

A SUMMARY OF THE WORKSHOP RESULTS

"The Stability Pact" for South East Europe – Dawn of an Era of Regional Co-Operation"

The following issues dominated the discussion:

1. What are the main tasks of the Stability Pact in South East Europe?
2. Which role does the international presence play in the stabilisation process?
3. What are the problems, which can endanger the peace process?
 - A consensus was reached that the Stability Pact compared with earlier measures of conflict management is a more comprehensive and therefore more useful instrument to stabilise the region.
 - Further It was also accepted by most of the participants that the Stability Pact is a very useful instrument to define common interests and to provide a regional forum for communication and cooperation.
 - The most important common goals for all states in the Western Balkans mentioned in this workshop were of course the integration in the EU and NATO and the prevention of new violent conflicts.
 - No consensus was reached on the question if the Stability Pact should advance a regional integration process in South East Europe. Especially Mr. Stanicic was very sceptical in this regard.
 - But also Mr. Busek in his speech argued that the capabilities of the Stability Pact may not be overestimated.
In his presentation Mr. Busek pointed out that the Stability Pact should concentrate its activities on some core functions: Cross border co-operation, re-education, supporting measures for "good governance" and reconciliation. The Special Co-ordinator of the Stability Pact emphasised the importance of the "regional ownership" regarding the Stabilisation process and stressed that the International Community can only support this process.
 - The participants judged the role of the international presence in the Western Balkans very ambiguously:
On the one hand, all agreed that the international presence (especially the military presence) is still necessary in the next five to ten years to prevent the outbreak of new violent conflicts.
On the other hand, the international organisations were strongly criticised. They were mainly blamed to show ignorant behaviour and to act sometimes against the peace process.
 - The Speeches of panel four and five showed us that the open problems of order policy and the lasting ethnic nationalism in some parts of the Western Balkans represent still a serious obstacle for regional co-operation. Especially Drago Pilsel in his speech stressed the fact that the civil society in the former zones of conflict is not guaranteed. On contrary to the estimation of politicians in Western Europe, the undemocratic structures were not removed with the breakdown of the authoritarian regimes.

Predrag Jureković
Bureau for Security Policy at the
Federal Ministry of Defence Vienna

Plamen Pantev

POTENTIAL AND LIMITS OF THE PACT OF STABILITY FOR SOUTH EAST EUROPE: PRIORITISING OBJECTIVES

Introduction

The Pact of Stability for South East Europe was “born” after the end of the Kosovo crisis in 1999 as a **concept** of dealing radically with the Balkan instabilities, but also as a geopolitical **compromise** of the great power centres, involved in the treatment of the post-Yugoslav conflicts. The **ripeness** of launching this concept and policy had several dimensions:

Most of the countries from South East Europe, especially those in transition to democracy and market economy, had a definite strategy of integrating in both the European Union and in NATO;

A certain level of regional cooperation had already been reached in the years that preceded the Kosovo crisis in 1999;

Influential external powers had already realised that the Balkans need to be treated in the long-term only in a benign way to overcome historical deficiencies and belated modernisation of the economy, society, politics, technology and infrastructure;

The disgusting consequences of four post-Yugoslav wars – a development that did not happen to two other former federal structures in Central and Eastern Europe (the Czechoslovak and the Soviet) necessitated a comprehensive and encompassing approach to deal with the plethora of issues in the Balkans, and the EU gradually evolved to the understanding that an additional strategic instrument needs to be launched to cope with the risks and instabilities in the region of South

East Europe on the way of its own expansion and of turning the Balkan Peninsula into an integral part of the Union¹.

The launchers of the Stability Pact for South East Europe viewed it, according to Nicholas Whyte, as “*a temporary expedient, awaiting the maturing of events, in particular the passing of the Tadjman and Milosevic regimes, and thence the confirmation of EU integration perspectives for the whole of the region. It was ambiguously conceived from the beginning, however, as to what its real role might be, and has had insufficient substance in practice to become credible.*”² With time and in the process of implementing the provisions of the Pact, however, two fundamental roles proved themselves:

First, to stitch together the web of regional cooperation without which the Stability and Association process will fail, and,

Second, to help ensure the wider international effort actively supports the integration of South East Europe in the Euro-Atlantic structures.

In order to understand better the potential and limits of the Pact of Stability and, on this basis, to draw the priority objectives, however, we need to know what is the regulative nature of this international act and to further explain the catalytic role it plays in the region of South East Europe.

¹ Chris Patten, A European Vision for the Balkans, *NATO review*, Summer/Autumn 2000, p. 14; Plamen Pantev, The Stability Pact for South-Eastern Europe, in Anne Aldis (Ed), “Security in the Black Sea Region: Perspectives & Priorities”, CSRC/RMA Sandhurst, G93, March 2001, p. 28-33; Plamen Pantev, Security Risks and Instabilities in Southeastern Europe, in Wim van Meurs (ed.), “Beyond EU Enlargement”, Volume 2: The Agenda of Stabilisation for Southeastern Europe, Bertelsman Foundation Publishers, Gütersloh 2001, p. 118-138.

² Nicholas Whyte, *Europa South-East Monitor*, CEPS, Issue 23, May 2001, p. 1.

The Pact of Stability for South East Europe As a Component of a Complex Regional Regime

The drafting and adoption of the Stability Pact marked the turning point in the process of developing the Southeast European security community regional regime³. The increased number and quality of contacts among the Balkan states have led to such a level of cooperation that the eruption of an armed conflict between the countries of South East Europe is almost a theoretic possibility. Stephen Krasner writes that “*regimes can be defined as sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations*”⁴.

The meaning of regimes is to make international cooperation rational. The Pact of Stability introduced a significant logical contribution to the existing bilateral, multilateral and regional agreements in the Balkans and in the relations of external national and institutional powers with the countries from the region. The rationalisation by the Stability Pact is in terms of describing the situation in a document with more than forty participants – states and international organisations, in terms of principles and norms that will drive the relations of the various players in and about the Balkans, in terms of a common objective, of a mechanism of the Pact, of defined roles of cooperation among participants.

The major contribution of this new element of the evolving regional security community regime is that it engages major external to the Balkans powers with long-term behaviour towards stabilising the regional security situation – both hard-security stabilisation and soft-security stabilisation, and towards integrating in a differentiated way the countries of South East Europe in the EU and in NATO. The Pact of Stability itself overlaps with other similar regional regimes at the

³ Plamen Pantev, Building a Security Community in the Balkans: The Negotiations’ Agenda, Romanian Journal of International Affairs, Volume IV, Special Issue Three, 1998, p. 240-259.

⁴ Stephen Krasner, Structural Causes and Regime Consequences, International Organization, Vol. XXXVI, Spring 1982, p. 186.

borderlands of the EU – at the Barents and Baltic Seas, the Arctic, the Northern Dimension, the Mediterranean, Central European Initiative, etc. The periphery of the Union is now covered by regional regimes that include EU member states, applicants and non-candidates. Each of these sub-sets of regional activities critically involves conflict resolution and conflict prevention. The Pact of Stability for South East Europe is no exception.

Further on we shall try to deal in more detail with the “role” and “objectives” aspects of the developing security regime in the Balkans with the support of the Stability Pact.

Catalytic Role of the Pact of Stability: What are the objectives?

Almost three years after the launch of the Pact of Stability one may say that the objectives of the document and the roles of the participants provided by it continue to be valid and applicable. What actually remains contentious is the general conception of the role the Pact itself plays amongst the multitude of documents, forums, initiatives, programmes and actors. Another contentious issue is how to structure the priority and the timing of the objectives to be reached through the Pact of Stability. Both of these issues serve the practical definition of the real potential and limits of the Pact.

What are the purposes of the catalytic role of the Pact of Stability?

First, and most of all, it has to develop habits and patterns of cooperation by bringing countries and institutions together. There still persist cases of countries in the Balkans that may not otherwise be in contact. For the rest it is an opportunity to confirm already registered positive results.

Second, the Stability Pact has the mission to build coalitions of donors around certain ideas and projects. Maintaining the necessary level of donor support and focusing it on the critical issues in South East Europe until these problems fade away is the core task of this mission.

Third, the Pact of Stability continues to facilitate the work of the countries, implementing the reforms they have promised and for which they have asked support.

Fourth, the Pact of Stability is a catalyst of the gradual shift of the leadership role of the initiative from external influential and powerful factors to local actors. This would require an even higher regional cooperation, especially on issues of common concern. The catalytic function of the Pact is to raise the self-confidence of the South East European countries and improve their capacity to formulate and implement their own common priorities. Psychologically, that would mean a different point of view to the Pact by the countries of South East Europe – as an initiative that is ‘owned’ by the region itself. Of course, this new ‘regional ownership’ of the Pact of Stability for South East Europe would require a clearer priority of the objectives it is after, both in more general settings and in greater details. The purposes of this paper are to outline the more general objectives the Pact is in capacity to lead to.

First, the Pact of Stability for South East Europe aims at nearing the time and conditions for integrating the Balkans into the European Union. The objective that is stated in the Pact itself is more modest and general: *“creating the conditions, for countries of South East Europe, for full integration into political, economic and security structures of their choice”*⁵. The attainment of a free and peaceful Europe will be quite impossible without bringing the Balkans in the European Union, of course, by following standards and procedures that will guarantee reaching this goal. The region of South East Europe proved it is moving in a way to the membership in the Union differentiated from country to country. The incremental evolution of the concept, the policy and agreement to stabilise South East Europe has already led to turning the Pact of Stability for South East Europe into an indispensable “docking module” to the EU for some of the countries, mainly from the Western Balkans, and into a vital format of interacting with the neighbouring

⁵ Pact of Stability for South East Europe, III/10.

countries in a “European” manner that accelerates other local countries’ integration in the Union.

Second, the Pact of Stability additionally focused the policy and strategic approaches of the EU to South East Europe. In terms of the longer-term tendency of the expansion of the EU and the simultaneous adaptation to it of the different countries from the region by acceding in a differentiated way, the Pact of Stability has the unique capability of combining the so called “top-down” with the “bottom-up” approaches and initiatives of settling the conflict issues and modernising the Balkans. On one side, it bears the potential to avoid the duplication of efforts of the various “top-down” initiatives. On the other side, it can get closer to the locally born initiatives, mainly the South East European Cooperation Process (SEECF), and provide a practical solution to the question of the regional ownership and leadership of the constructive and peaceful processes in the Balkans.

In April 2002 the SEECF marked a significant step to further interaction and coordination with the Pact of Stability for South East Europe at the summit meeting in Tirana. Strong and influential voices from the region insisted on closer ties between the two formats. A more difficult issue is how to reach higher synergy between the Pact and the Stabilisation and Association Agreements (SAA). Which one of the two EU strategic tools should take precedence and become the focus of the attention? Should the SAA be the individual countries’ mechanism of reaching the standards of starting accession negotiations, and the Pact of Stability – a separate one? Maybe it would be possible for the Pact of Stability to adopt 2-3 year-long programmes, whose implementation could be sanctioned by the EU and the individual countries as obligatory elements of the SAAs for the respective periods. In other words, the bilateral and multilateral strategic EU instruments should start more closely to “inter-lock” with each other.

