indiga route would be

⁴⁸ Map from Energy Information Administration, *Russia Country Analysis Brief*.

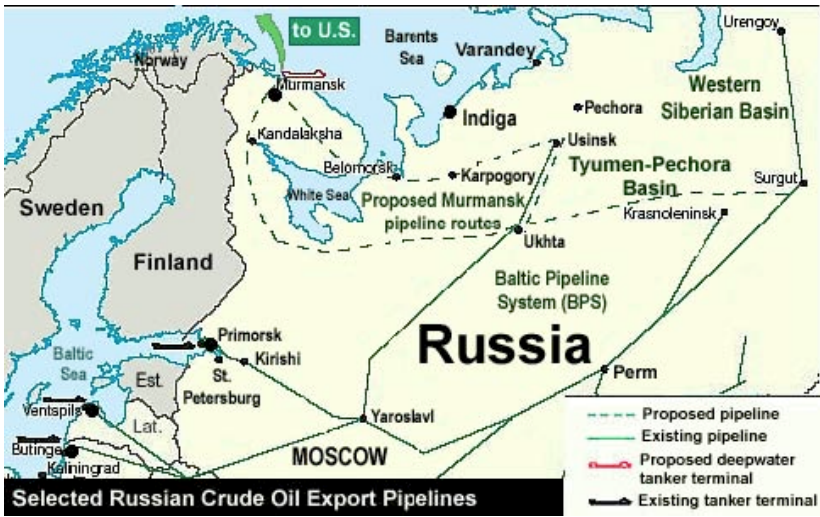


Figure 3: Selected Northwestern Oil Pipelines ⁴⁹

closer to the Tyumen-Pechora oil fields and shorter; Transneft’s CEO has also said that the Murmansk project is not economically feasible. However, in contrast with Murmansk, the port of Indiga ices over during the winter, a disadvantage that may be reduced or eliminated if Arctic ice melting continues.

The Adria oil pipeline runs between Croatia’s Adriatic Sea port of Omisalj and Hungary (see Figure 2). Originally designed to load Middle Eastern oil at Omisalj and pipe it northward to Yugoslavia and then to Hungary, the pipeline’s operators and transit states have been considering reversing the flow—a relatively simple step—giving Russia a new export outlet on the Adriatic Sea. Connecting the pipeline to Russia’s Southern Druzhba system requires the agreement of Russia, Belarus, Ukraine, Slovakia, Hungary, and Croatia. These countries signed a preliminary agreement on the project in December 2002; however, negotiations over the details (including tariffs and environmental issues) have been slow. Some analysts expect that the Adria pipeline could transport about 100,000 bbl/d of Russian crude oil in the first year of reversal, with an ultimate capacity of about 300,000 bbl/d.

A trans-Balkan oil pipeline is being developed as an alternative to bringing oil originating in Southern Russia and the Caspian region to market through the Bosphorus. As was discussed above, the passage of oil cargoes through the Turkish Straits can be disrupted due to weather or tanker and other cargo congestion. The trans-Balkan pipeline, with a capacity of 750,000 bbl/d, would circumvent this bottleneck. The pipeline would be supplied by oil delivered to the Black Sea through existing pipelines. The oil would then be shipped across the Black Sea by tanker from the Russian ports of Novo-

⁴⁹ Ibid.

rossiysk and Tuapse, or the Georgian ports of Supsa and Batumi, to the port of Bourgas in Bulgaria (see Figure 4). The oil would then enter the proposed 570-mile pipeline across Bulgaria, Macedonia, and Albania, and terminate at the port of Vlora on the Adriatic Sea, where it could be loaded on tankers for transit to the European and U.S. markets. The governments of all three Balkan nations involved in the proposed pipeline have approved the project, and AMBO LLC, the project developer and coordinator, is seeking financing for the project. Construction could begin in 2008, and the pipeline may become operational by 2011.⁵⁰

The increasingly large Chinese demand for oil has led to serious consideration of building a pipeline from the Russian city of Taishet (northwest of Angarsk) to Nakhodka (near the Sea of Japan) or to Daqing, China (see Figure 5). Both routes pass close to Lake Baikal, a site that presents environment-related obstacles. The Nakhodka route, which is longer, would provide a new Pacific port from which Russian oil could be shipped by tanker to Japan and other Asian markets and possibly to North America. Japan has offered USD 5 billion to finance construction and USD 2 billion for oil field



Figure 4: Proposed Bosphorus Bypass Options⁵¹

⁵⁰ *Bulgaria Ratifies Trans-Balkan Pipeline*, *Boston Globe* online (Boston.com World News) (31 May 2007); available at www.boston.com/news.

⁵¹ Map from Energy Information Administration, *Russia Country Analysis Brief*.

development.⁵² The Daqing option is favored by China, although China could also obtain Russian exports via the Nakhodka route. China has pledged to invest USD 12 billion in Russia’s infrastructure and energy sector by 2020.⁵³ From Russia’s point of view, the Nakhodka route would offer access to multiple markets, whereas a terminus at Daqing would give China greater control over the exported oil. However, Russia’s environmental safety supervisory body rejected the shorter route because it would pass too close to Lake Baikal, a United Nations world heritage site.⁵⁴

The 750-mile Blue Stream natural gas pipeline, which has a designed capacity of 565 billion cubic feet annually, connects the Russian pipeline system to Turkey. Natural gas began flowing through the pipeline—246 miles of which is underneath the Black Sea—in December 2002. In March 2003, Turkey halted deliveries, invoking a contract clause allowing either party to stop deliveries for six months. Turkish leaders reportedly were unhappy with the price structure.⁵⁵ Other possible factors include Turkey’s commitment to receive more gas than its near-term domestic consumption levels required and agreements to transship gas to other countries. An agreement was reached in November 2003, and the flow resumed in December 2003.

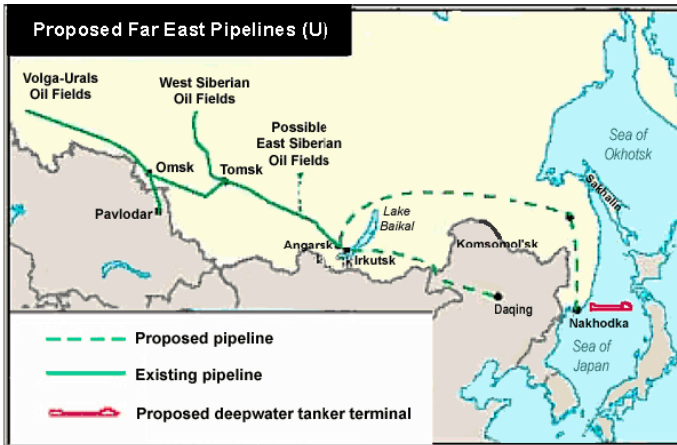


Figure 5: Proposed Far East Oil Pipelines ⁵⁶

⁵² Mark Katz, “Don’t Dismiss China’s Daqing Oil Pipeline,” *Asia Times Online* (1 October 2004).
⁵³ Sergei Blagov, “China’s Russian Pipe Dream,” *Asia Times Online* (28 September 2004).
⁵⁴ Eric Watkins, “Russia Nixes East Siberia Pipeline Route,” *Oil & Gas Journal Daily Update* (6 February 2006), at http://ogj.pennet.com/articles/article_display.cfm?article_id= 247386 (viewed 7 February 2006).
⁵⁵ Mevlut Katik, “Blue Stream’s Pipeline’s Future in Doubt Amid Russian Turkish Pricing Dispute,” *Eurasianet.org* (2 June 2003), available at www.eurasianet.org/departments/business/articles/eav060203a_pr.shtml (viewed 18 December 2005).
⁵⁶ Map from Energy Information Administration, *Russia Country Analysis Brief*.

The Yamal-Europe I pipeline (unidentified northern route in Russia in Figure 6) carries one trillion cubic feet (tcf) of gas per year from Russia to Poland and Germany via Belarus. One proposal would expand it by another tcf per year with the addition of a second branch: Yamal-Europe II. However, Poland wants a route that runs entirely through its own territory and then to Germany (Yamal-Europe on the map), while Gazprom is seeking a route that runs via southeastern Poland and Slovakia (Yamal II).

A North Trans-Gas pipeline, or North European Gas Pipeline (NEGP), extending over two thousand miles from Russia through the Gulf of Finland to Denmark—and, ultimately, to the United Kingdom, via the Baltic and North Seas—was proposed in June 2003 by Russia and the United Kingdom.⁵⁷ Gazprom and Germany's BASF and E.ON agreed on 8 September 2005 to set up a joint venture to build the pipeline. Originating in the St. Petersburg region, a 700-mile segment of the pipeline is to pass under the Baltic Sea. The first leg of the pipeline, which is under construction, is scheduled to come on stream in 2010.⁵⁸ This new pipeline route will benefit Russia, since it



Figure 6: Natural Gas Pipelines to Europe⁵⁹

⁵⁷ Mark A. Smith, *The Russian, German, and Polish Triangle*, Russian Series 05/61 (Swindon: Conflict Studies Research Centre, U.K. Defence Academy, October 2005); available at [www.defac.ac.uk/colleges/csrc/document-listings/russian/05\(61\)MAS.pdf](http://www.defac.ac.uk/colleges/csrc/document-listings/russian/05(61)MAS.pdf).

⁵⁸ "Factbox: North European Gas Pipeline," *Ria Novosti* (9 December 2005); available at <http://en.rian.ru/russia/20051209/42408722.html> (viewed 28 December 2005). BASF is mainly a chemical manufacturer, but has a subsidiary that explores for and produces oil and natural gas. E.ON is an electric power generator and distributor and a distributor of natural gas.

⁵⁹ Map from Energy Information Administration, *Russia Country Analysis Brief*.

will no longer have to negotiate transit fees with intermediary countries or pay them in natural gas. The pipeline agreement has been criticized by some European nations, who object to the fact that it was reached without consultation with them and who see the pipeline as an unfair circumvention of their territory born of political motivations and oblivious to the environmental risks. Perhaps to supplement or substitute for the NEGP, Gazprom is planning to build an LNG plant in the St. Petersburg area.

In a move that threatens to send substantial quantities of Central Asian natural gas through Russia to European markets, Russia announced in mid-May 2007 an agreement with Kazakhstan and Turkmenistan to build a pipeline feeding Central Asian natural gas into Russia's network of pipelines to Europe. The pipeline is to send mainly gas from Turkmenistan in a route along the Caspian Sea coast through Kazakhstan into Russia.⁶⁰

Rusia Petroleum—a consortium of TNK-BP, South Korea's state-owned Korea Gas Corporation, and the Chinese National Petroleum Company—has announced plans to construct a pipeline connecting Russia's Kovykta natural gas field (two trillion cubic meters of gas reserves) to China's northeastern provinces and across the Yellow Sea to South Korea.⁶¹ The plan calls for a pipeline that ultimately would have a capacity of forty billion cubic meters per year, delivering roughly half of its natural gas to China and the rest to South Korea and the domestic market en route.⁶²

Implications for the United States⁶³

Given that the United States—like Russia—is both a major energy producer and consumer, Russian energy trends and policies affect U.S. energy markets and U.S. economic welfare in general. Other things being equal, should Russia considerably increase its energy production and its ability to export that energy both westward and eastward, it may tend to ease the supply situation in energy markets in both the Atlantic and Pacific Basins. In the Atlantic arena, more Russian oil could be available to the United States. In the Pacific area, there would tend to be more supply available to countries trying to assure themselves of consistent energy supplies, such as China and Japan. This may ease the global competition for Persian Gulf oil.

On the other hand, the Russian government's moves to take control of the country's energy supplies discussed above may have the effect of making less oil available on the world market. This could occur if Russia's tendency to limit foreign firms' involve-

⁶⁰ "Caspian Pipeline Deal Increases Russia's Clout," *The Wall Street Journal* (14 May 2007), A6.

⁶¹ TNK-BP, "Kovykta Project," at <http://www.tnk-bp.com/operations/exploration-production/projects/kovykta> (viewed 28 December 2005).

⁶² Selig S. Harrison, "Gas and Geopolitics in Northeast Asia," *World Policy Journal* (Winter 2002/2003): 22–36.

⁶³ For more discussion and analysis of U.S.–Russian economic relations, see William H. Cooper, *Permanent Normal Trade Relations (PNTR) Status for Russia and U.S.-Russian Economic Ties*, CRS Report RS21123 (Washington, D.C.: Congressional Research Service, updated 10 July 2007).

ment in oil and gas development limits the introduction of the most modern technologies, or if Russia intentionally limits energy development and production.

Possibly as important as developments in the Russian oil and gas industry is the associated potential for U.S. suppliers of oil and gas field equipment and services to increase their sales in Russia. As noted above, the potential growth of both oil and natural gas production in Russia is limited by the lack of full deployment of the most modern Western oil and gas exploration, development, and production technologies. Although U.S.–Russian economic relations have expanded since the collapse of the Soviet Union, as successive Russian leaders have progressively dismantled the central economic planning system (including the liberalization of foreign trade and investment), the flow of trade and investment remains very low. U.S. suppliers of oil and gas field equipment had established a modest beachhead in Russia. However, whereas U.S. exports of oil and gas field machinery and equipment accounted for 14 percent of all U.S. goods exported to Russia in 2002, they accounted for only 7 percent in the first eleven months of 2006.