Third, the Pact of Stability for South East Europe aims at hastening the day that peace is self-sustained in the Balkans and the international peacekeepers in Bosnia and Herzegovina, Kosovo and Macedonia could leave the region. If carried out successfully, the Pact of Stability could

help NATO withdraw its forces and concentrate its efforts on other significant issues. This is carried out through conflict prevention activities, by raising the level of confidence and trust, by creating new patterns of cooperation. This is already practically achieved by programmes of reintegrating military officers affected by the cuts of the national armed forces. The Pact of Stability has also undertaken measures in supporting the Security Sector Reform in the individual countries, for example in combating the proliferation of small arms and light weapons. Upon the suggestion of the SEEGROUP, the Pact of Stability has supported a comparative study of the national security strategies in South East Europe. The author of this paper is happy to note that this idea was also presented by him in a paper at the Halki Seminar in 1994 and at other occasions since then. The projects on Transparency in Military Budgeting and Planning and on Disaster Preparedness and Prevention are other highlights of the Stability Pact's efforts in this direction.

Finally, fourth, the Pact of Stability should contribute to ensure the region of South East Europe does not become a safe haven for global terrorism. All priorities of the Pact: trade, investment, infrastructure, energy, refugee returns, fighting organised crime, reducing levels of small arms and light weapons, improved relationships of Kosovo with its immediate neighbours on concrete practical issues as well as contributing to the professionalisation and enhanced training of key members of the judiciary have a direct positive impact on the fight against terrorism. The expected results of these activities are strengthening the states of the region, of their key institutions, of demotivating the broader societies from extremist activities – in other words, preventing the region from becoming a 'black hole' that could easily be used by terrorists for their plans.

Conclusions

The Pact of Stability is NOT an encompassing strategy of region-building and integration in the EU and in NATO. Nevertheless, the Pact of Stability has catalytic roles and far-reaching general objectives that substantially facilitate the integration of the region in the European and Euro-Atlantic institutions. The Pact has the unique multilateral focus on the security sector reform of the individual countries from South East Europe, the unique institutionalised engagement of donors, the established mechanism of the three working tables and the far-sighted insistence on regional ownership of the initiatives that drive the positive changes of South East Europe. While knowing better where the limits of the Pact of Stability for South East Europe are, its potential should and can be exploited in the best possible way.

Plamen Pantev
Director, Institute for Security and International Studies
Sofia

Dennis J.D. Sandole

THE BALKANS STABILITY PACT AS A REGIONAL CONFLICT MANAGEMENT AND PREVENTION 'SPACE': AN EVALUATION

1 Introduction

My general goal in this presentation, as it is for all of us at this workshop, is to examine the *Stability Pact for South Eastern Europe*: the "pearl of the German presidency of the European Union" adopted in Köln on 10 June 1999, the day that NATO's 78-day bombing campaign of Serbia ceased.

This juxtapositioning of events is important as it apparently took the Kosovo conflict (but not the Bosnian conflict alone!) to encourage European states and other members of the international community, to respond to events in the Balkans with something like the Stability Pact.

As we all know, the Stability Pact represents an ambitious attempt to deal with the Balkans on a *regional* basis, recognizing that all political units and conflicts in the region are components of a larger whole; such that to deal effectively with any one unit or conflict means that, ultimately, the others -- *and their interconnections* -- have to be dealt with as well, if not simultaneously, then certainly in sequence.

Dealing with the political units and their conflicts in the Balkans is an onerous task; hence, the Stability Pact is modelled in part on the Marshall Plan that facilitated the rebuilding of Western Europe following the end of World War 2, and the European Union, which civilized relations between all of the former European adversaries of that war, especially France and Germany. Indeed, one of the purposes of the Stability Pact is to prepare the countries of the region for eventual entry into the European Union.

My specific objective in this presentation is to assess to what extent the Stability Pact incorporates appropriate conflict-handling (e.g., prevention and management) mechanisms for the Balkans. As a means to that end, I want to first outline a framework, the "*3 pillar comprehensive mapping of conflict and conflict resolution*", that I developed (see Sandole, 1998; forthcoming) as part of my efforts over the years to manage and "order" the wide range of disparate bits and pieces comprising the multidisciplinary field of conflict and conflict resolution. The framework is also useful for analyzing any particular conflict situation in order to explore what if anything a potential third party can do about it.

For this presentation, the framework has the additional value of being useful as a basis for *evaluation*: assisting us to observe what *is* and, by contrast, what *is not*, in the Balkans "conflict space" -- e.g., appropriate conflict prevention and management mechanisms -- as well as to imagine what *could be* in that space.

2 The 3 Pillar Framework: "Mapping" Conflict and Conflict Resolution

As its title indicates, the 3 pillar framework is comprised of three parts, or "pillars," which are intimately interrelated in the initiation, escalation, controlled maintenance, de-escalation and termination of dynamic conflict processes.

Pillar 1 deals with the elements of *conflict* in general or of any particular conflict, whether latent, nonviolent, or violent; i.e.,

- (a) the *parties* involved in conflict (e.g., Serbs-Croats; Serbs-Kosovar Albanians; Serbs-Bosniaks; Croats-Bosniaks; Macedonians-Albanians).
- (b) the *issues* about which the parties are in conflict (e.g., territory).

- (c) the *objectives* that parties hope to achieve by being in conflict over certain issues (e.g., status quo-changing [=self-determination] vs. status quo-maintaining [=sovereignty] goals).
- (d) the *means* that parties use to achieve their goals (e.g., confrontational vs. nonconfrontational, lethal vs. nonlethal means).
- (e) the *conflict-handling orientations* of parties, despite the particular means they might be using at any point in time (e.g., conflict avoidance, accommodation, confrontational, compromise, collaborative problemsolving). And
- (f) the *conflict "spaces"* within which conflict is taking place (e.g., cultural, religious, historical, political, social, economic, and/or institutional environments).

Pillar 2 deals with *conflict causes and conditions*, which can be operative at, e.g., the following levels of analysis:

- (a) individual (*biological/physiological and psychological*) factors, e.g., "chosen traumas" (Volkan, 1997).
- (b) societal (*political, social, and economic*) factors, e.g., organized crime, unemployment.
- (c) international (*political and economic*) factors, e.g., the "War on Terror". And
- (d) global/ecological (*population and environmental*) factors, e.g., regional environmental degradation; increase in the number of young, unemployed males in developing countries (see Kaplan, 2001).

Finally, **pillar 3** deals with *conflict intervention*:

- (a) 3rd Party Objectives.

- (1) [Violent] Conflict Prevention
= *Preventive diplomacy*.
- (2) Conflict Management
= *Peacekeeping*.
- (3) Conflict Settlement
= *Peacemaking [coercive]*.
- (4) Conflict Resolution
= *Peacemaking [noncoercive]*.
- (5) Conflict Transformation
= *Peacebuilding* (see Boutros-Ghali, 1992).
- (b) 3rd Party Means for Achieving Objectives.
 - (1) Competitive and/or Cooperative Processes (see Deutsch, 1973).
 - (2) "Negative" and/or "Positive Peace" Orientations (see Galtung, 1969).
 - (3) "Track-1" and/or "Track-2" (*Multi-Track*) Actors and Processes (see Diamond and McDonald, 1996).

The basic underlying assumption of the 3 pillar framework is that to deal effectively with any latent, nonviolent or violent conflict situation, analysts and potential intervenors must:

- (a) identify the elements of the conflict (pillar 1);
- (b) understand the factors driving the conflict (pillar 2); and then
- (c) explore what their goals are as potential third parties in that particular conflict situation and how they might fulfill them (pillar 3).

Having gone through these three interrelated steps, potential third parties would be in a position to [a] design and [b] implement an effective intervention. Alternatively, in our case, an analyst would be able to *evaluate* an existing intervention; e.g., the Stability Pact for South Eastern Europe with regard to its violent conflict prevention and management capabilities.

3 Assessing the Stability Pact: An Effective Violent Conflict Prevention/Management Regime?

In summer 1999, European states and other concerned members of the international community (e.g., the United States) intervened (pillar 3) into the "conflict environment" of the Balkans (pillar 1) via the Stability Pact for South Eastern Europe to, among other things, address the causes and conditions of violent conflict in the region (pillar 2). So, how good a job has the Stability Pact been doing, either in terms of the appropriateness of its mechanisms or the effectiveness of its actions?

Prior to responding to that question, there are at least two preliminary issues that have to be addressed. First, to assess the Stability Pact in terms of its conflict-prevention and conflict-handling capabilities means to assess it *in general*, because all aspects of the reconstruction of the Balkans -- political, social, economic -- and the eventual entry of Balkan states into the European Union are relevant to addressing the causes and conditions of conflict. So, even though other presentations at this workshop deal with other aspects of the Stability Pact, some mention will have to be made of those aspects here as well.

Secondly, given that the Stability Pact is a mere three years old, having just barely emerged from its initial status as a framework *only* into more of a corresponding reality, it would be unfair to try, and in any case, difficult to demonstrate a cause-and-effect relationship between it and conflicts that have continued to exist, have occurred, or might have occurred during the past three years. Nevertheless, to the extent possible, we will conduct an "exploratory evaluation."

Apropos conflicts that have continued during the Stability Pact's brief existence, one year or so after it was inaugurated, a five-year assessment was made of the progress achieved in the reconstruction of Bosnia following the end of hostilities there in late 1995 (Smith, 2000, p. A1):

Five years into a multibillion-dollar effort to construct a viable, peaceful country from the ruins of Bosnia's civil war, Western governments are tiring of the job, citing rampant corruption, persistent ethnic hatred and a seemingly open-ended need for NATO peacekeeping troops.

Many large aid donors, including the United States, the World Bank and the United Nations, say they will cut their assistance to Bosnia in the next year, in some cases by as much as a third. Members of NATO are weighing new cuts in its 20,000-member force after reducing strength from 32,000 at the outset.

Bosnians worry that major reductions in aid and troops could reignite the 1992-95 war that shocked the world with neighbor-against-neighbor bloodletting and shelling of cities. As U.S. Army Lt. Gen. Michael L. Dodson, the top NATO commander in Bosnia, notes, the troops are "the glue that holds this all together."

According to a more recent report by the U.S. Institute of peace, following the terrorist attacks of 11 September 2001 on the World Trade Center and Pentagon (USIP, 2002, p. 2):

U.S. rumblings about leaving the Balkans are neither credible nor in the U.S. interest. They are even counterproductive, since they put Bosnians, Serbs, Albanians, and West Europeans on high alert, creating resistance to even modest proposals for reconfiguring the U.S. presence. Talk of U.S. withdrawal also boosts the influence of hardliners opposed to rule of law peace processes in all ethnic communities. Whatever the U.S. troop levels, occasional high-level U.S. attention is crucial, both to the peace process in the Balkans and to protecting vital U.S. interests. Islamic extremism in Bosnia and Kosovo would be much worse but for the U.S. efforts, which have all but eliminated the vestiges of Iranian

and other efforts to gain a foothold in Europe in the 1990s. The recent transfer from the Federation of Bosnia and Herzegovina to Guantanamo Bay of Algerian members of al Qaeda with the cooperation of the federation police, despite local protests, demonstrates how important it is to U.S. national interests to maintain influence in the Balkans and to build effective state structures.

Building "effective state structures" is a major part of what the Stability pact is all about. It is hindered in this regard, however, not just by ethnonationalism and ethnic conflicts still dominating events in Bosnia (Jurekovic, 2002; Busek, 2002), but by the situation in Kosovo where, although the international effort there led by the United Nations (UNMIK) is better organized, "the peace is less firmly established" (USIP, 2002, p. 3).

In addition, the "most immediate threat to peace in the Balkans may come ... in Macedonia [where tense relations between Macedonians and ethnic Albanians descended into violence during February-August 2001], where violence could resume..." (ibid.).

Given the fragile situations in Bosnia, Kosovo, and Macedonia, plus the problem of "countering organized crime which has already established its own regional networks that are unhindered by ethnic differences" (USIP, 2002, p. 4), the three-year-old Stability Pact could wind up continuing to be more promise than reality, exacerbating already existing frustrations of those affected in the region.

Apropos those frustrations, a number of commentators have acknowledged that "the real chances of the Southeastern European countries to be integrated with the rest of the continent do not seem, for the foreseeable future, encouraging" (Varwick, 2002); or, "The only long-range, big picture idea which has been advanced for the region [i.e., the Stability Pact] is ultimate absorption into the European Union, but this prospect is too far off to offer hope or enough incentive to bring peace now" (Lewis, 2001). Still, although

Membership in the European Union (EU) for Balkans states is still far off, ... the European Stabilization and Association Process [SAP], which is designed to pave the way for integration into EU structures through political and economic reforms as well as regional cooperation, provides a clear sense of direction and a means of pushing Balkans states to meet high standards and complete their democratic transitions (USIP, 2002, p. 2).

This is the basic idea of the Stability Pact, that it is a *process* (Busek, 2002) of sustained movement over time from chaos to stability. Many actors are involved in that process, with interconnecting roles and tasks, the greatest challenge being the *coordination* of all their efforts over time and space. This is the challenge facing the current Special Coordinator of the Stability Pact, Dr. Erhard Busek.

Part of that challenge -- as was made clear earlier in Mostar -- is that we do not know how to achieve coordination between multiple efforts to enhance *reconciliation* between erstwhile enemies (see Fitchett, 1996; Ryan, 1997; Sandole, 1999, p. 169; Busek, 2002).

Perhaps part of the problem is that, despite the best of intentions and availability of intellectual and physical resources, we -- the concerned international community -- lack an appropriate framework for moving beyond a cessation of hostilities (*negative peace*) achieved by conflict settlement (*coercive peacemaking*) and maintained by conflict management (*peacekeeping*), to conflict resolution (*noncoercive peacemaking*) and conflict transformation (*peacebuilding*), where the underlying, deep-rooted causes and conditions of the conflict are effectively addressed (*positive peace*). This, in turn, is *my* challenge!

Accordingly, on the pillar 3 side of the 3 pillar framework, under the conflict resolution (*noncoercive peacemaking*) and conflict transformation (*peacebuilding*) categories of third party objectives, and the "track-2" (*multitrack*) category of third party means for achieving those objectives, the "*Multi-Track Diplomacy Framework*" of Dr. Louise Diamond and Ambassador John McDonald (1996) has much to commend it. In that multi-actor/multi-task framework:

- track 1 remains the realm of official, governmental activity, *peacemaking through diplomacy*, with track 2 subdivided into the following tracks:
- track 2 (nongovernment/professional): *peacemaking through professional conflict resolution*.
- track 3 (business): *peacemaking through commerce*.
- track 4 (private citizen): *peacemaking through personal involvement*.
- track 5 (research, training, and education): *peacemaking through learning*.
- track 6 (activism): *peacemaking through advocacy*.
- track 7 (religion): *peacemaking through faith in action*.
- track 8 (funding); *peacemaking through providing resources*. And
- track 9 (communications and the media): *peacemaking through information*.

Examining available documentation on the Stability Pact, including from the Office of the Special Co-ordinator (Dr. Busek), in terms of these multiple "tracks," it seems clear that:

- (a) In addition to many governments, there are many international governmental organizations (IGOs) involved in the Stability Pact; e.g., the United Nations (UNMIK), World Bank, International Labour Organization (ILO), Organization for Security and Cooperation in Europe (OSCE), EU's Executive Commission, European Bank for Reconstruction and Development (EBRD), European Investment Bank (EIB), Council of Europe, NATO (*track 1*).

One of these IGOs, the OSCE, the most comprehensive trans-Atlantic, pan-European security organization with 55

participating states, launched a framework at its Istanbul Summit in November 1999, the *Platform for Co-operative Security* -- a component of the *Charter for European Security* -- which provides a continent-wide basis for "enhanc[ed] co-operation between the OSCE and other international organizations and institutions" (*OSCE Handbook*, 2000, p. 23).

Since the three "pillars" of the OSCE -- [1] political and military dimensions of security; [2] economic and environmental dimensions of security; and [3] human rights and humanitarian dimensions of security -- correspond to the three "working tables" of the Stability Pact, it is likely that the relationships between the *macro* ["top-down"] Platform for Co-operative Security and the *micro* ["bottom-up"] Stability Pact for South Eastern Europe will reflect dynamic complementarity and synergy, further enhancing prospects for the successful operation of both.

- (b) Although Search for Common Ground (SFCG) has been active in Macedonia working with the Macedonian and ethnic Albanian communities (see SFCG, 1997), and the European Centre for Conflict Prevention (ECCP) has examined "lessons learned in conflict interventions and peacebuilding" in the region (see van Tongeren, et al., 2002), it is not clear to what extent these conflict resolution nongovernmental organizations (NGOs) have worked in conjunction with the Stability Pact. In any case, I, myself, have lectured at the University of Bihac, on "Conflict Resolution in the Balkans," in April 2001, as part of my University's affiliation arranged by me and Prof. Dr. Nedžad Basic of the Human Rights Conflict Prevention Centre at the University of Bihac (*track 2*).
- (c) Special Co-ordinator of the Stability Pact Dr. Busek has called for finalization of free-trade agreements by the end of 2002 and for stimulation of foreign investment in the region, creating a market of 55 million consumers (O'Rourke, 2002; *Stability Pact Fact Sheet*, 2002, pp. 2-3) (*track 3*). Nevertheless, according to a

joint World Bank/International Monetary Fund assessment (Demekas, et. al., 2002, p. 25):

Significant political risks persist. The crisis in FYR Macedonia is a reminder of continuing ethnic tensions in the region and the havoc they wreak in the economy. The [Ohrid] peace agreement [reached on 13 August 2001 with U.S. and EU assistance] will require full support at home and by the international community. Until clarity on the final constitutional arrangements in FR Yugoslavia is reached, investment is likely to be impeded. In Kosovo, ethnic wounds continue to challenge stability and recovery. State institutions still function poorly in Bosnia and Herzegovina, and inter-entity cooperation is a shadow of what it ought to be. In all countries, entrenched interest groups that oppose reform continue to survive in state enterprises, in political groups linked with agriculture or banks, or in privileged companies with political links.

- (d) There is no mention of *reconciliation* as such in the Stability Pact documents I have consulted, with the one possible exception suggested by the meeting on the "Link Diversity" initiative in Brussels, 20 March 2002, instigated by the Council of Europe and the Stability Pact, "to raise political and financial support for the 'Link Diversity' initiative, conceived by the civil societies in the countries of the region with the aim of creating civil links and *promoting inter-ethnic relations* as well as democratic citizenship" (emphasis added) (see *Stability Pact Newsletter*, 2002, p. 5) (*track 4*).
- (e) Colonel Bernd Papenkort, of the German *Bundeswehr*, has put forward a proposal to various IGOs, to create and implement an "Academy for Politics" in Bosnia, working in conjunction with Ambassador (Dr.) Bisera Turkovic's Center for Security Studies (CSS) (see Turkovic, 1996), to inform, to educate and to train BiH citizens and officials in all concepts of democratic politics, to provide insight into the challenges and mechanics of democratic institutions, to inform and educate on human rights

issues, and to provide for government officials high quality training in modern and effective government management (see Papenkort, 2002). (*track 5*).

- (f) There are many advocates *within* the Stability Pact *for* the Stability Pact, especially the Office of the Special Co-ordinator and those affected in the region (see various newsletters produced by the Office of the Special Co-ordinator of the Stability Pact and its webpage) (*track 6*).
- (g) Dr. David Little, formerly of the U.S. Institute of Peace (USIP), worked with members of the various religious communities in Bosnia, although his activities pre-date the inauguration of the Stability Pact (*track 7*).
- (h) "Although not a fundraising mechanism" as such, the Stability Pact has succeeded in raising EURO 5.4 billion for various projects in the region (see *Stability Pact Fact Sheet*, 2002, pp. 2-3) (*track 8*). And
- (i) There is much information *within* the Stability Pact *about* the Stability Pact, but not too much media coverage for it to become a "household word" in, e.g., the United States. One exception is the TV documentary, "Help! We Are Neighbours," financed by the German Ministry of Foreign Affairs, which has been shown on television and in cinemas in Bosnia, Bulgaria, Germany, Romania, and Serbia, with plans to show it in Albania, Croatia, Kosovo, and Macedonia:

The film takes the audience on a journey through Southeastern Europe, highlighting problems and challenges the countries face, from illegal immigration to demining and *establishing an interethnic dialogue*. The movie illustrates Pact activities and achievements, but equally highlights the aspect of *unfulfilled expectations and the slow pace of producing visible results* (emphasis added) (see *Stability Pact Newsletter*, 2002, p. 3).

In addition, the published proceedings from this workshop will likely be very helpful in raising the profile of the Stability Pact: a major goal of Special Co-ordinator Dr. Busek (O'Rourke, 2002) (*track 9*).

The positive effect of examining the Stability Pact in terms of Diamond's and McDonald's 9-track framework is that it reveals what seems to have been done and to what extent, and what still remains to be done. In these terms, therefore, we seem to have had a lot of track 1 (governmental and IGO), track 6 (advocacy), and track 8 (funding) activity, but not too much from the remaining tracks, which deal especially with reconciliation: track 2 (professional conflict resolution), track 3 (business), track 4 (citizen-to-citizen interaction), track 5 (research, training, and education), track 7 (religion), and track 9 (communications and the media).

4 The 3 Pillar Framework Revisited

Anatol Rapoport (1974, p. 175) tells us that there are basically two kinds of "conflict spaces" (pillar 1): those where there are no mechanisms for controlling or resolving conflicts (*exogenous* conflict environments) and those where there are such mechanisms (*endogenous* conflict environments).

For many "realists," i.e., those for whom *Realpolitik* is the primary (and preferred) way to negotiate and maintain "peace" (*negative peace*), the overall environment of the international system is basically "exogenous": there is not too much in the Hobbesian "black hole" of international anarchy to *effectively* control or resolve conflicts. Hence, according to Jean-Jacques Rousseau, "Wars occur because there is nothing to prevent them" (cited in Waltz, p. 232).

The Stability Pact for South Eastern Europe represents an ambitious effort by the European Union, the United States, and other states and international organizations (pillar 3) to fill that relative "Hobbesian void" with conflict controlling and resolving mechanisms, to increase the

"exogenous" content in the Balkans, in order to do more than merely maintain the "negative peace" (absence of hostilities) achieved thus far in Bosnia, Kosovo, and Macedonia (pillar 1).