Similar to U.S. trade with Russia, U.S. investments there—especially direct investments—have increased since the dissolution of the Soviet Union, but the levels are far below their expected potential. Even so, as of 30 September 2006, the United States was Russia's third-largest source of foreign direct investment, with investments largely concentrated in the transportation, energy, communications, and engineering sectors.⁶⁴

In this context, however, Russian economic policies and regulations have been a source of concern. The United States and the U.S. business community have asserted that structural problems and inefficient government regulations and policies in Russia have been a major cause of the low levels of trade and investment with the United States. While they consider the situation to be improving, potential investors complain that the climate for investment in Russia remains inhospitable. They point to burdensome tax laws; jurisdictional conflicts among Russian federal, regional, and local governments; inefficient and corrupt government bureaucracy; the absence of effective intellectual property rights protection; and the lack of a market-friendly commercial code as impediments to trade and foreign investment. And, more specifically, the forced breakup of Yukos has clouded prospects for private investment.

In addition, Russian energy trends and policies have possible implications for U.S. energy security. In its oversight role, the U.S. Congress may have an interest in Russia's significant role as a supplier to world energy markets in general, in Russia's role as a possible major exporter of energy to the United States, and in the changed patterns of world energy flows that could result from the completion of new Russian oil and natural gas export pipelines and related facilities or the expansion of existing export pipelines and related facilities.

⁶⁴ Ibid.

Shifting Security in the South Caucasus

Richard Giragosian *



(map source: RFE/RL)

Introduction

The region of the South Caucasus has long served as a key arena for competing regional players and, for much of the past two centuries, has been hostage to the competing interests of much larger regional powers. Those very same historic powers—Russia, Turkey, and Iran—continue to exert influence as today’s dominant actors in the region. But, most significantly, this combination of historical legacies and current realities now constitutes a rapid shift in regional security. This shift in security incorporates not only several general elements, ranging from the challenges of energy security to the constraints imposed by several unresolved or “frozen” conflicts, but also more specific trends, including a new, deeper level of engagement by both NATO and the European Union.

Against the backdrop of a dynamic shift in the security environment, the three states of the South Caucasus region—Armenia, Azerbaijan, and Georgia—each face a difficult course of economic and political reform, systemic transition, and nation building. The region also continues to struggle in overcoming the legacy of constraints and challenges stemming from seven decades of Soviet rule. But it is the more recent

* Richard Giragosian is a Washington-based analyst specializing in security, politics, and economics in Eurasia and the Asia-Pacific and is a frequent contributor to the publications of Radio Free Europe/Radio Liberty (RFE/RL) and the Jane’s Information Group, among others. For much of 2007, he has been conducting field research in the South Caucasus.

intersection of interests among greater powers that tends to place this region, more than many others, in danger of returning to serving as an arena for confrontation.

Shifting Security

Throughout much of the 1990s, Western policies toward the South Caucasus region were dominated by considerations related to the development of the Caspian Sea energy reserves and the challenges of securing export routes amid the competing interests of the regional powers. This long-standing Western focus on energy has more recently been superseded, however, by a pursuit of security and stability, reflecting a substantially revised strategic agenda.

The Western pursuit of security and stability has been marked by a complex diversity, and occasional divergence, of interests for Armenia, Georgia, and Azerbaijan. More specifically, this altered strategic perception of the region has been driven by three specific factors.

A New Strategic Significance

Access and Power Projection. The first factor that has altered the strategic view of the South Caucasus has been the set of demands for access and power projection essential for the military campaign that has come to be known as the “global war on terrorism.” This has meant that “air corridors” through the South Caucasus connecting military bases in Europe to “forward operating bases” in Central Asia have replaced oil and gas pipelines as the West’s strategic priorities. This has also resulted in the emergence of the United States as not only a new “military power” in Central Asia, but in a series of direct moves establishing the U.S. as a military presence in the South Caucasus for the first time in history.

A Subset of U.S.-Russian Relations. A second factor contributing to a new strategic context for the South Caucasus has been the region’s role as a subset of much larger relations between the United States and the Russian Federation. During the onset of this new strategic landscape, the foundation for the U.S. approach to the region was initially tied to the dynamically new “strategic partnership” between the United States and Russia initially forged in the wake of 11 September 2001. The definition of that new post-September 11 geopolitical reality was no longer in terms of a zero-sum game, but one of shared threats and common enemies within the context of the war on global terrorism.

But, as has become evident in the past few months, the new strategic partnership between the U.S. and Russia has not been without its share of strains and struggle. Moreover, the South Caucasus (and Central Asia, for that matter) represents an arena for both cooperation and competition. The region is unique in this way, by virtue of its geographic and geopolitical vulnerability as a region where the national interests of Russia, Turkey, Iran, and the United States all converge. The most obvious example of the region’s vulnerability is seen in Georgia, which has emerged as a “frontline” state through its attempts to confront Russian pressure and to enter the NATO alliance, all

the while moving much closer to Europe than its neighbors, and doing so much more rapidly.

Proximity to Iran. Third, another geography-driven factor fostering a new strategic environment for the region is the proximity of the South Caucasus to Iran. As with the first two factors, this third component of the new strategic view of the region also reflects military considerations. Of the three states of the region, only Azerbaijan and Armenia hold especially significant considerations in relation to Iran, rooted in the natural appeal of Azerbaijan as a platform for military engagement and in the potential for Armenia to serve as a “bridge” for economic and political engagement with Iran.

EU Engagement

Each of these three factors contributes to a new strategic context for the South Caucasus. And it is no accident that each of these factors reflects an overriding military-security consideration. But this new strategic environment is not solely an extension of a revised U.S. view of the region. It is also evident in the more recent European Union policy of engagement in the South Caucasus.

More specifically, for the EU this policy of engagement relates to a deeper strategy of securing the border areas along the EU’s periphery. In terms of security, the geography of the region is a crucial metric for the EU and the United States. And for both, geography is also about the strategic significance of the “two seas”—The Black Sea and the Caspian Sea—with an enhanced focus on emerging transnational threats (proliferation, narcotics, terrorism, etc.). For the EU, the basis of its interest in the Black Sea region stems from the proximity of Greece, the membership of Romania and Bulgaria in the EU, and the promise of Turkey’s candidacy. But the EU “Black Sea Synergy” strategy of April 2007 also significantly expanded the Black Sea region to include both Armenia and Azerbaijan, not as littoral states but as “natural regional actors.”

The EU’s engagement in the region is also a component of a strategy of broader engagement with Central Asia. Through the application of so-called “Action Plans,” the EU has formulated a tailored blueprint for engaging each state, based on a calculus defined by the status of each state’s political, economic, and social reforms. Through the individual Action Plan instruments, the path of EU political engagement is as important as the outcomes—it is the process that matters most. The viability of a given state’s EU candidacy is much less important, with a focus on evolutionary development over revolutionary change, or on the need for stability.

Thus, for EU engagement, the real key to durable stability and security in the region is rooted more in the internal considerations of economic reform and political democratization than in any external factors. But in a larger sense, the engagement of the EU also manifests a dual approach of going “one step beyond” Turkey and “one step closer” to Iran. And it is the question of Iran that will only further impact the region’s strategic landscape.

Energy and (In)Security

The significance of energy security has gained renewed attention in recent years, driven by a sharp and historic rise in oil prices, defined by concerns over mounting structural dependence on Middle Eastern energy suppliers and demonstrating a new recognition of the threat of climate change. The challenge of energy security represents neither a new nor especially novel priority for the United States, yet its linkage to U.S. national security has never been as clear or as pressing. While the U.S. pursues energy security as part of a broader strategy of seeking a greater diversity of both supply and suppliers, the imperative for the European Union (EU) is a more immediate concern: the need to overcome its mounting structural dependence on imports of Russian gas. Yet both the U.S. and the EU recognize energy security as an integral component of national security. For Russia, however, a new definition of energy security applies, whereby energy is actually more of a coercive implement than an element of national security—one that can be exercised to regain power and influence within the former Soviet space and to restore international geopolitical significance.

Within this context, the issue of energy security in the region of the South Caucasus offers a particularly insightful look at the intersection of these clashing interests, as an arena for both cooperation and competition. Further, the region also demonstrates that energy security is as much a component of regional security as it is an element of national security; in this way, energy holds the key to both security and stability in this strategically important region. But the most significant factor in regional energy security has been its vulnerability to Russian pressure, with energy as an essential tool for leverage.

Russia's Use of Energy as Leverage

Through much of the 1990s, Russia's policy was driven by a need to protect its waning power over the newly independent former Soviet states. The infant states comprising Russia's so-called "near abroad" were especially vulnerable to their shared Soviet legacy of reliance on Russia for trade, transport, and energy. These structural vulnerabilities were only heightened by the daunting challenges of a transition marked by severe economic decline and state sovereignty threatened by a series of ethnic conflicts and border disputes.

The preservation of Russian power in this early period relied on a combination of outright intimidation and intervention, played out against a backdrop of new conflicts and ethnic tension. Yet Russia's attempt to protect its vastly degraded influence and power were limited in turn by its own decline and the conflict in Chechnya. By 1999, however, there was a shift in Russian policy with the ascension of Vladimir Putin to the Russian presidency. The shift was marked by a graduation from the basic preservation of Russian power to the projection of Russian power and influence. Under Putin, a new, much more effective tactic was developed, based on the use of energy as a tool for consolidating and projecting power. This strategic use of energy leverage emerged as the new standard for Russia, in effect replacing the more traditional reliance on "hard power" politics with a new exercise of "soft power."

Despite its development as a tool for power projection, this Russian use of energy resources for extorting as much as exporting was not new. The Russian energy position was clearly a major element in Soviet policy and was based on the Soviet system's structure of core-periphery relations as a classic model of dependence. Even in the waning days of the Soviet Union, energy was a weapon of first resort in attempting to contain the rumblings of the early independence movements in the Baltic states. Even during the Yeltsin period, Moscow routinely utilized energy to pressure both the Baltics and Ukraine. For today's Russia, such a strategy is seen as an updated concept, based not on the traditional view of energy security defined by the reliability and diversification of energy suppliers, but as a concept of energy security actually defined by energy as security, or more specifically, energy as an element of security policy.

This Russian inclusion of energy as a pillar of its security policy consists of three core components. First, it has been able to project Russian power and influence within the so-called "near abroad" of former Soviet states along Russia's periphery. The success of this tactical adaptation is most clearly demonstrated by Russia's steady accumulation of control and even acquisition of much of the energy sectors in states in the South Caucasus and Central Asia. Second, Russia's use of energy also served as a tool for strengthening state power. This was more than simply filling state coffers with greater energy revenue, however, as it more broadly empowered Russian status as both a regional and even Asian power. Third, the Russian energy gambit provided an attractive way to restore the country's international significance and regain its reduced geopolitical relevance.

There is a broader strategic dimension to Russia's tactical use of energy leverage, however. The Russian strategic perspective views energy as an integral part of an overall projection of Russia power and position. It is energy that most clearly marks an eastward Russian shift, away from Europe and toward Asia. As an aspiring Asian power, Russia sees an opportunity for greater engagement, as can be seen in the case of its participation in the six-party talks over North Korea, as well as in the recent warming of its relations with Japan. In fact, Moscow sees no real threat or challenge from Japan (other than the unresolved territorial dispute). But it views China more as a rival power, and despite its rather reluctant partnership with Beijing, Moscow is consumed by a fear of Chinese expansion and penetration into the vulnerable Far East.

Although the use of energy leverage has been one of the most visible outward signs of Russia's strategic vision, there is a second stage to this strategy. Specifically, the imposition of sharp price increases for Russian natural gas imports to the highly dependent former Soviet states was driven not simply by a desire for either more revenue or to adjust subsidized prices to global market levels. The longer-term goal was to foster greater dependence by forcing the neighboring consumer states to accumulate greater arrears for Russian gas imports. It was envisioned that, as these importing states had neither the money to pay for the higher priced gas nor the time to secure alternative supplies, Russia would be able to either acquire a dominant share in these countries' energy sectors outright or accumulate control over their pipelines.

There is also a Russian imperative to maximize its energy position in the face of inherent weakness. In this way, Russia's effective use of energy as leverage is still

largely limited by fundamental weakness over the longer term. For example, despite the tactical gains from the use of energy as leverage, Russia's energy sector remains beset by four serious shortcomings: it has no unutilized capacity; its oil is relatively expensive to produce; it has limited pipeline capacity; and it is still far from being a truly global energy player.

Moreover, this weakness is compounded by a second long-term weakness, namely the fact that the more Russia plays the energy card for short-term leverage and pressure, the more damage it causes to its reputation and standing as a reliable energy ally, thereby only undercutting its broader strategy to regain its global role and relevance. This was the result of the Russian cutoff of gas supplies to Ukraine and Georgia in January 2006, as well as its three-day cutoff of gas to Belarus almost exactly one year later.

Russia's New Security Stance

Against this backdrop of recognizing the energy strategy's limited utility and perceiving the underlying weakness to which it points, there are new signs in Moscow revealing a shift in planning to a renewed Russian commitment to bolstering its beleaguered military, only exacerbated by a more confrontational stance toward the United States. Yet this is not so much a shift in tactics; rather, it is more of a demonstration of the dynamic scale and scope of Russian strategy.

More specifically, there is a much deeper complexity in the still emerging Russian security strategy. The defining imperative for its security policy is rooted in a dynamic concept of "Fortress Russia," whereby the paradox of a strong state beset by a weak economy is overcome through policies of economic re-nationalization, geopolitical re-assertion, and the restoration of "great power" status.

Most recently, Russian security policy has both adopted and adapted new elements, with President Putin now implementing a deeper strategy, well beyond the use of energy simply as leverage, by imposing commodity-based embargoes as part of a broader strategy designed to promote and consolidate Russian dominance over the terms and patterns of trade in the former Soviet regions. Yet, just as the long-term use of energy as the key for reasserting power and influence is limited by Russia's fundamental weaknesses, this second strategic element of using trade embargoes to forge market or trade dominance is bound to fail. Similar to the meager economic (and political) results of trade sanctions and embargoes throughout the world, it is clear that there is an inverse relationship whereby the impact of punitive measures consistently declines following their initial imposition.