Although negative peace is a necessary condition for establishing and maintaining "positive peace," it does not, on its own, deal with the underlying causes and conditions of the observable processes and symptoms of violent conflict (pillar 2).

Hence, again, the challenge for Dr. Busek and his colleagues involved with the implementation of the Stability Pact, is to solicit more investments in *all* tracks, but especially those concerned with *reconciliation*, and to *coordinate* them in the direction of conflict resolution (*noncoercive peacemaking*), conflict transformation (*peacebuilding*), and sustainable positive peace. Diamond and McDonald's "Multi-Track Diplomacy Framework," located within the context of pillar 3 of the 3 pillar framework, would likely be useful in this regard (also see Lederach, 1997).

To facilitate that effort, our colleague hosts from the Bureau for Security Policy, National Defense Academy, and Institute for Peace Support and Conflict Management of the Austrian Ministry of Defense, might want to consider, as a theme for a future Reichenau conference, "mapping" the multiplicity of actors and tasks (and the timing/sequence of their involvement) that should be involved in the successful implementation of the Stability Pact!

References

Boutros-Ghali, Boutros (1992). *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping* (Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992). New York: United Nations, Department of Public Information.

Busek, Erhard (2002). Keynote Speech. 3rd Reichenau Workshop of the PfP Consortium Study Group on Crisis Management in South East Europe. "The Stability Pact for South East Europe -- Dawn of an Era of Regional Co-operation?" Reichenau, Austria, 10-13 May.

Demekas, Dimitri G., Johannes Herderschee, James McHugh, and Saumya Mitra (2002). "Building Peace in South East Europe: Macroeconomic Policies and Structural Reforms Since the Kosovo Conflict." A Joint World Bank-International Monetary Fund Paper for the Second Regional Conference for South East Europe, Bucharest, 25-26 October 2001. Washington, DC: World Bank.

Deutsch, Morton (1973). *The Resolution of Conflict: Constructive and Destructive Processes*. New Haven (Connecticut): Yale University Press.

Diamond, Louise and John W. McDonald, Jr. (1996). *Multi-Track Diplomacy: A Systems Approach to Peace*. Third Edition. Institute for Multi-Track Diplomacy (IMTD), Washington, DC. West Hartford (Connecticut): Kumarian Press.

Fitchett, Joseph (1996). "Hurdle for Leaders at Balkans Summit: Healing the Split in Mostar." *International Herald Tribune*, 17-18 February, p. 4.

Galtung, Johan (1969). "Violence, Peace and Peace Research." *Journal of Peace Research*, vol. 6, no. 3, pp. 167-191.

Jurekovic, Predrag (2002). "Introduction." 3rd Reichenau Workshop of the PfP Consortium Study Group on Crisis Management in South East Europe. "The Stability Pact for South East Europe -- Dawn of an Era of Regional Co-operation?" Reichenau, Austria, 10-13 May.

Kaplan, Robert D. (2001). "A Sense of the Tragic: Developmental Dangers in the Twenty-first Century." *Jerome E. Levy Occasional Papers No. 2*. Newport (Rhode island): U.S. Naval War College.

Lederach, John P. (1997). *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, DC: U.S. Institute of Peace Press.

Lewis, Flora (2001). "Macedonia's Crisis Makes a Balkan Plan Even More Urgent." *International Herald Tribune*, 10 August, p. 4.

O'Rourke, Breffni (2002). "Balkans: New Coordinator Plans Boost For Stability Pact." Radio Free Europe/Radio Liberty, 29 January.

OSCE Handbook (2000). 3rd Edition/2nd Impression. Vienna, Austria: Organization for Security and Cooperation in Europe (OSCE).

Papenkort, Bernd (2002). "BiH Academy for Politics." May.

Rapoport, Anatol (1974). *Conflict in Man-Made Environment*. Harmondsworth, Middlesex (England): Penguin.

Ryan, Randolph (1997). "The Long Haul. Exit, the Exit Strategy: Why Preventing War in Bosnia Remains America's Job." *The Washington Post*, 28 December, pp. C1 and C2.

Sandole, Dennis J.D. (1998). "A Comprehensive Mapping of Conflict and Conflict Resolution: A Three Pillar Approach." *Peace and Conflict Studies*, vol. 5, no. 2, December, pp. 1-30.

Sandole, Dennis J.D. (1999). *Capturing the Complexity of Conflict: Dealing with Violent Ethnic Conflict in the Post-Cold War Era*. London and New York: Pinter/Cassell [Continuum International].

Sandole, Dennis J.D. (forthcoming). "Types of Conflict." In *Human Conflict: From Analysis to Action*, Sandra Cheldelin, Daniel Druckman, and Larissa Fast (eds.). London and New York: Continuum International.

SFCG (1997). *Search for Common Ground and European Centre for Common Ground: Report*. Washington, DC: Search for Common Ground.

Smith, R. Jeffrey (2000). "West Is Tiring Of Struggle to Rebuild Bosnia: Five Years After War's End, Efforts Have Largely Failed." *The Washington Post*, 25 November, pp. A1 and A14.

Stability Pact Fact Sheet (2002). Brussels: Office of the Special Co-ordinator of the Stability Pact for South Eastern Europe.

Stability Pact Newsletter (2002). Issue 13, 4 April. Brussels: Office of the Special Co-ordinator of the Stability Pact for South Eastern Europe.

Turkovic, Bisera (1996). *Bosnia and Herzegovina in the Changing World Order*. Sarajevo: Saraj Invest.

USIP (2002). "Taking Stock and Looking Forward: Intervention in the Balkans and Beyond." *USIP Special Report*, 22 February.

van Tongeren, Paul, Hans van de Veen, and Juliette Verhoeven (eds.) (2002). *Searching for Peace in Europe and Eurasia: An Overview of Conflict Prevention and Peacebuilding Activities*. Boulder (Colorado): Lynne Rienner Publishers.

Varwick, Johannes (2002). "The Kosovo Crisis and the European Union: The Stability Pact and its Consequences for EU Enlargement." *Deutsche Gesellschaft für Auswärtige Politik*, 7 May.

Volkan, Vamik (1997). *Bloodlines: From Ethnic Pride to Ethnic Terrorism*. Boulder (Colorado): Westview Press.

Waltz, Kenneth N. (1959). *Man, the State, and War: A Theoretical Analysis*. New York: Columbia University Press.

Dennis J.D. Sandole
Institute for Conflict Analysis and Resolution
George Mason University
Fairfax

Gjergj Murra

FOOD FOR THOUGHT THE STABILITY PACT FOR SOUTH EAST EUROPE - DAWN OF AN ERA OF REGIONAL CO-OPERATION?

These past three years have been a useful learning process for the Stability Pact. Some achievements are visible, but there also has been much criticism with regards to its real outcome and performance. However, an *independent assessment* of the process is needed to analyse what is functioning well, and what could be improved, as judged by participants from the region. So far either no through assessment is done, or assessment have been at project level, (technical, in terms of project completion, disbursement, timing, task performed), not in terms of the political goal that projects were designed to achieve. One of the main lessons appears to be the *need to refine the approach and priorities*. Some topics have already found an answer, while for some other a clearer vision is needed.

What is the real value-added of the Stability Pact? What should it do or not be doing? To what extent does the development of the SEE countries depend on cooperation and a regional framework? What could be the best division of labor among the numerous international and local organisations active in the region? What could be the best balance between national initiatives and regional ones? Are the Stability Pact initiatives duplicating or competing with initiatives of other organisations or means of external support?

The value added of the Stability Pact

The Quick Start phase, political and economic developments in Southeast Europe have created a fundamentally new environment for the Stability Pact. “A momentum has been created, which must be taken further.”

The Stability Pact structured regional partnership and cooperation.

The Pact enhanced the self-incentive to reforms in the countries of the region.

The Stability Pact helped shaping orientation and policies of the countries of the region toward the prospect of EU and NATO membership as a tangible reality.

"Beneficiary or Co-owners" of the Pact? A Proper Balance between Local Ownership and External Initiatives

The countries of the region are "stakeholders" of Pact. However, "do the countries of the region feel that their ownership of the process has been put into place"? This is a question that needs to be addressed carefully.

It cannot be denied that the countries of the region are direct beneficiaries and integral part of the process, however the reality shows that in the region the Pact is seen more as an instrument to channel the external assistance than a process of promoting the regional integration. The concept of "money" coming from the donors is still the main part of perception on the Stability Pact. This perception, and the lack of expected immediate fungible results, the fact that most of initiatives are "created" or "launched" from outside the region and there is little local initiatives among the countries themselves, makes the countries of the region feel more of "beneficiaries" rather than "co-owners" of the Stability Pact. Both the countries of the region and the outside community should give (or be given) more space to local initiatives, especially to those that do not depend substantially on major "donors' funding". The Trade Memorandum, as one of the most significant products of the Pact so far, could be taken as a good example on this.

The lack of ownership has often led to declining interest, credibility, and enthusiasm in capitals of southeast Europe, and in some cases, open opposition to the Pact. Ways should and can be found to institutionalize

and operationalise the ownership of the countries of the region to Stability Pact.

Operationalising and Institutionalising Local Ownership

The Stability Pact has so far worked in two levels: at the *operational level* it is the project funding by the donors, and at the *institutional level* there are regional forums, such as working tables, steering groups, task forces and national coordinating bodies. The *balance* between these levels needs to be considered. While countries of the region are making continuous efforts to enhance their participation at the institutional levels, their influence over *operational level* (especially project selection) is inconsiderable. Lacking *transparency* has become a crucial element of the operational level of the activities of the Pact. This is more evident especially in the working table I, where the intervention of the state structures is less intensive while it is mainly the civil society in charge of managing the process. Task Forces (especially in the working tables I and III) appear to have become bureaucratic apparatus, while often the procedures, methods and manners of applying for the funds have become bureaucratized, non-transparent and inaccessible to domestic organisations, at least in Albania. This is evident especially in the case of the working table one, where most of the projects (unofficial figures say as far as 80%) are designed and implemented by NGOs outside the region. Albanian overall involvement in the activities of working table I, can reinforce this argument. One proposal would be – to change the task forces into joint board of experts, with representatives also from the countries of the region, who should make the first selection of proposals. A rotation of chairmanship could be also an option. This will help the countries in the region speak with "their voice" and make them stakeholders in what is happening in each others' countries and in what external actors do.

On the institutional side there is an evident need for more focused and specialised *mechanisms of consultation* and regularised forums in the region, for example, meetings of sectorial ministers, prime ministers and

presidents level – to identify and promote their interests in actions taken by their governments as well as external actors.

Reshaping the Approach and Refocusing the priorities for Stability Pact

The regional Integration will not proceed and expected if the *communication* and *transactions* among people in the region remain at the present low level. There are tremendous obstacles – in visa regimes particularly and also in transportation networks – to simplify travel, contact, and communication among citizens of countries of the region. The Stability Pact should make it a top priority to remove these obstacles and report publicly on measures of progress by an agreed date. This will increase the confidence of the people in the region toward Stability Pact.

As mentioned above the Stability Pact helped shaping orientation and policies of the countries of the region toward the prospect of Euro-Atlantic integration. It is the moment the Stability Pact should seek to demonstrate with *concrete examples* where the regional cooperation can influence and support the prospect of European integration, where this process depends on multi-country cooperation and would not emerge by other means. Above all, it should not substitute for, duplicate or interfere with local initiative, policy or development agendas

The recent developments indicate that security issues remain of vital importance for the region. However, it will be wrong to make pure analogies between the conflicts in the region and the very reasons for existence of the Pact. The reasons for the Pact's existence are broader than conflict resolution. External insecurity, does not seem to be a threatening issue to the countries of the region. The latest history has shown that the internal factors, such as inter-ethnic issues are still a potential political and social risk. That would seem to argue for a *more focused approach* to the region in this respect. That makes long term measures with regard to sub-regional dialogue, strengthening of national institutions and effective democratic consolidation and governance, a

precondition to development and economic growth.

Some initiatives of the Pact have progressed well, while a number of them are lagging behind. Under these circumstances a more systematic analysis and independent assessments of overlaps, duplication, and gaps would be worth serious consideration. Are the initiatives bringing a regional dimension to development in the areas they cover or we are having "initiatives for the sake of having initiatives". For a number of initiatives the assumptions made about synergy does not occur. Most of the initiatives (especially in the working table III) are very national, which does not foster essential cooperation among countries of the region. It is not clear what role the Stability Pact can play in this regard, except the important role of advocacy – keeping attention on the vital importance of effective states and law enforcement to both internal security and internal causes of insecurity that spreads over borders.

There is an argument for economies of scale, however though, cost-sharing schemes and synergies are rarely evident even in projects that extend to more than one country.

The importance of individual development priorities of the countries in Region, which may not fully match with regional development priorities, should be underlined. Harmonising regional development in accordance with individual national development priorities should be at the focus of the Pact. These priorities should provide supplementary possibilities for less developed countries or ethnical groups, in order to narrow the disparity among the countries and peoples.

While the focus of the SP Initiative thus far has been on "widening" of cooperation both in geographical and sectoral terms, the future trends should be towards "concentration" of priorities. The Pact can not and should not try to intervene in everything, but only there where it brings added value, and be complementary to other organisations or assistance packages. A clear *division of labor* of what the donors do in the framework of the Pact and what they do in other frameworks is necessary.

The need for a comprehensive Communication and Public Relations Strategy across the region.

The expectation raised by the Stability Pact were great. The speed and time-span of the launch of the Stability Pact are at the record level compared to its broad scope, objectives and the complexity of measures needed to accomplish them. It was a new venture facing many potential risks including a lack of public acceptance and possible mistrust. The successes of the Quick Start Phase has gone a long way to removing these risks and developing a higher support from all parties involved in the process. However, it is evident that, on the other hand, delays and failures have generated skepticism and confusion. The approach for the future should be build upon the success and increase the awareness regarding the difficulties and challenges this process is associated with. It will be necessary to launch a better-structured regional communication strategy on the benefits and challenges of the Stability Pact. A specific project should be considered in this regard. This strategy should be incorporated to the Stability Pact mechanism. Albania could provide concrete proposals in pushing this issue further.

Gjergj Murra
Director, Albanian Secretariat for the Stability Pact
Tirana

Bernd Papenkort

THE STABILIZATION EFFORTS IN THE BALKAN -SEVEN THESES -

Preliminary Remarks

In the Balkans, the international community has made numerous costly efforts with the intention of laying the foundations for political stability and economic prosperity as well as giving the local population social perspectives. In view of recent developments in international politics (e.g. the fight against terrorism, the developments in Afghanistan) and political focal points such as the conflict between Israel and Palestine, we should, however, critically take stock of what has been achieved so far and consider measures of adjustment, where necessary. The following theses are food for thought, and I hope they will trigger a lively discussion.

Thesis 1: The “Tangle” of International Institutions in the Region Must Be Unraveled

Given the great number of international players, I consider the entire region as a highly complex and organisationally hardly manageable tangle of international, regional and national organisations. The major players within this tangle are the quite bureaucratic and cumbersome international organisations, such as the UNO, the OSCE, NATO, the EU, the OIC, etc. Further players are the states which have a strong political interest in the region, particularly the USA, Russia, France and Arabic countries. Last but not least, there are those states which are directly affected by this “organised aid,” i.e. the Balkan states (Bosnia and Herzegovina, the Federal Republic of Yugoslavia (FRY) with Kosovo and Montenegro, the Former Yugoslavian Republic of Macedonia) but also numerous adjacent states.

Therefore, the Balkans are a region where an incredible number of international players has become active in order to promote their interests. In this context, it should be mentioned that many of these players have acted professionally, intending to seriously drive matters forward. However, there are also some representatives of international organisations and NGOs whose activities and behaviour are characterised by arrogance and lack of knowledge. Their conduct can only be described as “absolutist,” a fact which is clearly reflected in their performance in the region.

From an organisational point of view, the result produced by the great number of players in the region is an example of how it should not be done. Ultimately, this implies that national resources are wasted. Therefore, the end of the UNMIBH mandate in 2002 makes it necessary to reconsider and to reorganise the “international security architecture in Bosnia and Herzegovina”. This need could provide additionally an opportunity to critically review and refocus the structure of international organisations and the use of resources in the entire region.

Thesis 2: There are Lessons the West can Learn from the Handling of Germany’s Past

Though details as well as the dimension of the cases differ considerably, there are basic parallels between post-war Germany and post-war Serbia. Both countries waged a war based on nationalist blindness and lost parts of their territories after the war. Moreover, both countries were and still are compelled to admit their guilt. With regard to its attitude towards the FRY, the most important lesson the West can learn from the German and European post-war history is based on two experiences. The first one is the enormous success of the economic assistance the United States provided for the reconstruction of Europe. And the second – maybe even more important one – is the offer made by the Western powers to give the former enemy a position of equal status in a political structure that aims at overcoming the past and paving the way for the future – i.e. towards European integration. Today, economic assistance is already being rendered. However, the second aspect – to give the whole region

an adequate and concrete political perspective – is a task which still remains to be accomplished.

Thesis 3: Without the Serbs' Acknowledgment of their Heritage Or Guilt Reconciliation in the Balkans is Impossible

In the entire Balkan region, there can only be political stability when those who have triggered the manifold conflicts are ready to acknowledge their guilt and constructively deal with it. It would be fallacious to assume that this issue could be ignored. Hence, particularly the Serbian community must confess to the events and developments of the past and must acknowledge its guilt.

Karadjic and Mladic are still at large. What happened in Srebrenica was a tragedy, and the way the Western states behaved in that situation was a disgrace. Kosovar Albanians will not forget what they had to go through, particularly in 1999. People whose closest relatives were killed in a sometimes more than cruel way will not rest until the noble words of the international community are followed by appropriate deeds.

Currently, some nationalist Serbian parties would like to move on to the daily political routine and let the last 30 years of their questionable past fall into oblivion. After World War II such an approach would certainly not have brought Germany lasting political stability and reconciliation with its European neighbours.

Sarovic and Ivanic in Bosnia and Herzegovina and Kostunica and Djindjic in Belgrade must be reminded of this responsibility and must deal with the political legacy of their nations. To acknowledge their guilt would not mean to eternally show repentance. However, it currently is an urgent political necessity and would give the people in the Balkans, who have suffered so much, their peace of mind. Without repentance, there cannot be peace in the Balkans.

A decisive breakthrough to political stability in the Balkans requires those who are guilty to acknowledge their guilt. "This paves the way for

reconciliation and opens the door to a peaceful balancing of interests and to political stability in the entire region.”

The political, military and legal agencies which are fighting at this front must be given strong support. This aspect must not fade into the background in view of the pragmatism of the daily political routine. However, one should not delude oneself that the sensitivity and complexity of the issue as well as the resistance that is likely to be found will be easy to deal with. This task will require great intuition, much political goodwill and a lot of energy.

Thesis 4: The Protection of Minorities and a Peaceful Balancing of Interests are the Prerequisites for Political Stability

The mistakes and errors of Western politics in the Balkans do not only stem from ignorance, inability and disagreement but also from an absolutely wrong perception of the nature of the conflicts. People who live at the same time do not necessarily live in the same era. The West has erroneously assumed that the peoples in the Balkans would live in the post-national period of Western Europe. In reality, however, they are in different phases of national self-discovery, and obviously their priorities are different from ours. This lack in simultaneity is nothing these people could be blamed for – our own history should prevent us from such an arrogant assumption.

It would be inappropriate and ill-advised to like or dislike one people or another in the Balkans. As the past has often revealed, the readiness to use force is not a question of ethnic disposition but rather a matter of power. Protectorates that rely on military support and that are created for an indefinitely long period of time are no solution. They entail dependency and are rejected by the local people. A lasting political order can only be established if it gives the local people a chance to act responsibly and if it forces them, at the same time, to cooperate with others.

Meanwhile, the different ethnic groups have been almost completely separated from each other. Nevertheless, their current spatial distribution makes it impossible to demarcate national borders exactly along these ethnic boundaries. Minorities will remain within larger ethnic groups and must be protected. Otherwise, they might ignite new interstate conflicts considering themselves as belonging to an adjacent mother country. These problems must be resolved by means of a policy which aims at peacefully balancing each group's interests. Among other nations, Croatia, BiH and the Federal Republic of Yugoslavia as the countries of most war sufferings and atrocities could take a leading role in this regard, becoming a driving force that could lead the entire Balkan area towards Europe by enhancing mutual cooperation between each other in all areas of politics. They should seize this opportunity.

Thesis 5: The Developments in Bosnia and Herzegovina are Crucial for the Entire Balkan Region

Even seven years after the implementation of GFAP, discussions about the political future of Bosnia and Herzegovina have not yet been terminated. This has far-reaching regional consequences. Other currently relevant problems are related to the FRY with Kosovo and Montenegro. In addition, Macedonia, Sandzak, Vojvodina, etc. may be potential hot spots, too.

What role do Bosnia and Herzegovina and the work of the international community play within the framework of the GFAP implementation regarding the overarching political task of shaping the future of the region?

The Dayton Peace Agreement does certainly not represent an optimal political and organisational solution in all respects. It must be adapted and should be implemented in a more pragmatic and energetic manner. Bosnia and Herzegovina has mastered more than half of the way and there seems to be no alternative to continuing the process – continuing it more effectively, though. If this goal is achieved, an important part of the Balkans will be politically stable. This again will have a spin-off effect on the other efforts in the region.

Apart from that, we should not forget the following aspect: Particularly the FRY and its future national organisation raises a number of questions (Kosovo, Montenegro, Vojvodina, Sandzak, Albania). In my opinion, it is important to not stir up a new discussion about borders (e.g. Montenegro or Kosovo) in the Balkans because this would make all the other problems immediately urgent as well. The result would be a region of permanent political instability, in which – even if territories should be demarcated peacefully – nobody would make any investments for decades.

The **Dayton philosophy**, which was actually thrust upon Bosnia and Herzegovina, pursues the **aim of a “peaceful and cooperative coexistence within existing borders.”** In my opinion, this philosophy – not its organisational details, though – could serve as a **central political guideline for the other operations in the Balkans**. If an agreement on this issue could be reached, the tiresome discussion about borders in the Balkans would finally come to an important point: to the end!