In other words, there is a declining level of effect in both economic and political terms, as markets adapt to such measures and states adopt new policies or partners. The failure of such punitive trade measures is only exacerbated by the dynamic composition of today's increasingly globalized marketplace, which has introduced greater flexibility in the market relations and ties between states, both as suppliers and consumers and as exporters and importers.

Such a failure can already be seen in the case of the Russian embargo on Georgia, for example. The Georgian wine and mineral water industries have already begun to

forge new trade ties beyond their traditional markets into Asia, Europe, and North America. Despite having suffered immense losses, Georgia's experience demonstrated that, so long as a nation's products or commodities are competitive on a global economic scale, the punitive cutoff or disruption in its traditional markets is a one-time "shock" that is rapidly overcome or even negated by the flexibility and adaptive response of the market.

Although the benefits for Russia from the commodity-based embargo are clearly less than hoped for or even expected by Moscow, the seemingly political or even "public relations" returns from the punitive move against Georgia may mean that Moscow will hesitate before admitting that, ironically, the economic impact of the embargo did more to bolster Georgian competitiveness and productivity than to give Russia a stronger hand. Therefore, there is a looming danger that Moscow may soon overplay its strategy for forging a "Fortress Russia." The implications from such a Russian miscalculation may not only impact the oil and gas markets in the short term, but may also seriously alter the longer-term development of regional energy infrastructure, from the Caspian Sea to Central Asia. But, most notably, the Russian impact on energy security will also continue to drive the strategic trajectory of Western engagement in both the South Caucasus and Central Asia.

Conclusion

Thus, the course of Western engagement in the region has been a mixed bag, driven by a set of competing interests and defined by a series of converging and diverging policies. Yet it seems apparent that the regional transition now underway will only serve to exacerbate the growing divide between the West and Russia. This regional transition, with the Armenian elections as the opening round, will only continue, with presidential elections in both Armenia and Azerbaijan, and presidential and parliamentary elections in Georgia in 2008. Additionally, the region will also be impacted by next year's elections in both Russia and the United States.

For security in the South Caucasus, however, the real imperatives are internal in nature, stemming from several key challenges: the need to graduate from the political school of elections driven by power instead of politics, and leadership determined more by selection than election. Legitimacy is the key determinant of durable security and stability, while the strategic reality of the region is defined less by geopolitics, and more by local politics and economics. But most crucial is the lesson that institutions matter more than individuals for real democratization. Consequently, it is the regimes themselves that hold the key to their future. And while Western engagement is important, real stability and security depend more on the legitimacy of regional governments, and on local economics and politics, than simply a reliance on grand geopolitics.

Backsliding in Central and Eastern Europe

Charles Gati *

Introduction

Of the twenty-nine formerly Communist countries to have emerged from the former Soviet Union, Yugoslavia, and Eastern Europe, ten have navigated well the difficult passages of transition since the collapse of communism. These “leaders” are all in Central and Eastern Europe (CEE): Estonia, Latvia, and Lithuania in the Baltic region; Poland, the Czech Republic, Slovakia, Hungary, and Slovenia in Central Europe; and Romania and Bulgaria in South Eastern Europe. They have done well compared to such “laggards” as Croatia or Russia, and especially well compared to such “losers” in the transition as Kazakhstan or Turkmenistan. Today, the “Central European Ten” are all members of both NATO and the European Union; they all hold free, periodic elections (and those who lose invariably step aside); and, with a few exceptions, their economies, sparked by private capital, both domestic and foreign, have been growing far faster than those of their Western neighbors in the European Union. Indeed, the changes made are so substantial that the basic achievements of pluralism and the free market are not going to be reversed. The Central European Ten will avoid the abyss of Vladimir Putin’s authoritarian Russia and muddle through, while such energetic countries as Slovenia and Estonia will continue to progress and catch up with their Western neighbors in the European Union in the next decade or so.

For the first time since the early 1990s, however, even the Central European Ten face growing and serious resistance to new and necessary political and economic reforms.

- In Poland, the new Polish government led by twin brothers Lech Kaczynski, the president, and Jaroslaw Kaczynski, the prime minister, concentrates less on deepening democratic reforms than on discrediting its opponents. Elected in late 2005, the government has shown immense hostility toward all political forces that have guided Poland’s politics since 1989 and suspicion toward important parts of the outside world, notably Russia and Germany.
- In the Czech Republic, the atmosphere of hopeful optimism that flourished under President Vaclav Havel has given way to a political standoff that has prevented the rise of a workable parliamentary majority, and more generally to skepticism toward politics, an attitude exemplified by the policies and personality of President Vaclav Klaus.

* Charles Gati is a Senior Adjunct Professor in the Nitze School of Advanced International Studies, Johns Hopkins University, Washington, D.C. This statement was prepared as testimony for the House Foreign Affairs Committee, and draws on an article co-authored by Charles Gati and Heather Conley, “Mission Unaccomplished: Backsliding in Central Europe,” *International Herald Tribune* (4 April 2007). Professor Gati is grateful to Ms. Conley for allowing him to incorporate parts of their longer draft into this essay.

- In June 2006 in Slovakia, a coalition of three parties, of which two display the mentality of political authoritarianism, replaced Mikulas Dzurinda's government, which had engineered Slovakia's economic miracle in the previous few years. What happened, as the *Financial Times* noted, was "a popular backlash against ... Dzurinda's sweeping free-market reforms that [had] turned Slovakia from international pariah into a country championed by foreign investors."¹
- In Hungary, the main right-wing opposition party, FIDESZ, having lost two consecutive elections, tried to seize power in the fall of 2006 via a series of demonstrations, some violent, some peaceful, while the country's socialist-led government resorted to the use of excessive force to protect its authority. Meanwhile, excessive government spending before the 2006 elections (which also entailed lying about economic conditions) seriously damaged an economy that was once the region's top performer. Probably in order to repair the damage, Hungary has sought to improve commercial ties with Russia, a process that could open the way not only to increased trade but also to Russian investments in strategic areas such as energy, electric works, and telecommunications.

Central Europe is thus experiencing a winter of discontent.² Having joined NATO and the European Union, too, Bulgaria and especially Romania can ignore Brussels' advice without fearing a strong reaction. Elsewhere, populist or demagogic parties keep gaining adherents while other parties often feel compelled to compete with their empty rhetoric.

Worrying Regional Trends

Bluntly put, the region that the United States has held up as a model for democracy—arguably the only region where democracy has taken root since the collapse of communism—is drifting away from the ambitious goals it set in 1989 and in the years that followed. Most disturbingly, Poland—now as always the barometer of change in Central and Eastern Europe—appears bent on undoing such major aspects of its post-Communist transformation as the compromises made by Solidarity-led anti-Communist

¹ *Financial Times*, (18 June 2006).

² For more details, see F. Stephen Larrabee, "Danger and Opportunity in Eastern Europe," *Foreign Affairs* (November/December 2006); and Marian L. Tupy, *The Rise of Populist Parties in Central Europe: Big Government, Corruption, and the Threat to Liberalism* (Washington, D.C.: CATO Institute; November 2006). For an insightful perspective by a leading European scholar, see Jacques Rupnik, *Populism in East-Central Europe*, No. 94 (Vienna: Institute for Human Sciences, Fall 2006). The case against Poland's current government of President Lech Kaczynski and his twin brother, Prime Minister Jaroslaw Kaczynski, notably its campaign of lustration or purification, is made by Adam Michnik in "The Polish Witch-Hunt," *The New York Review of Books* 54:11 (28 June 2007). (An early statement on lustration is Jeri Laber, "Witch Hunt in Prague," *The New York Review of Books* 39:8 (23 April 1992)). For a different view that questions the significance of negative trends, see Janusz Bugajski, "Populist Piffle," *The Wall Street Journal* (8 November 2006).

nists in 1989 with the country's Communist authorities. In its 2007 issue of its annual report *Nations in Transit* (which every year includes a so-called "Democracy Score"), Freedom House has downgraded Poland from its No. 1 position in 1999 to being No. 8 in 2007.³ In Poland and elsewhere, several disturbing regional trends are in evidence, which will be outlined below.

Populist Demagoguery

The first of these worrying regional trends is a renewed, polarizing, at times vitriolic, and ultimately destabilizing campaign, particularly intense in Poland, against political opponents, notably ex-Communists and their liberal allies. For the past twenty months or so, the Kaczynski twins have unleashed a crusade against the *uklad* or "the arrangement." Better understood as a conspiracy, *uklad* refers to a corrupt coalition of Communists and ex-Communists, businessmen, secular liberals, survivors or remnants of the old secret police, and Russians who (it is claimed) have undermined Poland's moral authority and values. It is this coalition, real or imagined, that the Polish government seeks to expose and destroy.

The popular appeal of exposing *uklad* stems, in part, from the traditional place conspiracies have long had in the region's political cultures; for some, conspiracies still offer easy answers to difficult dilemmas about why things are not better than they are. More immediately, and perhaps more importantly, there is an almost universal and fully understandable revulsion in Poland (and elsewhere) against corruption, which has seriously damaged the reputation of both the economic and the political elites. Riding on this wave of widespread public indignation, the Kaczynski twins, who are not known to have engaged in shady practices, have made the fight against corruption the centerpiece of their administration.

Yet, after almost two years in power, no major arrests or convictions for corruption have taken place. The most celebrated "success" so far has been the dissolution of the Polish military intelligence service earlier this year, a process directed by a certain Antoni Macierewicz, a close friend of the Kaczynskis and a particularly agitated far-right radical. The problem with his case was not only weak evidence—some of those he accused of collaborating with the Communists were children or teenagers in 1989—but also Macierewicz's own curious past that in his youth included admiration for Che Guevara and in the 1990s opposition to Poland's membership in the European Union. Moreover, he has been a leading light on Radio Maryja, known for its promotion of

³ "Democracy Score" is identified in "Selected Data and Polls from Central and Eastern Europe," at the end of this essay.

right-wing conspiracy theories and anti-Semitic innuendos.⁴ Someone with a more consistent past might have credibly pursued such a purge; after all, the basic idea of exposing economic and political corruption was fully justified and urgently needed.

There is an inner circle around the Kaczynski brothers who believe that the 1989 roundtable that set Poland on a peaceful rather than a violent path of transition was wrong and thus what Poland has experienced is an unfinished revolution; this group also appears to believe that a permanent revolution is now needed to undo the damage.⁵ This is why the composition of the Polish government keeps changing. Few are trusted; almost everyone is suspect. During its less than twenty months in power, the government initially ruled as a minority government; then it made a deal with a demagogic left-wing party (Self-Defense) and a demagogic right-wing party (League of Polish Families); then it excluded the leftists but soon returned them to the coalition; and then, in mid-July of 2007, the leftists left again, but might still return to assure the Kaczynskis' parliamentary majority. Some may argue, of course, that this is "Italian politics on the Vistula"; others may conclude, however, that, given Poland's relatively fragile democratic culture, the Kaczynski brothers' stubborn intolerance may damage the quality of Polish political life.

Meanwhile, the Kaczynski government has had no fewer than five finance ministers, two foreign ministers, two defense ministers, and even two prime ministers. The country's diplomatic service has been decimated. The personnel of the Office of National Remembrance, where many of the old files are housed, have been purged. The constant flux of leading personalities is as harmful as it is mystifying. Are the Kaczynski brothers—who concentrate so much power in their own hands—crusading radicals, or are they merely inexperienced or incompetent? The polls appear to suggest radicalism rather than inexperience as the primary reason for their political performance. The majority of the Polish people—some 70 percent—believe that the random opening of old Communist files is meant to distract attention from other issues facing their country.

True or not, the ongoing, desperate search for culprits (or scapegoats) has produced deep divisions in the region's politics, turning even family members against one another. In an atmosphere of "if you're not with us, you're against us," these polarized

⁴ Macierewicz himself has written that Poland regained independence in 1989 "after 50 years (*sic*) of occupation directed by communists of Jewish origin supporting Russian Bolshevism." Antoni Macierewicz, "The Revolution of Nihilism," *Głos* (3 February 2001); available at <http://wiesz.free.ngo.pl/jedwabne/article/26.html>. In fact, while Jews played a prominent role in the Communist movement in Poland and elsewhere (notably in Romania and Hungary), none of the general secretaries or first secretaries of the Polish Communist Party after World War II is known to have been of "Jewish origin."

⁵ This mentality is also present in other countries of the region, such as the Baltic states, the Czech Republic, as well as in FIDESZ, the Hungarian opposition party. Proponents of this view, as in Poland, usually call themselves conservatives (and in some respects they are), but they are radicals when they pursue what amounts to a "permanent revolution" against the compromises worked out in 1989.

polities feature sharp categories of good vs. evil, a state of discourse that harms such critical elements of democratic political life as tolerance and civility and thus the ability to compromise.

A Leadership Vacuum

The second trend that has become increasingly evident in recent months and years is the region's leadership deficit. The comparison with the 1990s is especially clear. In the Czech Republic, there was Vaclav Havel. Poland offered Lech Walesa, Tadeusz Mazowiecki, and Bronislaw Geremek. In Hungary, there was Jozsef Antall and Arpad Goncz. In the Baltic states, such dedicated men and women as Lithuania's Valdas Adamkus, Latvia's Vaira Vike-Freiberga, and Estonia's Lennart Meri paved the way to their countries' integration into Euro-Atlantic institutions. While they did not share the same political philosophy—some were conservative and some liberal, some religious and some secular, some fervently nationalist and some strongly integrationist—they all worked hard to ally their countries with the United States and Western Europe, and they showed a good deal of tolerance toward their political opponents.

By contrast, such principled and visionary leaders articulating national needs, interests, and aspirations are now in short supply. Many (and perhaps most) of those in prominent positions today are pragmatic politicians seemingly interested only in gaining and holding on to power. They are not necessarily worse than their counterparts in Western Europe or elsewhere in the world; it is only that, given their predecessors' reputations and commitment to their causes, the current generation's negative qualities are now more evident.