Despite all reservations, Bosnia and Herzegovina, including the actual implementation of the Dayton Peace Accords, could become a model for the peaceful integration of different nationalities in a Europe, in which globalisation has pushed national aspects into the background. By applying the Dayton philosophy (which was originally designed for Bosnia and Herzegovina) to the FRY, Kosovo and Montenegro, these regions could manage to gain more autonomy while at the same time remaining integral parts of the FRY. However, such a development requires political pressure and the goodwill of all parties involved.

We should be aware of the fact that the success of the international work in Bosnia and Herzegovina – may it be in accordance with Dayton or not – is a key factor for the stability of the entire region.

Thesis 6: The European Union should take the Overall Lead in all Civilian Efforts

What principles should a promising policy for the Balkans be based on? The local population must not be thrust upon a solution from the outside.

On the other hand, it seems that a lack of understanding, mistrust, hatred and enmity are too deeply rooted to let the people in the Balkans develop promising ideas for their region as a whole without help from the outside. Therefore, the Western countries and particularly the European Union need to devise concrete plans which offer fair solutions to the matters of all ethnic communities and which give the region a positive future. Such an approach requires the West, and above all the European Union, to proceed unanimously.

There are basically two approaches available which need to be linked to each other:

- Enhanced cooperation between the regional players must be the starting point. It is the prerequisite for the second approach, too. The Stability Pact plays a crucial role in these efforts. It has achieved some first results in the work of its Working Tables 1 - 3. But, it could facilitate a stronger cooperation of the Balkan states by developing a more executive apparatus for its work : a common regional market, a regionally coordinated domestic and foreign economic policy, an enhanced cooperation between the different armed forces, and last but not least a minority policy based on mutual consultation.
- The second approach mainly aims at external integration with the rest of Europe. This approach would be based on the European Union. Again, using the Stability Pact and structures of the IC in a more effective way. The EU's policy would have to be related to the two areas that are of crucial importance for security and stability in the region: the support for efficient and competitive economies in the whole area and the fostering of secure relations between the states. In this context, conceptual considerations regarding a European "new deal" for the Balkans should be developed. Its primary aim would be to take the regional efforts mentioned above and to develop a coherent concept for further association and enhanced cooperation with the EU.

Thesis 7: The Stability Pact for South Eastern Europe is the Best Tool for Leading the Balkans Towards Europe

The entire Balkans are an integral part of Europe. Therefore, particularly the Western and Central European countries have an original interest in the stability and prosperity of this part of the continent. In the future, Europe should more often take the leading role and express its interest in the region more clearly while performing its tasks. The West should try to get away from the “multiple players” approach, which ultimately results in a waste of national resources. At least for Bosnia and Herzegovina, the end of the UNMIBH mission represents a “window of opportunity” for gradually reviewing and adjusting political guidelines – first in Bosnia and Herzegovina and later on in other regions of the Balkans (e.g. changing UNMIK into EUMIK?).

As an instrument of preparing the five Western Balkan countries of Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslavian Republic of Macedonia in the long term for their accession to the EU, the Stability Pact has given these countries for the first time in their history a goal that is worth to be pursued. Furthermore, the politicians in the region have realised that their countries can join the EU only if they get on with their neighbouring countries and if they are capable of regional cooperation.

In order to make this work more efficient, the EU and the Stability Pact should take this challenge and develop its structure into a more executive regional organisation which would be incorporated as a substructure into the EU administrative organisation. The coordinator of the Stability Pact would become the Executive Regional Coordinator under EU lead with overall responsibility for OHR in BiH and UNMIK (EUMIK) in Kosovo. The currently existing Working Tables 1-3 could be transformed into real “intergovernmental cooperation bodies” which would coordinate all related regional activities.

Such an approach would facilitate the European Common Foreign and Security Policy by providing Brussels with a concrete task and concentrating EU efforts in an area closely related to overall European

security concerns. Furthermore, it would enhance mutual regional cooperation between the Balkan countries in a more binding way, thus leading to more political stability and economic prosperity in the whole area.

Bernd Papenkort
Führungsakademie der Bundeswehr
Internationales Clausewitz - Zentrum
Hamburg

Sabri Ergen

WHAT IS THE OUTCOME OF THE STABILITY PACT SO FAR?

The Stability Pact Perspective

Let me start my words by quoting from a Security Sector Reform inventory (a gaps analysis paper) that just became available. It encompasses the target states of the Stability Pact. We commissioned this analysis from York University in Canada at the end of last year. We hope to release the project before the end of this year. The inventory is a living document to be updated as required and it contains over 400 entries. It is the largest database that exists in terms of security sector reform-related activities in the region.

There is also an indicative gaps analysis. Unsurprisingly, one of the first sentences of this analysis is, "one of the most striking conclusions to be drawn from this project is the overall lack of coordination among international actors within the area of security sector reform. At the regional level, this gap is beginning to be filled by the SP on a sector-by-sector basis through such initiatives as the Task Force on Trafficking in Human Beings and the Regional Implementation Plan on Small Arms and Light Weapons Proliferation. As well, other regional initiatives, such as the SECI's Regional Centre for Combating Transborder Crime, are also beginning to come to terms with the problem of regional coordination within particular areas of the security sector."

The analysis goes on: "Perhaps more problematic, however, is the lack of coordination among internationally led initiatives within particular target states. Even within the same sector, international actors often appear to be only marginally aware of other international initiatives."

So there is a lack of coordination in implementation and even in a coordinated flow of information.

Does anybody care that the Stability Pact is there and equipped to, using our jargon, "synergise"? Well, apparently they do. The latest example is the Ohrid Symposium on border security to be held later this year, proposed by the Macedonians and developed in cooperation with NATO. Border security and management is not, in fact, in the traditional mandate of NATO. However, they do have a field presence in the region and lack of border security hampers their work. In fact, the major international players in border security are the European Commission and the World Bank. However, NATO does not have any direct links with either of these organisations. That is the most important reason why they have proposed to put the Symposium under Stability Pact auspices. But the Stability Pact will not only be a shop window in terms of this process. Beyond being a neutral meeting place, it has working experience from the Border Task Force that it can actively bring into the concept of the Symposium.

The Stability Pact Office

The Stability Pact Office, or to give its full title, the Office of the Special Coordinator for the Stability Pact for South East Europe, has been created to assist the Special Coordinator. The Office expenses are paid by the European Union, even though we are not an EU body. An average of four people work for each Working Table. Therefore, it is not a large office.

I am a Turkish Ministry of Foreign Affairs official, a diplomat. I have been fully seconded by my government to the Office of the Special Coordinator of the Stability Pact since April 2000. I work in the Working Table on Security Issues. So my presentation might be more from that table.

My presence in the SP is my government's contribution to the European Union-led effort to bring lasting stability and prosperity to South East Europe.

By now I have worked two years in the Office of the Special Coordinator. I have witnessed the Quick Start Package-phase. I have seen the euphoria. I have also been there during the transition to the second phase, when, initially at least, there was much cynicism about the need for a continuation of the SP.

In this respect, the appointment of Dr. Busek as Special Coordinator signified a renewal of faith and determination by the EU and has been welcomed both by the Secretariat and my country of origin. Dr. Busek's knowledge of the region as the Coordinator of SECI has also been an important factor in this.

The Stability Pact

I am now quoting from the brochure: "The Stability Pact - its major achievements":

"The Stability pact is a political initiative to encourage and strengthen cooperation between the countries of SEE as well as to streamline existing efforts to assist SEE's political, economic and security integration in Europe. The Pact does not implement the projects that were placed under its auspices at two Regional Conferences (March 2000 and October 2001) but is an instrument to coordinate and facilitate the implementation of the projects of all its partners. These include the countries of SEE and neighbouring countries, the EC, NATO and OSCE, the International Financial Institutions, the member states of the European Union, the USA, Russia, Japan, Canada, Norway, Switzerland, the Czech Republic, Poland and Slovakia.

"The Stability Pact's three Working Tables...have helped to develop projects worth 5.4 bn. Euro...At the EU's initiative, the SP was adopted in Cologne on 10 June 1999. At a summit meeting in Sarajevo on 30 July 1999, the Pact was inaugurated."

The brochure then goes on to list 15 achievements. They certainly are not the only ones, but those included in the top list for economy of space

and effectiveness of the message. I will later give you more examples from Working Table III.

Nevertheless, if you look at these 15, you may not be able to see finished road projects of a grand scale, but you will certainly see cooperation and coordination of a large number of states and other SP partners on a variety of processes. In fact, the developing culture of international and regional cooperation is very visible. Again, it is not listed there but I believe that the chairmanship of the WTIII being taken over by a Croatian is an indication of the increasing consciousness and practical involvement of regional ownership. So is the involvement of the chairman of SEECP, Serbia and Montenegro, in the meetings of the Informal Consultation Council that guides the Pact in its work. Other participants of ICC are the European Commission and the Stability Pact Office.

The culture of international and regional cooperation is advancing rapidly in South East Europe and the benefits are beginning to be reaped. The contrast is clear if you look at the region from outside. This is what I actually did when I participated in a conference in Baku, which had the aim of analysing the cooperation in SEE and to determine how much they are valid for the Caucasus. There may be some way to go yet, but we have indeed made progress and we can be instrumental in making even more progress.

What was on our side? I believe one of the most important elements that we have used to our advantage to promote regional cooperation and reform in the countries, is their desire to be part of European and Euro-Atlantic institutions. I am not well-versed in the academic affinities of the subject of the next panel: "Does regional approach promote or hinder the faster integration into Euro-Atlantic structures." However, I believe that the prospect of integration into Euro-Atlantic structures has been a positive force for our efforts to promote regional cooperation.

To emphasise the nature of the Stability Pact, it is a coalition of the willing. We have no budget, no presence in the field and no legally binding contract with our partners. We cannot impose sanctions. We are

not an implementing agency, but we depend on the political will of the implementing agencies and other partners to work with us towards common goals. We have to work with them, look for gaps in terms of regional cooperation, point out the areas where international donor interest should focus, or areas where the coordination of effort and cooperation between various actors would yield more efficient results. We have to convince the actors involved.

Working Table on Security

I talked about the QSP and the following transition phases. Please remember that in the past there has been at least one specific attempt to set up a Stability Pact, which in fact failed. So there was a great effort to do the right thing and an accompanying search.

The QSP idea has definitely been the result of that search. Preceded by the great hype of the Cologne and Sarajevo summits, the QSP further increased the expectations in the region to a level difficult to fulfil.

There were many worthy QSP that became reality. In the WTIII, the prime example is RACVIAC (Regional Arms Control and Verification and Assistance Centre) in Zagreb. Another is the re-education of military officers that were made redundant as a result of military downsizing in Bulgaria and Romania.

However, during the plethora of Quick Start Package projects, we did our duty, phoning the people responsible to learn about the results and put them to paper.

But even then, it was clear that QSP could not be the way forward. These were mostly projects that were neither connected to each other, nor in many cases new. However, this constituted an important database of which actor was interested in getting involved in which sector. So we took advantage of that and started to develop processes.

RACVIAC is already one of our major success stories since it provides a superb and cost-effective forum within the region for dialogue, cooperation and confidence-building in South Eastern Europe. The fact that military personnel from all the countries of the region, including Yugoslavia, now regularly participate in RACVIAC's programmes is a clear demonstration of how far we have got.

In addition to RACVIAC's primary mission of enabling the countries of the region to fulfil their international arms control commitments, we hope that the centre will play an increasing role in promoting the full integration of the military into democratic societies and reinforcing the democratic oversight and control of military establishments. For example, the retraining project was not only extended to include Croatia and Albania, but the method, i.e. bringing together NATO and IFIs that would not otherwise come together, was extended to military base conversion and possibly to military industry conversion.

The SALW initiative also inspired by QSP offers of the US and Norway to do assessments. A regional implementation plan was developed and as the most significant feature of that plan, on 8 May, the Regional Clearinghouse in Belgrade opened. The task of the clearinghouse will be to help SEE governments and non-governmental organisations develop projects aimed at strengthening capabilities to stem the illicit flow of SALW in the region.

Another successful example of cooperation under the auspices of the Stability Pact is the Canadian-initiated process on Mine Action. The chairman of this process is now Croatian and the initiative has made some way in terms of destroying the stockpile mines. That may not be as glamorous as mine clearance, but it is a clear contribution to the countries of the region to abide by the Ottawa Convention rules.

We also made important progress in bringing the regional countries and relevant organisations together in the Disaster Prevention and Preparedness Initiative (DPPI). DPPI is about cooperation at the regional level on civil emergency planning. This initiative also contained at least two international actors that would not have worked together otherwise:

NATO and the International Federation of Red Cross and Red Crescent Societies. An operational team visited 12 regional and neighbouring countries, wrote a report on the current situation and brought suggestions for regional cooperation. We have now hired an Executive Secretary with the contributions of three donor countries. The first result of DPPI, a PfP international fire fighting exercise with the involvement of 28 countries will, take place in two weeks time in Croatia.

While, as you can see, we have been working closely with NATO in the Defence Sub-Table, our focus in terms of the J&HA Sub-Table was the European Commission.

In the field of Justice and Home Affairs we will be concentrating on developing the region's capacity to fight organised crime and criminality. The Secretariat for the Pact's organised crime initiative or SPOC is being moved to Bucharest and will be effectively co-located in the Parliament building with the already operating Regional Centre for Combating Transborder Crime.

This proximity will create much greater opportunities for efficiency while highlighting our determination to base more and more of our activity in the region. It is also an example of Dr. Busek's commitment to take practical steps that will bring closer together the work of all the initiatives operating in South East Europe.

The Vienna-based Stability Pact Task Force on Trafficking in Human Beings will be moving forward with its three-year Action Plan. Its strategy is designed to counter the activities of traffickers and assist victims through programmes for awareness-raising, training and exchange programmes, cooperation in law enforcement, victim protection programmes, return and reintegration assistance, legislative reform and prevention.

The Asylum and Migration Initiative or MAI is to develop national and regional programmes and strengthened regional cooperation to encourage orderly migration policies in line with European standards.

This is an outstanding example of how the Stability Pact seeks to complement the EU's Stabilisation and Association Process.

The Anti-Corruption Initiative or SPAI will continue its efforts to develop a political dialogue between countries and international experts, national programmes and joint monitoring procedures. It seeks to insure that the countries of the region adopt and implement European and other international instruments, strengthen relevant legislation, promote integrity and business operations and encourage an active civil society.

Finally, I should note our efforts to further regional police cooperation through a programme developed by the Association of European Police Colleges. This activity seeks to increase police skills, enhance democratic, policing and develop regional networks and cross border cooperation. This year's courses will be given on trafficking in small arms and light weapons, trafficking in drugs, police management, police ethics, financial crimes and money laundering and policing a multicultural society.

As you can see we will have a full plate of activity. Our strong emphasis is on the practical setting activities in motion that generate patterns of cooperation and empower those who are seeking to create lasting democratic institutions in the region.

At the same time, our overall efforts in the security field are based on a number of basic principles.

We must accept the principle that democracy is the cornerstone of good governance. If security sector reform is to succeed we must have effective democratic institutions and capable civilian leadership.

Transparency in planning, management and budgeting must be promoted. The lack of transparency will almost certainly undermine a country's economic and political stability more than transparency will threaten its security.

We must create environments where civil society is able to monitor the security sectors. Such an activity is not only legitimate but, also critical. We need to strengthen the capabilities of non-government organisations to carry out this activity.

And, of course, we need to continue to give top priority to actions that promote regional and sub-regional activities. It is hard to think of an area where regional cooperation is more essential than in the security field.

Ergen Sabri
Stability Pact Office
Brussels

Dr. Erhard Busek

KEYNOTE SPEECH

I am not going to tell you what the Stability pact is, because I am sure you are able to look on its web site for more information. What I want to present is a general overview of which role the Stability pact is playing in the development of today's Europe. I think we are heading the wrong direction because we are only looking at details and not at the total picture.

It all began in 1989. I believe this was a turning point for Europe and until now we are not really aware of what it means for existing conditions. It was a tremendous change in general, although if you would suppose we were sitting together in 1988 and that is not so long ago, we would be able to discuss things as we are discussing them now. I am mentioning this because the problems which were created in South East Europe were a bit different than in other parts of Europe, especially East Central Europe and Eastern Europe. The region was only partly within a solid empire concerning Romania and Bulgaria and former Yugoslavia and there was a certain connection between the ideological system and the working party system. It is very important to mention this because this is essential for the other parts of Europe – Yugoslavia it was quite another matter.

Albania was a completely different situation. The country didn't ever have much influence because under the regency of Enver Hoxha it was excluded from every political connection, even to the Soviet Empire.

So, possibly no one had blueprints for the situation following 1989 and nobody said that we were happy that now democracy and free market economy are existing in the former Eastern Coalition. What I clearly want to express is: No blueprints existed! We are only speaking of the movement of communist countries to democracy. No one had an idea what to do if it was really happening.

I remember a nice speech at the 10th anniversary of the unification of the both Germanies which was held by Lothar de Mazière. He was the only one democratic prime minister of GDR and 10 years afterwards, we had a panel discussion. He said to the former West Germans: "You had a long time for administering the unification process, but you didn't know how to do it." I think the same was right for Europe concerning this situation. We didn't know how to do it, because we were not aware of the situation.

Concerning SEE we were not more aware of how to do it or how to deal with it. In addition to the changes of the society and of the government, re-creating or creating democracy, SEE has a lot of things which are even more valuable. I may mention some of them: One is a sentence done by Winston Churchill: "They have more history than they can consume." This, I believe, plays an important role as it is connected to the downfall of the Ottoman Empire and the long lasting story of tensions and wars in this connection.

As for this situation, every decision made since the 20ies of the 19th century concerning the region was done from outside. It was done by London, by Paris, by Berlin, by Vienna at the end of the First World War, by St. Petersburg and afterwards Moscow - no decision originated from the region! If you are looking at that it's quite interesting that the first country out of the Ottoman Empire becoming sovereign was Greece.

The Kingdom of Greece formerly was quite smaller than it is now but there was a regulation that the consuls of the European states decided what the Greek government had to do. I think it's quite similar to the situation of the regional ownership. It's not a question of the Stability Pact, I think it's a question of the general approach of the Europeans and of Non-Europeans towards the region. Regional ownership is a nice phrase, but for 200 years, it didn't really exist. If we are looking at these regulations there was a big interference between the European powers in a similar situation. It's a long lasting tradition and I may say that the region was prepared to be controlled by European powers. It has been a learning process for the region, a learning process also for us and I may

say – though please don't quote me on that – that the Stability Pact also sometimes shows a tendency that we are cleverer than those in their region. We are deciding what they have to do. That I think is one of the main mistakes. Given the fact that the office of the Stability Pact is located in Brussels, the connections to the EU are given but I don't see any connection to the region. That's quite an interesting fact and I think nobody has really discussed it before.

The next additional problem is the destruction of former Yugoslavia. Nobody was really aware that it might happen or I think the Americans were convinced that the Europeans would take care that the provinces would stick together. There was a obvious tendency in all societies that if you want to achieve something, you get in contact and state: "We give you money, if you do this or that." This was a proposal by the European Community, for the ambitions of the two Jacques, Jacques Delores and Jacques Santer. At that time, Jacques Santer was president of the European Community and was travelling around saying "You will get money if Yugoslavia sticks together." I think only a minority within the Austrian government was really aware about the whole history of Yugoslavia. On behalf of the Austrian government, I tried to explain what we were doing by the recognition of Slovenia and Croatia as sovereign countries. I met the deputy prime minister of Belgium. He said to me that he couldn't understand that they were separating since they all spoke Yugoslavian. I replied that they are speaking "Yugoslavian" as you are speaking "Belgian". I explained the situation to a dear friend and he replied in two unmemorable sentences: "Oh yes, I know you want Slovenia as a tenth state of Austria." and his second sentence was "Austria always wants to be more powerful in the Balkans". After a moment of shock I replied: "Please, take the old files out of the time of the First World War out of the archive."

What we are really missing and what I am looking for is a younger generation of Europeans to have a different approach to the region and its history. I think the recent elections results show that not only this region has a certain tendency towards former political systems. I am always asking everyone not to blame the region for its history because we are doing quite the same, and the history is much younger there. If

we look at the Benes decrees, as for the Germans and as for the Czechs, don't blame the region if we are looking to the recent history which happened there because for sure a lot a people are deeply wounded personally.

The other thing is the lack of knowledge of geography. I think it is a true story which Viktor Meyer told me. Viktor Meyer, a Swiss journalist, correspondent of the "Frankfurter Allgemeine" for the region, told me that during one of the Balkan wars he always wrote Slavonia. His own staff always changed the name to Slovenia since nobody was aware that Slavonia existed. Then he made an arrangement with his own staff. He was writing: The "landscape between Danube and Sava" to avoid Slavonia. I am telling you this anecdote, to give you an impression – and I think these stories can give you a better impression what we are really missing.

Yesterday I was standing next to an American, we had a World Congress of the International Press Institute in Ljubljana. He was using his mobile phone, obviously calling somebody out of the region. The man was asking "Where are you now?" – and he said "I am in Slovenia" and obviously the other asked, I think I can make my thoughts on it, what he was answering. Obviously he was asking "Where is it?" and he said "I think, it must be near Italy but I don't know where exactly." Slovenia has 2 million inhabitants. This is a real situation. We have problems with geography and with the newly created states. I think, it goes even deeper. If Serbia and Montenegro decide on constitutional changes, the expression "Yugoslavia" will vanish. The idea of Yugoslavia is a long lasting one. It came out of the 19th century. The man who invented it was a typical Slavic man. His name was Strossmayer. Josip Jure Strossmayer – if you go to the region you will find the name Trg Strossmayerova in different countries. He was a priest educated in Vienna. There was a seminar of the Habsburgs for education of priests for the southern part of the monarchy. His idea was to create identities for the region – long lasting stories. If the name Yugoslavia vanishes, the idea will vanish. You can have a different approach on it because I think it's quite interesting. But we have one state where the name of Yugoslavia still exists: The former Yugoslav Republic of

Macedonia. Here you can see the impact of history. It's not necessary only to talk about such anecdotes of Americans not knowing where Slovenia exactly is. This is political decision done by the UN and I think it is very difficult to explain this to outsiders. I am always saying it is similar as if in 1945 somebody would have said the name of Austria is not Austria, but the "Former Ostmark of the German Reich".