The reasons for the region's leadership deficit are hard to identify. It may be that, having achieved membership in NATO and the European Union, it is more difficult now to pursue high-minded and ambitious goals. More likely, demagogic leaders find it politically advantageous to seek and obtain support from large minorities—in some cases, majorities—that have not benefited sufficiently from the post-1989 changes: these are the “losers” who see themselves as victims of still another political and economic order that has failed to meet their needs. Of course, such people and groups tend to favor politicians who offer easy solutions. This is why Robert Fico rather than Mikulas Dzurinda is Slovakia's prime minister. This is why even Vaclav Havel has lost his appeal to most of his countrymen in the Czech Republic. In today's Central and Eastern Europe, the era of leaders asking for blood, sweat, and tears is over – and aspiring politicians know it.

Resistance to Reform

The third trend is popular resistance to the next round of economic reforms. In retrospect, the extraordinary economic transformation achieved in the 1990s, which included privatization and currency stabilization, among others, was easy going compared to what several of the region's governments are now attempting to do or should be doing—i.e., privatize parts of health care and higher education so as to rationalize these services and limit government subsidization. The problem is that people who are used to “free” health care and “free” education oppose the introduction of such re-

forms. They are nostalgic for the meager benefits of the welfare state, preferring to listen to the siren song of populist politicians who promise a better life without additional taxes or fees and without pain. This is true even if populist politicians, such as Slovakia's Robert Fico, may not reverse their predecessors' policies once they are in power. The political axiom often prevails: where you sit is where you stand.

Stated simply, after more than fifteen years of reforms and experimentation, capitalism itself is not doing so well in Central and Eastern Europe. True, there is no alternative to the free market; it is, indeed, the worst economic system except for all the others, which are worse. But, to repeat, too many people have yet to benefit economically from the new order. Shortages are a thing of the past—but who can afford all the expensive items displayed in elegant stores? Walking the beautiful downtown areas of Prague or Budapest, it is easy to believe that all is well, but there is a huge, and growing, gap throughout the region between city and countryside. This gap is one of the sources of social tension and polarization, for the region's dominant political parties have yet to find the proper balance between offering incentives to the entrepreneurial middle class and at the same time offering a meaningful social contract to wage-earners and the unemployed. To win elections, the region's political parties must appeal to the energetic, city-based middle class, which is eager to favor public policies that create new opportunities. Yet the same political parties must also appeal to the entirely different mindset of the rural population, which is interested in greater social spending and a vague return to traditional values. Alas, more often than not these interests and visions are incompatible.

Finally, there is a growing gap in some of the countries of the Central European Ten between rich and poor that is an important source of pervasive skepticism about the merits of capitalism. According to a European Union survey of all of Europe, the gap between incomes of the top 20 percent of the population and the bottom 20 percent is greatest in Portugal—but Poland, Latvia, and Lithuania are not far behind. (Such wealthy but more egalitarian countries as Germany and France *are* far behind.) The Polish income ratio between the rich and the poor is more than 40 percent higher than in the average European Union member state. For a striking comparison, Poland can be said to be 100 percent more unequal than Sweden and 60 percent more unequal than Germany. The paradox that has come to prevail today is therefore this: Large segments of the region's populations know that pre-1989 "socialism" did not work, and they know it could not be resurrected anyway, but in their dislike for income differentiation under capitalism they favor populist politicians who spout egalitarian rhetoric.

The Changing International Arena

The fourth trend is the ongoing radical transformation of Central and Eastern Europe's international environment. The historical comparison is striking: in 1989 and throughout the 1990s, all of the countries of Central and Eastern Europe turned to Washington for guidance. They understood and appreciated the significance and benefits of the Atlantic Alliance. They all sought to join NATO, in part because it was a Western alliance and membership signified their return to "the West." They also wanted to join NATO in order to protect themselves against a possible revival of Russian ambitions.

For these reasons and more, the United States (as NATO's leading power) was, for all of Central and Eastern Europe, the country of hope, the assurance that the single most important goal of their 1989 peaceful revolutions—*independence*—would be achieved and defended. Put another way, the United States, having won the Cold War against the much-despised Soviet Union, could do no wrong at that time. It is only a slight exaggeration to suggest that when American diplomats made a request to a Central or Eastern European government in the 1990s, they did not have to ask twice.

The European Union also generated a good deal of interest in the 1990s. The hope that these former Communist countries could soon “return to Europe” after decades of enforced subservience to the Soviet Union was both widely and deeply held. If the U.S. role was to protect the region's independence, the European Union's role was to help move Central and Eastern Europe from the continent's economic periphery to its center—and prosperity would follow. The slow pace of the admission process disappointed some, but by the end of the decade there was hope once again of membership in this exclusive European club.

Russia, for all practical purposes, was not a player in Central and Eastern Europe in the 1990s. It mourned the loss of its “external empire” as it focused, unsuccessfully, on protecting its real or imagined interests in the “internal empire” in the former Soviet Union itself. Beyond a few gestures under President Boris Yeltsin, Russia had little or nothing to offer to its former Warsaw Pact satellites (it was even too poor to buy Bulgarian tomatoes or Hungarian salami). An occasional news item about mischief by Russian secret services, notably in the Baltic states, with their large Russian ethnic populations or in Poland, reminded the world of Moscow's old ways, but Russia had neither the economic nor the political means by which to influence in any significant fashion the course of events in Central and Eastern Europe.

In 2007, the region's international environment is different. Despite dramatically declining public support for U.S. policies in the Middle East and elsewhere, the Central European Ten still favor close relations with the United States. Of the ten, Estonia, Latvia, Lithuania, Poland, and to a lesser extent Romania and the Czech Republic have governments that continue to seek and value American protection against a revived Russia under President Vladimir Putin. To some extent, the other four—Slovakia, Hungary, Slovenia, and Bulgaria—also cooperate with Washington on such issues as fighting terrorism (and, earlier, even on Iraq), drug interdiction, etc., but in these countries there is far less interest in maintaining strong ties with the United States. A new generation there, and indeed throughout the region, does not seem to appreciate what the United States did to save Europe from the Nazis and from the Soviet Union. What they know is what Washington is doing in Iraq; what they know is Washington's unwillingness to pave the way to visa-free travel; and what they know is the gap between Washington's verbal promotion of democracy and the absence of deeds to back it up – that is, the absence of a genuine relationship between ends and means that used to enhance America's presence, credibility, and reputation in the region in the 1990s.

The polling data appended to this essay speak for themselves. Particularly striking is the drop in Polish public approval of U.S. policies—from 62 to 38 percent in one year—because Poland used to be the most pro-American country in the world. The

predominant attitude now is one of opposition to U.S. leadership in the world. Contrary to the received wisdom about “New Europe” being fundamentally different from “Old Europe,” a more accurate formulation is that the United States has lost the high moral ground in every European country, from Great Britain to Turkey. All the same, those who fear Vladimir Putin’s Russia most—the three Baltic states, Poland, and to a lesser extent Romania and the Czech Republic—continue to court and count on the United States.

Meanwhile, the European Union is riding high in Central and Eastern Europe. For a variety of projects, it is expected to provide Poland some USD 75 billion in the next seven years. Others may be benefiting less from membership, but they all have visa-free travel in the EU area, increasingly good access to institutions of higher learning, and significant employment opportunities. (Presently, 1.5 million Poles work in Ireland, England, and elsewhere.) Throughout the region, all can see a national flag and the EU flag flying high—together! The best news from Central and Eastern Europe now is that integration has begun to work. Nationalist resistance is much weaker than it was even a year or two ago. Some of the most vocal Euro-skeptics have changed their tune and present themselves as supporters of their countries’ association with the European Union. While, after decades of foreign oppression, it is hard to give up even a modicum of independence to an international body—even when it is done voluntarily!—the successful integration of the Central European Ten into larger European structures is under way. Today, the European Union has certainly taken the upper hand in the competition between the EU and the U.S.

Compared to the 1990s, Russia has a presence in the region now, and it is not a benevolent one, but its significance should not be overestimated. Russia offers energy—oil and especially gas—to the Europeans, and it has made as many as ten bilateral deals with individual countries, rather than just one with the EU. The reasons for that approach are obvious. Moscow can make more money this way, and it can try to drive a wedge among European Union members by playing off one against the other. Gazprom and President Putin work hand in hand to spoil a common European energy “plan” (not common energy “policies,” because such do not yet exist). This is why the Hungarian and Austrian dithering about the EU’s Nabucco Project—a competitor to Gazprom—was unfortunate, but certainly not decisive. The issue of diversification is on the table, and all European governments would prefer not to have to rely on Russian energy alone.

Energy aside, Russia can offer its vast market for goods from the Central European Ten. How long, and how much, however, are the important questions to be raised in this regard. Of all the stock markets in the world, only one—Russia’s—came down during the first half of 2007. This is bad omen for an economy that has grown but has not been modernized. Could it be that Russia, after impressive growth for several years that has been based only on the exploitation of vast energy resources, is facing its own diversification problem? Will it continue to grow even if it proves unable to develop new industries and new technologies, or if the price of energy finally comes down? Ultimately an economic dwarf rather than an economic giant, Russia, in the long run, has little to offer to Europe, including the Central and Eastern Europeans.

The United States' Role in Central Europe

Thinking of policies that would strengthen the U.S. position in the region, it should be emphasized that for many years the United States will not recover the ground it has lost since the end of the 1990s. The time when U.S. diplomats could always and easily get what they want is over.

True, the Czech Republic and Poland, despite significant and perhaps decisive parliamentary opposition, are apparently ready to offer hospitality to new U.S. missile sites, which signals at least residual support for American strategic objectives. Yet as governments come and go, it is important to look ahead and pay attention to the region's publics, which have become increasingly critical of U.S. policies abroad and violations of democratic norms at home, and therefore no longer side automatically with the United States. In the longer run, they are unlikely to support governments that favor protection of the United States (and, in Washington's view, of Europe) by an untested American shield against a potential threat ten years or more from now over Russia's direct and more immediate threat to their own security. Indeed, Washington's reportedly rather heavy-handed demands for Polish and Czech cooperation may eventually weaken rather than strengthen America's position there. Thus, as these prospective missile sites actually make Poland and the Czech Republic more insecure, it would make good sense to delay their deployment, certainly not in order to appease Moscow but in order to dampen the fires of political polarization in these allied countries.

In the non-military realm, there are a few modest steps Washington could take. First, with help from Congress, the Department of State should reinstate some of the relatively inexpensive educational and cultural programs that until a few years ago used to advance the United States' good name in the region. Relatedly, the State Department should encourage U.S. businesses to offer seasonal summer jobs to young Central and Eastern Europeans. At various resorts, such as those on North Carolina's Outer Banks, many young Poles, Slovaks, Russians, and others now work for supermarkets, improving their knowledge of English and gaining insights into the American way of life. Why not extend such programs so that more young people from the region could see the U.S. as it really is? This is an area where the United States can compete with members of the European Union.

Second, Congress should urgently extend visa-free travel to citizens of the Central Eastern European Ten (as it presently does to older members of the European Union). If this had been done three or four years ago, America's image in the region would have been significantly advanced. As it is, with visa-free travel to the EU countries as well as increasing work and study opportunities there, the issue of entry to the U.S. has lost some of its initial import. Still, this would be a desirable and long overdue measure for Congress to enact.

Third, at a time when Washington has few effective instruments of policy at its disposal to make a difference in Central and Eastern Europe, it would serve U.S. interests to send a larger number of professional diplomats to the region. True, politically well-connected ambassadors assigned to the capitals of the Central European Ten can and have made substantial contributions; being familiar with key players in Washington is

useful. On the other hand, sending people with only minimal understanding of the local political and economic scene and especially of the region’s turbulent past is a serious handicap. Meanwhile, rotating well-trained experts in Central and Eastern Europe to faraway lands about which they know little or nothing further complicates the increasingly difficult task of competent representation.

It may be that Washington’s main problem is not only a shortage of means—that U.S. libraries in the region are closed, that the Department of State cannot bring future leaders to the U.S., that there are no funds for making the United States better known and respected. Nor can declining U.S. influence be blamed only on the Bush Administration’s misplaced priorities and imprudent foreign policy. The additional problem is the tendency to take this region for granted, and to look for new “opportunities” on the assumption that “democracy promotion” will produce results around the globe. This is a mistaken assumption. Democracy does not fall on fertile soil everywhere. Even in Central and Eastern Europe it requires careful and generous cultivation.

Selected Data and Polls from Central and Eastern Europe

I. CIA World Factbook, 2007

GDP/Capita (2006 estimates)

Slovenia	\$23,400
Czech Republic	\$21,900
Estonia	\$20,300
Slovakia	\$18,200
Hungary	\$17,600
Latvia	\$16,000
Lithuania	\$15,300
Poland	\$14,300
Bulgaria	\$10,700
Romania	\$ 9,100

Average (countries, not population): \$18,375

European Union (27): \$29,900

II. Freedom House, Nations in Transit, 2007 (2006 in parenthesis)

A) “Democracy Score” (represents an average of seven subcategory ratings for electoral process; civil society; independent media; national democratic governance; local democratic governance; judicial framework and independence; and corruption. On a scale of 1 to 7, 1 represents the highest level of democratic development and 7 the lowest)

	2007	2006
Slovenia	1.82	(1.75)
Estonia	1.96	(1.96)
Latvia	2.07	(2.07)
Slovakia	2.14	(1.96)
Hungary	2.14	(2.00)
Czech Republic	2.25	(2.25)
Lithuania	2.29	(2.21)
Poland	2.36	(2.14)

B) Corruption

	2007	2006	2005
Slovenia	2.25	2.25	2.00
Estonia	2.50	2.50	2.50
Hungary	3.00	3.00	2.75
Poland	3.00	3.25	3.00
Latvia	3.00	3.25	3.50
Slovakia	3.25	3.00	3.00
Czech Republic	3.50	3.50	3.50
Bulgaria	3.75	3.75	4.00
Lithuania	4.00	4.00	3.75
Romania	4.00	4.25	4.25

III. Transparency International, 2006 (TI Corruption Perception Index)

Least corrupt: Finland, Iceland, New Zealand – CPI Score: 9.6

Most corrupt: Haiti, 1.8

163 countries surveyed

20. Belgium, Chile, USA	7.3
24. Barbados, <u>Estonia</u>	6.7
28. Malta, <u>Slovenia</u> , Uruguay	6.4
41. <u>Hungary</u>	5.2
46. <u>Czech Republic</u> , Kuwait, <u>Lithuania</u>	4.8
49. <u>Latvia</u> , <u>Slovakia</u>	4.7
57. <u>Bulgaria</u> , El Salvador	4.0
61. Jamaica, <u>Poland</u>	3.7
84. <u>Romania</u> , Algeria, Madagascar, Mauritania, Sri Lanka	3.1

IV. Eurobarometer, 2007

A) How would you judge your country's economy?

“Very good & rather good”

Denmark	99%
European Union (27)	52%
Estonia	81%
Slovenia	72%
Slovakia	55%
Czech Republic	45%
Poland	45%
Lithuania	33%
Latvia	22%
Romania	18%
Bulgaria	10%
Hungary	9%

B) Is membership in the EU a good thing?

The Netherlands	77%
European Union (27)	57%
Poland	67%
Romania	67%
Estonia	66%
Slovakia	64%
Lithuania	63%
Slovenia	58%
Bulgaria	56%
Czech Republic	46%
Hungary	37%
Latvia	37%

C) Are you very optimistic/fairly optimistic about the EU?

European Union (27)	69%
Poland	82%
Slovenia	80%
Estonia	77%
Slovakia	75%
Romania	75%
Lithuania	74%
Czech Republic	66%
Bulgaria	66%
Latvia	60%
Hungary	58%

D) Comparison of polls taken within the Central European Ten comparing opinion on the U.S. with that on the EU regarding world peace

Adapted from Eurobarometer September 2005, with polling taking place between May and June 2005

	In your opinion, would you say that the US tends to play a positive role regarding peace in the world?	In your opinion, would you say that the EU tends to play a positive role regarding peace in the world?
Bulgaria	24%	74%
Czech Republic	43%	80%
Estonia	30%	76%
Hungary	30%	72%
Latvia	30%	70%
Lithuania	49%	78%
Poland	33%	63%
Romania	57%	81%
Slovakia	34%	79%
Slovenia	18%	73%
Central European Ten (average)	35%	75%

V. German Marshall Fund, Transatlantic Trends, 2006

A) How desirable is it that the U.S. exerts strong leadership in world affairs?

“Very desirable & somewhat desirable”

Europe 12	35%
United States	84%
Poland	39%
Slovakia	19%
Bulgaria	21%
Romania	46%

B) How desirable is it that the EU exerts strong leadership in world affairs?

“Very desirable & somewhat desirable”

EU 12	70%
United States	76%
Poland	70%
Slovakia	50%
Bulgaria	55%
Romania	65%

C) Do you approve or disapprove of the way the President of the U.S. is handling international politics?

“Approve very much & approve somewhat”

Europe 12	18%
United States	40%
Poland	41% *
Slovakia	23%
Bulgaria	20%
Romania	41%

*Poland: Approve very much: 3%; somewhat: 38%

*VI. BBC Poll on U.S. Role in the World, 2006-2007
(selected European countries)*

A) “Views of U.S. influence mainly positive”:

France	24%
Germany	16%
Great Britain	33%
Italy	35%
Portugal	38%
Russia	19%
Turkey	7%
<u>Poland</u>	38% (dropped from 62% in one year)
<u>Hungary</u>	29%

Average in 18 countries polled:

2005: 40%

2006: 36%

2007: 29%

B) Handling Iraq by U.S.: “Strongly” or “somewhat approve”:

France	5%
Germany	11%
Great Britain	13%
Italy	15%
Portugal	16%
Russia	5%
Turkey	6%
<u>Poland</u>	22%
<u>Hungary</u>	12%

Trafficking in Human Beings and International Peacekeeping Missions: The 2004 NATO THB Policy

Alvaro Ballesteros *

The time has come to tackle the slave trade once and for all, in the interest of not only the people most directly affected but the broader public as well. As usual when it comes to politics, Abraham Lincoln said it best: In giving freedom to the slave, we assure freedom to the free. Halt the global slave trade today, and all citizens of the world will benefit. Allow the practice to continue, and all will ultimately suffer.

Ethan Kapstein, "The New Global Slave Trade"¹

The UN estimates that 2.5 million people are trafficked and enslaved, although the crime is frequently unreported and many estimates are far higher. The International Labor Organization estimates that there are 12.3 million people across the globe in forced work. The U.S. government says that up to 800,000 people are shipped like commodities across international borders to serve as cheap labor. About 50 percent of people smuggled and sold into forced work are minors and 80 percent are women and girls, according to a 2006 State Department study. Most end up working in the sex trade.

UN Fund to Combat Human Trafficking²

Introduction

"Trafficking in human beings (THB) flourishes throughout the world, aided by corruption, complicity, and neglect on the part of states around the globe."³ This is a direct quotation, reference note number 3 below. The statement was produced at a press release. An essential activity in providing increased funding for organized crime groups around the globe, THB is essentially a form of modern-day slavery. Together with trafficking of drugs and weapons and smuggling of migrants, THB is one of the core activities of contemporary organized crime. Thus, it contributes to the flourishing of corruption, the consolidation of state failure, the development of links between organized crime and terrorism, and the exploitation and violation of human rights throughout the world.

* At the time of writing this article, Alvaro Ballesteros was the Executive Director of the European Academy for International Training (EAIT). He currently works for the OSCE. This essay is dedicated to his mentor, Col. James Howcroft, United States Marine Corps.

¹ Ethan Kapstein, "The New Global Slave Trade," *Foreign Affairs* 85:6 (Nov./Dec. 2006): 103-15.

² UN Fund to Combat Human Trafficking, at www.humantrafficking.org; accessed 6 April 2007.

³ Statement by Martina Vanderberg, Europe Researcher, Women's Rights Division, Human Rights Watch, 24 April 2002.

Since the 1990s, THB has become a considerable threat to international peacekeeping missions deployed under UN and NATO flags. Given peacekeepers' lack of proper training and failure to follow provided action guidelines, situations develop in peacekeeping missions that contribute to the violation of human rights, the activities of organized crime, and the failure to achieve mission goals.⁴ The press coverage linked to these cases also help to erode national support for peacekeeping operations, especially at a moment when the North Atlantic Alliance has 50,000 troops deployed in different missions around the world, and when public support for international operations is decreasing in various NATO countries.⁵

This essay aims at analyzing the efforts of the North Atlantic Treaty Organization to fight human trafficking, to prevent NATO personnel from becoming clients fueling the THB operations run by organized crime groups, and to implement the 2004 NATO Policy of "Zero Tolerance" regarding THB. In order to do so, this paper will try to present a clear definition of what the problem is, and to explain the repercussions and links between THB and international peacekeeping operations; the allegations and cases affecting the UN and NATO, with the consequent damage to both institutions' reputations; the development and content of the 2004 NATO Policy against THB; and the efforts to implement this policy. Finally, the essay will offer some recommendations for future steps.

In offering this analysis, I hope to support the North Atlantic Alliance's efforts to fight THB in a comprehensive and successful way, making NATO the example for institutionalized programmatic efforts against THB proliferation and troop-involvement prevention. This research also tries to provide an in-depth review of the 2004 NATO Policy against THB, including an evaluation of the policy implementation process from the approval of the policy in the summer of 2004 to the summer of 2007.

⁴ *Canada in Kandahar: A Mission Assessment* (Brussels: The Senlis Council, Security and Development Policy Group, June 2006); available at http://www.senliscouncil.net/modules/publications/013_publication/exe_sum. "The resulting local negative perceptions of Canadian troops (in Afghanistan) seriously threaten Canada's reconstruction and development-focused mission. Incidents such as the unintentional killing of civilians are further dramatically decreasing popular support for the Canadian mission."

⁵ "Will Afghanistan receive the long-term support it needs? Western publics remain casualty-averse and opposition parties in the Netherlands, Canada, and Britain have had success playing to these concerns. (...) While the American public typically supports operations in Afghanistan, rebuilding the country ranked dead last in a recent poll in which respondents were asked to rank the importance of 30 international concerns." Carl Robichaud, "Remember Afghanistan? A Glass Half Full, On The Titanic," *World Policy Journal* 23:1 (Spring 2006); available at <http://www.worldpolicy.org/journal/articles/wpj06-2/robichaud.html>. "La OTAN está lidiando con fuertes presiones debido a su discutido liderazgo al frente de las tropas de ISAF. La opinión pública en su contra se incrementa en países como Gran Bretaña, Canadá e Italia." Assol Borrego Batista, "La Guerra de Afganistán en el camino del fracaso," *CEAO* (February 2007); available at www.ceao.cu/documentos/11.doc.

Definition of the Problem

Human trafficking affects virtually every country in the world. The largest numbers of victims come from Asia, with over 225,000 victims each year from Southeast Asia and over 150,000 from South Asia. The former Soviet Union is now believed to be the largest new source of trafficking for prostitution and the sex industry, with over 100,000 women and children trafficked each year from that region. An additional 75,000 or more are trafficked from Eastern Europe. Over 100,000 victims per year come from Latin America and the Caribbean, and over 50,000 are from Africa. Most of the victims are sent to Asia, the Middle East, Western Europe, and North America. The U.S. Department of State has estimated that at any given time there are hundreds of thousands of people in the trafficking pipeline, being warehoused by traffickers, waiting for new routes to open up or documents to become available. Their primary destinations include the United States, the European Union, and Canada.⁶

For years, a variety of international organizations and institutions have struggled to provide a consolidated definition of what THB is. It was not until 2000 that the United Nations came up with a globally accepted description of the crime. The universal definition of the term *Trafficking in Human Beings* can be found in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the Convention against Transnational Organized Crime, that was adopted by the UN in Palermo, Italy, in 2000. It is one of the two Palermo Protocols, the other one being the Protocol against the Smuggling of Migrants by Land, Sea and Air.⁷

The trafficking protocol entered into force on 25 December 2003, and by July 2007 it had been signed by 117 states, and ratified by 113 states.⁸ These 113 ratifying states include 22 of the current 26 NATO allies and 20 of the 23 current member states participating in the NATO Partnership for Peace program.⁹

Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, defines trafficking in human beings as follows:¹⁰

For the purposes of this protocol:

⁶ American University Terrorism, Transnational Crime and Corruption Center (TraCCC) Web site, at www.american.edu/tracc/transcrime/humantrafficking.html.

⁷ See Wikipedia entry at http://en.wikipedia.org/wiki/Protocol_to_Prevent%2C_Suppress_and_Punish_Trafficking_in_Persons%2C_especially_Women_and_Children (accessed 10 July 2007).

⁸ UN Office on Drugs and Crime, Signatories to the UN Convention against Transnational Crime and its Protocols, at www.unodc.org/unodc/en/crime_cicp_signatures.html.

⁹ Luxembourg, Iceland, Greece, and the Czech Republic are the four NATO Allies that have not yet ratified the Trafficking Protocol, although the four states signed it in December 2000. Ireland and Uzbekistan are the two PfP member states that have not yet ratified the Protocol. Kazakhstan is the only PfP member state that has neither signed nor ratified the Protocol.

¹⁰ See <http://untreaty.un.org/English/TreatyEvent2003/Texts/treaty2E.pdf>.

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.

The Council of Europe (CoE), an international organization of forty-seven member states in the broad European region, adopted in May 2005 the Convention on Action against Trafficking in Human Beings. Its Article 4 defines THB with exactly the same wording as Article 3 of the UN Trafficking Protocol, adding a final clarifying subparagraph (e): “‘Victim’ shall mean any natural person who is subject to Trafficking in Human Beings as defined in this article.”¹¹ Once a global definition was agreed upon in 2000, it became somewhat easier to make countries and international organizations understand the essence of the matter and the repercussions that it carries.

Trafficking in human beings is a global issue that represents an increasingly lucrative source of funding for organized crime networks, one that bears a low risk of detection and low penalties for the traffickers. This is especially relevant because—as has been already highlighted by many analysts—organized crime has direct links with terrorist groups. It is thus understood that the profits from exploiting people in the human trafficking industry go in part to fund the activities of terrorist networks, with all the attendant consequences.¹²

This has been especially apparent in regions like the Balkans, where the main UN and NATO international peacekeeping operations have been deployed since the

¹¹ Council of Europe CM (2005)32 Addendum 1 final, 925 Meeting, 3 and 4 May 2005, 4.5 Council of Europe Convention on Action against Trafficking in Human Beings.

¹² “Human trafficking is a growing and serious form of organized crime. Far from being a homogeneous phenomenon, trafficking ranges from small networks to a highly organized trade by large crime groups that delivers individuals across continents. Human trafficking in some regions of the world links with the funding of terrorism in the intermingled world of the illicit economy.” Louise Shelley, Statement to the House Committee on International Relations, Subcommittee on International Terrorism, Nonproliferation and Human Rights, 25 June 2003; available at http://usinfo.state.gov/eap/Archive_Index/Human_Trafficking_Transnational_Crime_and_Links_with_Terrorism.html.

1990s.¹³ “Human trafficking is an issue of critical importance in South Eastern Europe not only because it infringes upon and challenges the protection of human rights, but also because it has the potential to undermine the process of democratization; discredit the rule of law; weaken efforts to reform and build institutions; promote corruption; and even to threaten the stabilization process in the region.”¹⁴ The development of THB networks that are linked to issues such as widespread corruption and institutional malfunction constitute one of the main threats to the success of international peacekeeping operations, and also work to discredit the international organizations leading the peacekeeping efforts.

Trafficking in Human Beings and Peacekeeping Operations

“*Boys will always be boys.*” This infamous statement—made in 1992 by the Head of the UN Transitional Authority in Cambodia, Yasushi Akashi, when commenting on allegations that UN peacekeepers were involved in cases of sexual abuse against local women—has been highlighted by different scholars and international speakers on various occasions as an example of an unacceptable official opinion being used to cover up for the misbehavior of UN personnel. This kind of perception regarding cases of sexual abuse by international troops has been shared by many observers for a long time. Some even agreed with another infamous quote, this one from Nazi Propaganda Minister Joseph Goebbels: “Men should be trained as warriors and women as recreation for the warriors. Anything else is foolishness.”¹⁵

The history of sexual abuses perpetrated by armed forces is probably as old as humanity, with records of sexual violence being found in relation to almost every armed campaign and operation ever held. For a long time, these practices were considered normal wartime behaviors, and thus not much was done to prevent or punish them. In the modern era, though, the perception of the problem has gradually changed. This is a problem that has affected international peacekeeping missions set up under UN and NATO flags as well. However, the fact that the peacekeeping operations deployed since the beginning of the 1990s have been under stronger and more objective scrutiny has moved national governments and international organizations to pay a lot more attention in the recent past to issues like human trafficking and sexual abuses committed by members of peacekeeping missions.

¹³ “According to experts in the field, illegal trafficking in virtually any commodity and terrorism are linked in some parts of the world, as trafficking is a large and significant component of the illicit economy where these links with terrorism exist. These regions might include the Balkans, as well as parts of the former Soviet Union.” Lucia Ovidia Vreja, “Human Trafficking in South Eastern Europe,” *Connections: The Quarterly Journal* 4:4 (Winter 2005): 49-62.

¹⁴ *Ibid.*, 50.

¹⁵ Vesna Kesic, “The Status of Rape as a War Crime in International Law: Changes introduced after the Wars in the Former Yugoslavia and Rwanda,” MA Thesis, New School University, December 2001.

The two main international institutions that have organized and deployed international peacekeeping operations in the last twenty years are the United Nations and NATO.¹⁶ Hundreds of thousands of military, police, and civilian personnel have participated in all these different missions, which have been staffed by men and women who have served under their national colors and those of the umbrella organizations with the utmost professionalism, discipline, and honor. Many of them have lost their lives protecting and assisting refugees and victims of natural disasters, separating combatants, implementing ceasefires, and supporting stabilization and development programs run by different agencies. However, many of them have also engaged in criminal activities of various kinds. Human trafficking is one that has attracted special media attention in the last several years, thus eroding the credibility of the peacekeeping and institution-building efforts of both the UN and NATO.

It has been noted recently that, in regions of extreme conflict such as the Balkans, the presence of peacekeepers can often contribute significantly to the growth of trafficking networks and the embedding of organized crime within the community. The peacekeepers are a major revenue source for the brothel owners who keep the trafficked women. These revenues are used to neutralize law enforcement through corruption and to invest in the technology, intelligence gathering, and communications that are needed to expand the trade in trafficked humans.¹⁷

Having understood that human trafficking and sex abuse have been linked to peacekeeping operations for a long time, it is critical to analyze how they have most directly affected missions deployed under UN and NATO flags.

Allegations Regarding UN Missions

In relation to the UN, such acts as the ones described above cover a wide spectrum of behavior, from breaches of the organization's standards of conduct (such as solicitation of adult prostitutes, which may be legal in some countries) to acts that would be considered criminal in any national jurisdiction (e.g., rape and pedophilia). Besides the United Nations, media and human rights organizations in particular have documented the involvement of peacekeeping personnel in sexual exploitation and abuse in operations ranging from those in Bosnia and Herzegovina and Kosovo in the early 1990s to

¹⁶ The UN has deployed peacekeeping missions in Angola, Namibia, Mozambique, Somalia, Liberia, Rwanda, Uganda, Chad, Libya, Sierra Leone, Central African Republic, Burundi, Nicaragua, Guatemala, El Salvador, Honduras, Haiti, Afghanistan, Cambodia, Tajikistan, Timor-Leste, Bosnia and Herzegovina, Croatia, FYRO Macedonia, Iraq, Western Sahara, Sudan, Democratic Republic of Congo, Eritrea, Ethiopia, Ivory Coast, Cyprus, Georgia, Kosovo, and Lebanon. NATO has led peacekeeping operations in Bosnia and Herzegovina, Kosovo, FYRO Macedonia, and Afghanistan.

¹⁷ Shelley, Statement to the House Committee on International Relations, Subcommittee on International Terrorism, Nonproliferation and Human Rights, 25 June 2003.

Cambodia and Timor-Leste in the early and late 1990s to West Africa in 2002 and the Democratic Republic of Congo in 2004.¹⁸

Allegations of UN peacekeeping troops being involved in acts of sexual violence in general, and human trafficking in particular, are thus of fairly long standing. The different cases that provoked an increase in media coverage and global outrage motivated the UN to start working seriously in investigations of THB allegations. The worrying trend of official denial of any case in which UN staff seemed to be involved in THB activities started changing at the end of the 1990s. However, fierce critical voices and international monitors claim that, despite official recognition of the issue's gravity and public commitment from Secretary-General Kofi Annan to remedy the situation, little has changed on the ground since the UN adopted the already mentioned Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children in 2000, supplementing the Convention against Transnational Organized Crime.

*"It is hard for the United Nations to take the lead in combating human trafficking when it is one of the major promoters of human trafficking in the world."*¹⁹ This statement was reportedly made in May 2007 by former U.S. Ambassador-at-Large on International Slavery John R. Miller to criticize the United Nations for promoting sex trafficking in peacekeeping missions, accusing the UN of failing to halt sexual abuse by UN peacekeepers.

The first reports of peacekeepers being involved in human trafficking were related to the UN peacekeeping and police missions in Bosnia and Herzegovina during and after the 1992–95 war. Personnel from some contingents of the UN Protection Force (UNPROFOR) were reportedly involved in cases of sexual abuse and human trafficking during the time of the armed conflict.²⁰ The alleged involvement of personnel from the UN International Police Task Force (IPTF) and from the UN Mission in Bosnia and Herzegovina (UNMIBH) was also mentioned in specialized reports.²¹ It is relevant to highlight here the fact that the UN itself reportedly played an important role in substantially contributing to the lack of evidence in relation to the THB cases for which it had records in Bosnia and Herzegovina. When the UNMIBH closed down in December 2002, there was no reassignment of cases and files to the representatives of the newly launched EU Police Mission (EUPM) that was to replace UNMIBH on the

¹⁸ *Comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations*, United Nations General Assembly, document A/59/710, 24 March 2005.

¹⁹ "Former U.S. Ambassador Criticizes UN for Promoting Sex Trafficking in Peacekeeping Missions," *Humantrafficking.org: A Web Resource for Combating Human Trafficking, News & Updates* (16 May 2007), at www.humantrafficking.org/updates/615.

²⁰ Author's meeting with the Spanish writer and war reporter Juan Goytisolo in Sarajevo (B&H), September 2000.

²¹ Human Rights Watch Report, *Hopes Betrayed: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution*, Vol. 14, No. 9(D) (New York: Human Rights Watch, November 2002); available at <http://www.hrw.org/reports/2002/bosnia/Bosnia102.pdf>.

ground. This resulted in a total lack of information and intelligence exchange between both missions in cases related to organized crime and THB.²²

That same year the UN was again in the spotlight, taken aback by the news of widespread sexual exploitation and abuse by peacekeepers at a refugee camp in Western Africa. Responding to this case, Secretary-General Annan issued a bulletin in 2003 entitled "Special measures for protection from sexual exploitation and abuse." The bulletin forbade sexual activity with children under 18 years of age and with any other beneficiaries of assistance, and it prohibited the use of money, employment, goods, or services in exchange for sexual favors. The bulletin further instructed all department supervisors to report cases of human trafficking and sexual abuse by UN staff.²³

Two years later, in 2004, the scandal of alleged widespread sexual abuse by UN troops deployed in Congo became public. As a response, Jordan's Ambassador to the UN, Prince Zeid al Hussein, was tasked to analyze the situation on the ground and present the General Assembly with a comprehensive review of the matter. Most of the allegations involved UN peacekeepers from Pakistan, Uruguay, Morocco, Tunisia, South Africa, and Nepal. Prince Zeid al Hussein's report on the alleged sexual abuses by UN peacekeepers in Congo was released in March 2005. He reportedly had discovered that peacekeepers had enticed desperate women and children to engage in sexual acts for a pittance of money or a small piece of food, sometimes giving them money or food after raping them to make the intercourse appear consensual. He stated that these crimes were widespread and ongoing. The Prince had reportedly also found evidence of peacekeeper obstruction of UN investigations into the crimes, paying or offering to pay witnesses to change their testimony, threatening investigators, and refusing to identify suspects.²⁴ There have also been allegations of involvement of UN personnel in similar cases in Kosovo, with reports of UN DPKO acknowledging that "peacekeepers have come to be seen as part of the problem in trafficking rather than the solution."²⁵

In May 2007, former U.S. Ambassador John R. Miller claimed that, despite the efforts and recommendations by Prince Zeid al Hussein in 2005, little had been done in the organization to prevent and punish similar cases. Currently a professor at Georgetown University, Miller's words were reportedly received with outrage by the UN Department of Peacekeeping Operations (DPKO) representative Yewande Odia, who claimed the world body is doing all it can, always depending on the individual commitment of each one of its member states.

²² "Experts in the region believe the UNMIBH was complicit in Human Trafficking." Sarah Mendelson, *Barracks and Brothels: Peacekeeping and Human Trafficking in the Balkans* (Washington, D.C.: CSIS, 2005).

²³ U.S. Department of State, *Trafficking in Persons Report*, 5 June 2006; available at www.state.gov/g/tip/rls/tiprpt/2006/.

²⁴ Keith J. Allred, "Peacekeepers and Prostitutes, How Deployed Forces Fuel the Demand for Trafficked Women and New Hope for Stopping It," *Armed Forces & Society* 33:1 (October 2006): 5–23.

²⁵ Ian Traynor, "NATO force feeds Kosovo sex trade," *The Guardian* (7 May 2004).

The situation described above may be only the tip of the iceberg. With more than 68,000 UN peacekeeping troops deployed in more than seventeen missions abroad, it is hard to know how many similar cases have occurred or are actually ongoing. The latest reported scandal came to light in July 2007, involving the UN contingent of Moroccan troops deployed in Ivory Coast. The allegations of widespread sexual abuse are so serious that the UN has reportedly suspended the activities of the whole UN Moroccan battalion pending the results of the already initiated investigation of alleged sexual abuses involving peacekeepers and underage girls.²⁶

This state of affairs is unacceptable to wide segments of the public. It shows once more that the issue of enforcing and maintaining discipline is critical if the credibility of the UN, the department of peacekeeping operations, and the future of the peacekeeping missions in general are to be preserved. The continuous problem the UN faces is that of the world body not having direct disciplinary authority over the peacekeeping troops, which are provided by the different member states. The contributing nations remain the sole authority with disciplinary jurisdiction over their own troops deployed in international operations, and in many reported cases no action is ever taken by the national authorities once sexual abuse cases are reported, or even after peacekeepers are repatriated. This situation jeopardizes the possibility of achieving successful prosecutions of the alleged traffickers and sexual predators, who are *de facto* protected by the blue beret of the United Nations. It also damages the public's perception of the UN and its international missions, with a growing number of taxpayers unwilling to see part of their taxes being used to contribute to activities that amount to gross human rights violations.²⁷

²⁶ “The United Nations is investigating allegations of widespread sexual abuse by hundreds of its peacekeepers serving in the Ivory Coast. A Moroccan battalion of 800 troops in Bouake, in the north of the country, were confined to their barracks on Friday and all of the contingent's activities suspended. The UN said an internal investigation ‘revealed serious allegations of widespread sexual exploitation and abuse’ by the unit which is serving in Bouake. The soldiers are alleged to have had sex with a large number of underage girls.” “UN probes Ivory Coast Abuse,” Al Jazeera (21 July 2007); at <http://english.aljazeera.net/NR/exeres/BC3F32AE-85FC-41D3-BC29-BB84C7D80510.htm>.

²⁷ “Con las Naciones Unidas aún bajo fuego por el mega-escándalo ‘Petróleo por alimentos’ y otros actos de corrupción, denuncias de rampante explotación sexual y violación de chicas jóvenes y mujeres por parte de las así llamadas ‘fuerzas de paz’ de la ONU y civiles adjuntos en el Congo, están llevando su reputación global muy abajo.” “‘Tropas de paz’ del Uruguay embarazan a 59 mujeres y niñas del Congo” (3 January 2005); available at <http://uruguay.indymedia.org/news/2005/01/30405.php>.

Obviously, not all the measures announced by the UN have been implemented, and little has been learned from the events in Bosnia, Western Africa, Congo, Kosovo, and other missions. The latest allegations of widespread abuse in Ivory Coast prove that enforcing the existing disciplinary measures is the Achilles' heel of the United Nations' DPKO. The damage to the credibility of the organization on the world stage has been considerable.

Allegations Regarding NATO Missions

The North Atlantic Treaty Organization deployed its first NATO-led peacekeeping mission in December 1995 in Bosnia and Herzegovina in order to support the implementation of the Dayton peace accords. Other troop-deploying peacekeeping operations under the NATO flag followed in 1999 in Kosovo, and in 2001 in both FYRO Macedonia and in Afghanistan.²⁸ All these different missions involved the deployment of large numbers of allied troops²⁹ provided by NATO member nations, countries participating in the NATO Partnership for Peace (PfP) program, and other allied partner nations.³⁰

“Desde entonces, son frecuentes los llamados a acabar con los brutales ataques de los cascos azules a esa comunidad, resarcir a las víctimas y contribuir al enjuiciamiento de los funcionarios, comandantes y soldados responsables de tales atropellos. También, las denuncias acerca de más de una treintena de casos de violaciones, pedofilia y tráfico humano con destino al comercio sexual, delitos que parecen formar parte del programa a cumplir por los policías y soldados de la ONU en ese territorio caribeño.” “Las tropas de la ONU son cuestionadas en Haití,” *La Republica* (Madrid), (31 December 2006); available at www.larepublica.es/article.php3?id_article=3420.

²⁸ The NATO-led peacekeeping mission in Bosnia and Herzegovina (IFOR 1995-1996, SFOR 1996-2004) finalized after a 9-year-deployment, being replaced on the ground by EUFOR, the second EU-led peacekeeping operation. The NATO-led mission in Kosovo (KFOR) is still ongoing. The NATO-led deployment in FYRO Macedonia started right after the 2001 armed conflict (missions Task Force Harvest replaced by Task Force Fox) and concluded in March 2003 when the first ever EU-led peacekeeping operation (EUFOR CONCORDIA) took over. Finally, the NATO-led operation in Afghanistan (ISAF) is still ongoing.

²⁹ IFOR deployed 54,000 troops under allied command in 1999, reducing the numbers under SFOR to 12,000 in 2002 and down to 7,000 in 2004, when the mission ended. KFOR deployed 50,000 allied troops in 1999, having reduced its numbers down to 17,000 in 2006. Operations Task Force Harvest and Task Force Fox deployed around 1000 servicemen and women (2001–03). ISAF consisted of about 35,500 personnel as of mid-2007.

³⁰ Currently, the PfP nations are Albania, Armenia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Finland, Georgia, Ireland, Kazakhstan, Kyrgyzstan, Moldova, Montenegro, Russia, Serbia, Sweden, Switzerland, Tajikistan, FYRO Macedonia, Turkmenistan, Ukraine, and Uzbekistan. The non-NATO, non-PfP partner nations that have contributed troops to NATO peacekeeping operations are Australia, New Zealand, Morocco, Argentina, Malaysia, India, Philippines, Mongolia, and the United Arab Emirates.

Numerous allegations involving NATO peacekeeping troops³¹ and NATO civilian contractors³² in cases of sex abuse and human trafficking have been reported in Bosnia and Herzegovina, as well as in Kosovo.³³ NATO troops from different contingents serving in FYRO Macedonia under Task Force Fox (TFF) reportedly frequented bars where foreign women were forced to work as prostitutes. Sometimes the soldiers visiting these bars were clients of the sex workers, and sometimes the visits were part of an effort to identify trafficking bars in order to produce an accurate map of organized crime activities in certain parts of the country.³⁴

It is clear, then, that human trafficking is a problem that affects international peacekeeping missions in general, including NATO. The threat to the credibility of the organization's humanitarian and peace building efforts is not to be underestimated.

The 2004 NATO Policy against Trafficking in Human Beings

The process of addressing the issue of THB within the North Atlantic Alliance and acknowledging the existence of the problem and the threat it poses to NATO has not been an easy one. Many senior NATO officials reportedly adopted an attitude of denial and failed to understand why human trafficking was a relevant matter for NATO.³⁵

It was the decisive action of the ambassadors from the U.S. and Norway to NATO that reportedly pushed the alliance to take a solid stance to combat these cases and address the damage to NATO's credibility. Ambassadors Burns and Eide made NATO understand that "trafficking in persons in the Balkans undermines ongoing, significant

³¹ "Elena (a 20-year-old Moldovan victim of THB) says all sorts of customers patronized her bar, including locals, soldiers from the NATO-led Stabilization Force, SFOR, and even local policemen." Nidzara Ahmetasevic, "Bosnia: Sex Slave Recounts Her Ordeal. Thousands of young women are still being held as sex slaves across the country despite the authorities' efforts to stamp out the trade," Institute for War and Peace Reporting, Sarajevo (18 March 2003); available at http://iwpr.gn.apc.org/?s=f&o=157851&apc_state=henibcr2003.

³² "Substantial evidence pointed to involvement by SFOR US civilian contractors, who had more freedom to move around Bosnia and Herzegovina than the SFOR peacekeepers and did not face the same prohibitions on visiting nightclubs." Human Rights Watch, *Hopes Betrayed*, Chapter XI, 62.

³³ "In a report on the rapid growth of sex-trafficking and forced prostitution rackets since NATO troops and UN administrators took over the Balkan province in 1999, Amnesty International said NATO soldiers, UN police, and western aid workers operated with near impunity in exploiting the victims of the sex traffickers. The report said that U.S., French, German and Italian soldiers were known to have been involved in the rackets." Traynor, "NATO force feeds Kosovo sex trade."

³⁴ Author's interviews with NATO TFF soldiers deployed in the Tetovo region, based in NATO Camp Erebino, during 2002 and 2003.

³⁵ "Some senior civilian representatives of the DoD at NATO, as well as those who oversee peacekeeping for the secretary general of NATO, clearly did not understand why human trafficking should be addressed by NATO." Mendelson, *Barracks and Brothels*, 60.

efforts to bring stability to Southeast Europe.”³⁶ The result of the new Allied view of the problem was the drafting and endorsement of the June 2004 NATO Policy on Combating Trafficking in Human Beings (henceforth the Policy).

The Policy³⁷ approaches the matter of human trafficking from a holistic and comprehensive perspective, having been drafted after a rigorous consultation process with international actors such as OSCE, the UN, international governmental and non-governmental experts, PfP partners, NATO Mediterranean Dialogue countries, and troop-contributing nations involved in NATO-led operations.

The Policy:

- Defines human trafficking as a deeply destabilizing factor that runs counter to the NATO goals in South Eastern Europe
- Recognizes the UN Trafficking Protocol from 2000 as the framework document of reference, calling for the Allies and Partners to ratify it
- Recommends that THB pre-deployment training be provided to those who will participate in NATO-led operations
- Extends the anti-trafficking regulations to NATO troops and civilian contractors
- Calls on non-NATO troop-contributing nations to follow the Policy guidelines.

The Policy is complemented by Annex 1, entitled “NATO Guidelines on combating trafficking in human beings for military forces and civilian personnel deployed in NATO-led operations.” This document is divided into three sections: introduction and scope, general principles, and implementing guidelines.

The main points of this document are:

- Definition of the scope of the policy, including basic behavior standards for NATO-led forces, and parameters within which NATO missions can support the efforts of the host country
- Definition of general principles guiding the implementation of the Policy:
 - NATO troops are forbidden to engage in THB activities
 - NATO missions will support host nations’ efforts
 - NATO allies accept the UN Trafficking Protocol definition of THB
- Description of implementation guidelines:
 - Establishing of NATO educational modules for raising awareness of THB
 - Development of evaluation tools and internal control procedures
 - Definition of points to be included in the planning of operations
 - Operational plans to include anti-trafficking support measures

³⁶ Mendelson, *Barracks and Brothels*, 60; Keith J. Allred, “Human Trafficking: Breaking the Military Link,” *Connections: The Quarterly Journal* (Winter 2005), 68.

³⁷ NATO PO(2004)0057, 27 May 2004, from Secretary General to Permanent Representatives (Council).

- THB awareness training to be provided prior to deployment
- Assessment of conformity by NATO-led forces to measures
- Decision to have NATO operations link with victim protection institutions
- Requirement for allied nations to develop THB educational modules
- Requirement to ensure national legislation to punish those involved in THB activities
- Obligation for allied nations to report to NATO on national efforts
- Establishment of pre-deployment recommendations to troop-contributing nations:
 - Pre-deployment training on THB matters and methods of countering it
 - Timely investigation and prosecution of THB cases involving troops/contractors according to standardized national legislation
 - Development of mechanisms to report THB-related crimes
 - Creation and dissemination of national policies protecting whistleblowers
 - Creation of national databases with records of misconduct to be used in future recruitment, vetting, and deployment.

Annex 1 is likewise complemented by a document labeled Appendix 2: “NATO Guidance for the development of training and educational programs to support the policy on combating the trafficking in human beings.” This document recognizes the importance of training and raising awareness as key tools to ensure a successful implementation of the Policy. It also defines the two kinds of training to be offered by NATO and national training institutions:

- A general training module explaining what THB is and outlining the main legislative tools directed at punishing those involved in THB, with the following elements:
 - Background explanation on THB, including its origins, victims, perpetrator’s profile, and functioning dynamics of the crime
 - Explanation of how THB is linked to other organized crime elements that threaten mission success
 - Guidelines to detect victims and how to act when crime is detected
 - Summary of relevant anti-trafficking legislation tools
- Specific modules designed for specific categories of personnel with specific responsibilities for policing the behavior of NATO-led personnel, including the following:
 - Policy provisions for allied commanders on how to deal with cases involving subordinates
 - Policy provisions for military police on how to investigate THB cases affecting NATO-led staff.

Finally, Appendix 2 clarifies that, in order for such allied training effort to bear fruit, it should:

- Be provided to all levels of military and civilian staff
- Be tailored to specific audiences
- Include input from international anti-trafficking experts
- Focus on a train-the-trainers approach
- Include case studies and interactive learning methods
- Be adapted to distance and computer-based learning.

Annex 1 is further complemented by Appendix 3: “Guidelines for NATO staff on preventing the promotion and facilitation of trafficking in human beings.” This document augments several of the points already mentioned in previous sections of the Policy:

- Prohibition against engaging in THB activities and obligation to report known cases involving NATO staff
- Recognition of the definition of THB as established in Article 3 of the UN Trafficking Protocol
- NATO staff includes everyone linked to a NATO operation, even consultants and temporary personnel
- Obligation for the allied nations to prosecute the troops involved in THB according to standardized national legislation.

A final NATO Policy, Annex AC/119-N(2004)0077, establishes the “Public Diplomacy Guidelines for the NATO Policy on Combating Trafficking in Human Beings.” This document basically reminds the Allies that implementation is the key factor to making the Policy a success. It also provides states with a press kit to facilitate NATO specialized staff communication with the media in order to explain the Policy and its implications.

Policy Analysis

The Policy is without doubt the most comprehensive and best-structured institutional response to the crime of THB and the threat it poses to NATO-led peacekeeping operations. However, there are some gaps and issues that must be addressed by the Alliance in order to improve the Policy and to push its implementation farther.

As drafted and endorsed in 2004, the Policy has already had several positive effects:

- It has made the Allies understand that human trafficking is an important matter on the Alliance’s agenda, and that prevention of this crime is essential to promoting the development of the rule of law, along with the stability- and institution-building processes needed in post-conflict territories.

- It has encouraged the Allies and Partner nations to ratify the UN Trafficking Protocol and to adapt their national legislation to it. As a direct result, eight NATO Allies and nine PfP Partners have ratified the Protocol since the NATO THB Policy was adopted.³⁸
- It has made clear that NATO has a responsibility to police the actions of its troops and civilian contractors, whose actions have a direct effect on NATO's image in the host country.
- It has given THB a crucial place in the tactical, operational, and educational policies of the Alliance.
- It has rightly highlighted the fact that implementation is the key area of focus.

All these points mentioned above make the Policy a genuinely useful tool for setting the Alliance's agenda and providing key NATO officials with a clear understanding of the problematic nature of the issue and some hints as to the challenges ahead. However, the Policy has also several weak points when it comes to the most crucial issue—implementation.

The Policy establishes that NATO nations and Partner countries must:

- Adapt their legislation to the wording of the UN Protocol
- Provide THB pre-deployment training to all future mission staff to be sent to a NATO-led operation
- Support the host nation's anti-trafficking efforts
- Develop training modules and evaluation mechanisms
- Include THB-related measures in the operation plans
- Link with THB victim-support institutions in the host country
- Report to NATO regarding THB-related cases and developments
- Prosecute troops allegedly involved in THB activities according to their standardized national legislation.

This is a very ambitious package of measures. Nevertheless, many key questions are left unanswered by the Policy, such as:

- Who will evaluate the performance of NATO Allies and Partners in adapting their national legislation to the standardized goal?
- Who will produce the pre-deployment training materials?
- Who will evaluate that troops are receiving correct instruction?

³⁸ The NATO Allies that ratified the UN Trafficking Protocol after the adoption of the NATO THB Policy are Belgium, Germany, Hungary, Italy, the Netherlands, Slovakia, the U.K., and the U.S. The PfP Partners that ratified the Protocol after the adoption of the NATO THB Policy are Austria, Finland, Georgia, Montenegro, Moldova, Sweden, Switzerland, FYRO Macedonia, and Turkmenistan.

- Who will assess the conformity of contributing forces to the principles articulated in the Policy?
- Who will receive the possible national reports on cases, disciplinary decisions, and follow-up events?
- Who will be the person/ unit/ institution in charge of liaising with host nation authorities, NGOs, and victim-support organizations?
- Who will collect the input from international THB experts and ensure the training materials are properly used?
- In general, who will be responsible for verifying that the Policy is finally implemented on the ground in a standardized manner?

The answers to these questions are crucial to efforts to strengthen the Policy. The fact that the Policy was approved in 2004 by NATO without designating an official authority to oversee its implementation called into question the Alliance's effort and commitment to deal comprehensively with the phenomena of THB and sex abuse by peacekeepers.

Another crucial weakness of the Policy as it was endorsed in 2004 is the fact that all issues related to the implementation of its provisions by the NATO member states depended on the voluntary commitment of the nations. No executive authority was vested in the Allied structures to compel the member states' governments to comply with the provisions of the Policy.

Policy Implementation: 2004–2007

Some analysts agree that, since the adoption of the Policy, progress is beginning to become apparent, and the initiative has led to many efforts on the part of the Alliance to tackle the problem of trafficking.³⁹ However, three years since the date of the Policy's launch, the overall pace of implementation seems to be quite slow and hesitant.

In late 2004 and early 2005, NATO sponsored the creation of an ad hoc working group of international THB experts to design the training modules that were to be later

³⁹ Keith J. Allred, "Analysis: Combating Human Trafficking," *NATO Review* (Summer 2006); available at www.nato.int/docu/review/2006/issue2/english/analysis.html.

used by the Alliance to raise troop awareness and provide pre-deployment training.⁴⁰ The works of this expert group produced three anti-trafficking training modules that were supposed to be used by the Allied nations to specifically train all troops, troop commanders, and military police personnel. The modules were created in an on-line format in order to facilitate their use in training staff from the different member nation armed forces. However, it is unclear to what extent these materials are being used, by whom, and with what level of success.

One positive step was the incorporation (starting in 2005) of anti-trafficking lectures by the NATO School in Oberammergau (Germany) and the NATO Defense College in Rome into their curricula for both senior commanders and staff officers. Also, the NATO missions in the Balkans reportedly provide induction training for all personnel on a regular basis,⁴¹ and some of them, like the NATO mission in FYRO Macedonia, have engaged in organizing coordination meetings with all the different actors and institutions active in the anti-trafficking arena in the country.⁴² However, while NATO member states and Partners committed in 2004 to provide pre-deployment training for personnel participating in NATO-led operations, it is not clear that this commitment is really being fulfilled.

Another crucial step in the Policy's implementation has been the appointment in May 2007 of a NATO anti-trafficking coordinator, a post essential to harmonize the ef-

⁴⁰ The expert working group was composed of independent experts and experts seconded from institutions and international missions such as the Geneva Centre for Security Policy (GCSP), the German Organization for Technical Cooperation (GTZ), the International Organization for Migration (IOM), the German Federal Ministry for Economic Cooperation and Development, the EU Police Mission to Bosnia and Herzegovina (EUPM), the EU Police Mission to FYRO Macedonia (EUPOL PROXIMA), the Romanian THB NGO *Reaching Out*, the Austrian National Defense Academy, the NATO Defense College, the UN Office of the High Commissioner for Human Rights (UNOHCHR), the UN Department for Peacekeeping Operations (UNDPKO) and the UN Office for Drugs and Crime (UNDOC), with the support of the Norwegian and U.S. Delegations to NATO. The author participated in the work of the NATO THB expert group the capacity of a representative of the EU Police Mission to FYRO Macedonia (EUPOL PROXIMA) during the working sessions held at the NATO School in Oberammergau in late February 2005.

⁴¹ U.S. Department of State, *Trafficking in Persons Report*, 5 June 2006; available at www.state.gov/g/tip/rls/tiprpt/2006/65992.htm.

⁴² The NATO mission in FYRO Macedonia and the EU Police Mission in the same country, EUPOL PROXIMA, developed a robust level of cooperation throughout 2005. The author provided (as EUPOL PROXIMA THB expert) awareness raising lectures for Allied staff in NATO Skopje HQ and in NATO Camp Able Sentry in August 2005, and participated in the NATO-sponsored coordination meeting held in Camp Able Sentry in November 2005. NATO representatives participated in the EUPOL PROXIMA THB Command Post Exercise held in Kavadarci (FYRO Macedonia) in October 2005 in order to develop the Macedonian police commanders' skills to organize a comprehensive operation against a fictitious regional THB mafia. Led by Italian State Police Lt. Col. Giorgio Butini, this was the first ever Command Post Exercise organized by an EU Police mission in the Balkans following European Police College (CEPOL) standards.

forts of the different member and Partner states in order to achieve the realization of the Policy's provisions. The appointee is John Colston, NATO Assistant Secretary General for Defense Policy and Planning. He is the primary NATO point of contact for THB issues, being responsible for monitoring the implementation of the Policy. As such, he is expected to receive annual reports submitted by Allied and Partner countries and to report regularly to the North Atlantic Council and the Euro-Atlantic Partnership Council on the progress of the Policy's implementation. He is also expected to liaise with the relevant national authorities (as well as with international organizations and NGOs) to keep abreast of the latest developments in combating human trafficking, inform them about NATO's policy, and seek ways that NATO's work can be better coordinated with the activities of other international bodies.⁴³

The appointment of the NATO THB coordinator is without question an essential step forward that many had judged necessary since the initial adoption of the Policy back in 2004. One complicating factor, however, is the fact that Allied and Partner nations are to submit annual reports to the coordinator only on a voluntary basis, since he has no executive power. This is somewhat problematic, as it does not address the key issue—the lack of political will within Allied and Partner nations to implement their obligations as established under the Policy.

Conclusions and Recommendations

In the view of the already mentioned recent THB and sex abuse scandals affecting peacekeeping operations around the world, it is clear that the implementation of the NATO Policy is crucial if the Alliance is to prevent possible new THB cases and the threats to mission success that such cases carry. The implementation of the Policy seems to still be at an early stage, with relevant but somewhat dilatory initiatives that seem to lack muscle. The pace of Policy implementation will be decisive to ensuring the credibility of the Alliance's efforts.

NATO must press ahead with the necessary Policy-related reforms, and should further encourage the opening of deeper national debates to seriously address the roots, causes, and issues that explain the involvement of peacekeepers in THB and sex abuse activities. There is still a lot of work ahead in order to develop comprehensive national strategies and doctrines that would prevent peacekeepers from engaging in criminal activities of this nature. What is clear is that—rather than avoiding a serious, deep debate on the subject—it must be recognized that soldiers have sexual needs that must be addressed. This debate must include considerations from different perspectives, dealing with matters related to leadership and command issues, personal responsibility, home leave policies, ethical principles, education, and rigorous pre-deployment selection and training.

Finally, it is important to reinforce the message that the Policy has correctly identified many of the key points that must be addressed in order to fight and prevent cases

⁴³ NATO News, "NATO's anti-trafficking coordinator explains priorities," 9 May 2007; available at www.nato.int/docu/update/2007/05-may/e0509b.html.

of THB affecting Allied and Partner countries' troops. As repeated several times above, it is the *implementation* of these provisions that will bring the Alliance the results it expects.

Some further recommendations that may help in developing the work already done and that may prove crucial are given below, both for the NATO THB coordinator and for the NATO member states in general.

For the newly appointed NATO THB coordinator:

1. Dispatch independent THB expert teams to tour the Allied countries and field missions in order to assess the level of compliance with the Policy's provisions on the ground. The independent THB expert teams should report solely to the NATO THB coordinator. This is the only way to ensure that their assessment is objective and accurate. This will prove crucial in order to produce a road map to design future implementation steps based on a realistic assessment of the situation.
2. Develop a holistic NATO anti-trafficking strategy that focuses on prevention instead of on consequence management.
3. Assume a proactive role in order to standardize policy implementation mechanisms among Allies.

For the Allied nations:

1. Ensure that the NATO THB coordinator receives all necessary support. This implies that the states will implement the Policy's provisions and accept the coordinator's guidance to standardize policy implementation mechanisms among Allies.
2. Report to the coordinator's office on any THB issue/case that may be relevant and useful for the other Allies in order to strengthen the lessons-learned mechanism.
3. Ensure that the training modules developed by NATO are used in order to provide comprehensive training to national troops. Report any comments on the validity/problems/usefulness of the modules to the coordinator's office.
4. Ensure that THB cases are properly dealt with, that troops allegedly involved are prosecuted upon repatriation, and that victims are supported/compensated accordingly.

EU Prepares for Hard-core Chad Mission

Brooks Tigner *

The EU has set in motion plans to send a peacekeeping force to Chad along its troubled border with Sudan, prompting international aid and humanitarian groups to call for clear rules of engagement that focus on civilian protection and human rights and the effective implementation of a ban on using children as soldiers in the region's various conflicts. "EU soldiers must have the right to fire if they are under attack or if civilians are attacked as well," Alain Deletroz, vice president for policy in Europe at the International Crisis Group, recently told reporters in Brussels. "The rules of engagement must be clear and robust. It would be pointless without it."

As expected during their 23–24 July meeting in Brussels, foreign ministers from the bloc's twenty-seven member states gave the green light to the EU Military Staff (EUMS) to begin defining a crisis management concept. The concept will be premised on the deployment of several thousand European troops and police officers to Chad and possibly the northern region of the Central African Republic (CAR). EU military planners aim to finalize the concept in the coming weeks, an EU diplomat told ISN Security Watch on 23 July after the ministers' decision.

The mission's purpose would be to protect civilian populations in Chad and contain the chaos in adjacent Sudan and its war-torn western province of Darfur, where strife has displaced hundreds of thousands of people in the last four years. Many Darfurians now live in refugee camps in dire conditions just across the borders in Chad and northern CAR. Their numbers are swollen by displaced Chadians fleeing a conflict between rebel groups and the central government of President Idriss Deby. The EU soldiers would also protect UN and humanitarian personnel working in the region.

The size of the EU's mission is still uncertain, but initial indications have been that it could involve as many as 3,000 troops, though a smaller number is more likely, said the EU diplomat. "The numbers are somewhat up the air at this point, but one shouldn't forget that Artemis was run with considerably less than 3,000 soldiers," said the diplomat, referring to the EU's short-term peacekeeping mission in the Democratic Republic of Congo. Artemis' three-month deployment of 1,400 troops in June 2003 to Bunia in eastern DRC was the EU's first autonomous mission to deploy outside Europe and a test case of its ability to run a hard-core security mission.

While Artemis also had to deal with instability in Bunia, it was focused on a small area and a relatively restricted conflict scenario. By contrast, the peacekeeping challenge in Chad is more complex and dangerous, according to aid officials familiar with the setting and conditions of the region. Nearly a quarter of a million refugees from

* Brooks Tigner is a writer based in Brussels, and has reported on European and trans-Atlantic security and defense issues since 1992. He is the editor of the newsletter Security Europe. This piece was written for ISN Security Watch, and was first published at www.isn.ethz.ch/news/sw/details.cfm?id=17909.

Darfur are huddled in a dozen camps along Chad's border with Sudan, according to aid officials. Given that another 170,000 are internally displaced within Darfur, the refugee numbers could easily grow.

The refugees "are under siege from all sides," one aid official in Brussels said. "There is inter-communal and inter-ethnic violence, banditry, threats from militia groups in Chad who oppose the central government and, of course, raids by the Janjaweed across the border in Sudan. It's a desperate situation." The Janjaweed are fearsome Muslim militia, tacitly backed by Sudan's government, who have relentlessly attacked Darfur's non-Muslim tribes and villages. Until recently, Khartoum staunchly refused to allow any foreign troops in Darfur, save for poorly equipped Africa Union (AU) peacekeepers, though plans are now underway for a so-called hybrid force of UN and EU troops to work alongside the AU. The EU's mission in Chad would complement the UN's presence in Sudan and would hand over to it after a year or so. The EU official said the Chad mission would be split into two components: a police element to protect and maintain order within the refugee camps and a military one with responsibility to secure the area around the camps and beyond.

The decision to deploy to the region is long overdue in view of the grave human rights violations not only in Sudan but also in Chad, where rebel groups are fighting Deby's government. "Both sides of the civil war in Chad have recruited children. We're talking about children aged fifteen or younger with guns thrust into their arms. This is a crime against humanity and must end immediately," said Lotte Leicht, EU director at Human Rights Watch. "Deby's government has signed up to human rights declarations but it doesn't cooperate much [with human rights groups and the international community] to fight this problem. While we don't have evidence that it has recruited children in recent months, there's no evidence that it is demobilizing any child soldiers, either."

Getting Deby to comply with such demands could pose a delicate challenge for the EU peacekeeping force due to its expected large French element. As much as half the force could be French, with the balance drawn from other EU countries. As the former colonial power, France has long had close ties to Chad (Tchad in French), and has stationed troops in the country. One humanitarian aid expert said the mission should firmly come under the EU's flag, and stressed that the EU should turn down any French offer to use one of its deployable headquarters as the force's main operational or planning headquarters. "If France is perceived as partial in any way, as taking sides with the Chadian government [in its conflict with the rebel opposition], then the EU will get into a horrible situation. The mandate must be clear, strong and focused on civilian protection," said the expert.

Given the region's harsh environment, high security risks, and huge geographic scale—Chad and Darfur together equal nearly one-third the size of the continental United States—Leicht said the EU force will need a strong UN Chapter 7 mandate based on robust self-defense. "The huge operating area means the mission will need rapid reaction capabilities and the right kind of equipment to protect itself," she said. An EU military planner refused to divulge what kinds of equipment or weapons the Military Staff would choose, but said "all kit options are being reviewed as we talk."

When asked by ISN Security Europe if the EU planned to invoke its so-called Berlin Plus arrangement with NATO, the EU diplomat said “no, there are no plans to do that.” Agreed between NATO and the EU in 2003, Berlin Plus allows the latter to borrow allied assets or capabilities such as airlift or detachable and deployable command chains for its own use. However, the option has never been exercised.

The EU’s Military Staff is expected to finalize a crisis management concept for Chad before the end of September 2007. Based on the mission’s goal and rules of engagement, the concept will recommend the level of troops and equipment needed to carry out the mission. EU foreign ministers will review the document in October, followed by consultations with UN and Chadian authorities. Deployment could take place by early November, though this could easily slip to the following month, said the EU diplomat.