I am convinced that the problems existing in Macedonia concerning their identity are connected with such things. It's very important because it was a 5 years term decision taken by the UN to accept this name for FYROM. Macedonia want to be official but I think very soon it has to be decided what the real name for Macedonia will be. I think this is connected with the stability of the country. I was always asking my Greek friends that if I am delivering a speech and not able to speak Macedonian or Albanian but do it in English, what should I say? "Dear FYROMs?". I think it's quite clear "Dear Greeks, dear Bulgarians etc. etc – but dear FYROMs?" Is this possible? No, that is for sure. Here you are aware of this problem that exists. Maybe this sounds very difficult to you, because I think we have always to screen and to monitor what we are reaching.

These are the positive things that occurred since 1989 in the context of SEE. First of all, the downfall of big empires always created big wars if you look at history. Until now there was no big war. We can be happy about that. For SEE, Chechnya is another case but these things are very much connected. We learned out of this crisis. I think it's a learning process. The EU is learning from this because by each of the crises, the Union is fully aware that we are missing something for which we have no instrument. During the Bosnian war, the Common Foreign and Security Policy of the EU was created. I believe that Javier Solana is a product of the Bosnian war because the EU learned that they had to speak with one voice and there must be somebody in charge. This is a very important thing and the process is not finished. You may remember that there was a famous anecdote when Henry Kissinger was raising the question: "If I want to phone Europe - whom shall I call, what's the telephone number?" At that time, I was participating at the meeting of the World Life Fund Foundation in Berlin where Javier Solana delivered

the speech and Kissinger was present, I believe it was one and a half year ago, Solana said "Now we have a telephone number, you can call us!" Henry is a little bit older and he was sleeping but immediately he woke up and said: "OK Javier, but which extension shall I call?" It's a problem, which extension we use in coordinating the strategies of 15 member countries. This is our problem at the moment. We feel bad when the Americans are able to act faster than the EU. If you are travelling through the US and holding speeches on the EU you always get one sentence and I am bored about this but it's true. They are always saying: "The EU is a global payer, not a global player." How can we play what we are paying? This is one of the more important questions.

This was the next learning process out of the Kosovo war. The European obligation exists. And I think we are learning from this problem. Again I want to tell you, it wouldn't have more been possible to foresee that such things are necessary because I think nothing is civilised there but examples existing in history. The history of SEE, the recent history, for the last 13 years, is very much connected with this learning process – this is the development of European processes instruments. Stability Pact is only one of these tools and it is quite a good example. What else did we learn ? I think there should be more monitoring what the differences are. OHR was created for Bosnia-Herzegovina – it's one instrument. UNMIK was created for Kosovo - it's another instrument. What we are doing in Macedonia is a third instrument, the Stability pact is the fourth instrument. But does the OSCE fit in Albania? I think out of this we have to live this crisis for sure and it will not be finished. It is quite necessary for the EU being I think an amputee of its own. But comparable we sustain that we are developing instruments. By the military side which by the way is easier, and on the civil side which is more complicated, for sure. There has to be something done so that we can act immediately. Don't forget, that the European community needed years to react on Bosnia and Herzegovina and then it was only possible by the intervention of the Americans. That's also a sad story which has to be said. The list of political personalities being involved in Bosnia and Herzegovina which all failed is a long one. The community was not giving the right approach and the right instruments because we had a lack of right judgement what was existing here.

What are the problems that have an impact on the situation? First of all the downfall of the Soviet Union, especially for Romania and Bulgaria being a part of it – reorientation, the falling a part of Federal republic of Yugoslavia. Using history is a political tool. Don't forget the whole thing was started remembering the 600 years of the battle of Kosovo Polje in 1989. The famous speech of Milosevic. We are still suffering on the consequences of the political management of this problem. The problem is how can we lower the borders between the different states that they are living together. It's the wrong direction by thinking the borders are guaranteed. It's not anymore necessary – but who is guarantying that we are lowering the borders? I think, this is the real big issue. The question of national minorities which are created for sure by borders, and then the problem is how to do it in the right way – but the last one was 11 September.

When becoming Special Coordinator of the Stability Pact a lot of people said to me – you poor guy. Now the region is out of the headlines and of the evening news and the TV. It's not so much interesting and probably not interested anymore. I am telling you that I am happy that we are out of the headlines. The headlines, in the situation of the media starting that we have a war, ethnic cleansing, we have clashes of governments. I am not interested in this. I think, being not in the headlines is the right stand to stability for sure. Here I may say as a final remark: the comments are completely wrong that the countries, that the states involved in the Stability Pact are reducing their engagement. I think, it's an ongoing engagement. The US have reduced their investments from US\$ 600 million to US\$ 500 million in 2002. I had a look at the list what they are going to cancel. You can say that they are right because not every project is really realised, which makes sense. There was quite a clear statement by the State department, by the National Security Council and by members of the Capitol Hill, saying: we need the region because it's one angle of the volatile part of the world. On the one side is Afghanistan, on the other side is SEE because it's close to the Balkan and to the Black Sea, close to the Caucasus and to the Middle east, close to Central Asia.

It is positive that the Stability Pact opened a European perspective for all countries in the region. That was not obvious before. I am working for the SEE cooperative initiative since '96 and aside of going through Brussels I got only the comments concerning the states. It was a very good decision because for the countries of the region it's necessary to change the approach and it is done by this. That's the first positive thing. The second positive thing is cross border cooperation. I think the main aims of this office are to destroy more arms and light weapons in Belgrade. It was opened by Goran Svilanovic, Foreign Minister of Yugoslavia, and it was opened by Ambassador Drobnjak, a Croatian Ambassador to the EU. Could you imagine that 4 or 5 years ago, it would have been possible to do that, in such a way in Belgrade by Croatian representative? – No.

Second, I think we are handling this Bucharest Centre of Organized Crime quite well. It's accepted by Interpol, it's accepted by Europol and it's done in the region, under the responsibility of the region. That's quite a good sign and we are moving in the right direction.

As a chairman of the sub table for security also assigned of regional ownership existing, which is the heart of the Stability Pact because we have this nice regulation, that every working table had a co-chairmanship. The co-chairmanship from the donor countries was always the same man. The co-chairmanship out of the recipient countries changed every half a year. I think if he or she was aware how the things were going he or she would be kicked out. Now we have the co-chairmanship for one year. We want to go in this direction because I think you need knowledge to steer things and the government to have an influence on them. Very positive is the fact that we have known each other out of the international community, _5,4 millions and it is done by the EU and by countries like Norway, Switzerland but also US, Canada and Japan. That it is an international responsibility. And again I want to mention what I said concerning the US – it's accepted the region as a global perspective. It would be very naïve not to say that there are problems. The main problem is that the Stability Pact has to be understood as a political process not a technical one. We have always to do so and to underline the European perspective because I think creating

high ways is not creating the European Region - that's not enough. It's necessary but you can't do it in such a way. It is very complicated and therefore I understand why my title is "special coordinator", it's a special coordination between a lot of international institutions. On board we have the OSCE, playing even a role of a brother for the Stability Pact, not every chairman in office is really aware of this. We are cooperating with the Council of Europe, with the Economic Commission for Europe of the UN, we are cooperating with UNHCR and I may tell you that it's quite boring that I have to move from one organisation to the other to give a report and to go to the Permanent Council of these institutions always repeating the same things over and over again – it's not very nice, but it's my job.

Concerning NGOs coordination is necessary, which for sure also is not easy. When looking to the Middle East I am not pleased which impact it might have on our region. It's not too much seen, but I think it's a quite dangerous development.

Cooperation of organised crime including terrorism. Everybody is now fighting terrorism but I have my doubts on the results. The third point was mentioned by Hannes Swoboda – refugee return. We moved more than 100,000 refugees back but now we have problems with housing, because somebody else is sitting in the houses or they are destroyed and then there is unemployment. If you go to eastern Slavonia or to Krajina, or some parts of Bosnia-Herzegovina you find unemployment rates between 40 and 50% or even more. It is not easy and the refugees will come back to us because they have no job. I think that's a very important situation.

Concerning the economy we are trying to do our best. Here I may mention, that the business world is looking towards the region as a whole. That's a lesson which I have always to teach in the region because there is a certain tendency saying "Please come in my country. I am better than the other one." but I think the big business is looking to the region as one market for 45 million, making no big investments of multinational but components for example are possible.

Small arms and light weapons I have already mentioned. I think it's a precondition and that we have the sub regional cooperation. To say it simple, we are looking forward and Kosovo is not a black hole in the landscape. It's not the job of the Stability Pact to solve the status problem of Kosovo but I think concerning electricity, concerning trade, concerning transport, concerning border management, concerning organised crime we need this cooperation over borders. The same thing occurs for the border which is officially no border - it is between Kosovo and Serbia. You have the border control where there is no border. They are doing privatisation. That's quite difficult. You have to understand, what the problems are here and we are trying to assist them to do so. I think the Austrians are doing a good job by the Graz process, but I think we need even more movement in this direction. Judicially reforms – it can't happen from one day to the other because you have the old judges working – this old boy network.

Then you have the problem of corruption. I am always blamed that I have some understanding for some corruption such as low wages. I have no understanding for the big corruption - say on a political level. But I think, this has to be seen and if you are looking through the newspapers also in our parts of the world corruption occurs. Good governance – it won't change from today to tomorrow. We are now supporting the local authorities, decentralisation – because governance countries are traditionally very much centralised. The Media situation. There was an important meeting in Ljubljana of the Macedonian's editors in chief of the newspapers and of the TV and radio stations. A serious dialogue is necessary. This is playing an important role and also I may say that the west brought a lot of newspapers and did a lot of radio and TV coverage, but what they didn't do is: they didn't export European values. They exported pornography, simple journalism. I think Hannes Swoboda mentioned, concerning drug traffickers, that the West has to be blamed for this. I think, that's a quite interesting situation exiting; it's quite difficult to discuss it with the newspapers, because then you are criticised. I think the present time is not a favourable time for Western values to be introduced here. Reconciliation – I think, this is not where we have to stop. For example. the textbooks in the region on history are a nightmare but we are working on them and I think it needs some time

and also the help of churches and religion because they are used as a political tool. Not too much is documented on this subject and what I am trying to push forward is more dialogue. "Civil societies" are a nice word but it needs some time to develop.

What are the major problems? The different situation in Bosnia and Herzegovina, not coming really together as one state, the correct steps to be taken to develop a constitution are done. On the other side the volatile situation in Macedonia, I am not very optimistic concerning the results of the elections, not concerning which party will win but what will happen afterwards. The unclear status of Kosovo, the relations Serbia and Montenegro and the internal situation of Albania, which Hannes Swoboda mentioned here.

What are the future problems? This is my conclusion. I think after the enlargement, which will be done to the 3, 4, 5 we have in the region 2 candidates being considered – Romania and Bulgaria – the rest as soon as possible. They must be preparing for entry. What strategy are we following? Croatia is moving very quickly in this direction, the Serbians are moving as well aside the old questions concerning Montenegro and Kosovo. Hopefully, they will adhere to these questions. Maybe they are candidates for something, or another with a timetable to achieve this. And how can we end protectorates?

I admired Michael Steiner – he was speaking at the Security Council of the UN without an exit strategy. I think we have also discussed which exit strategy is possible. Not from one day to the next. But step by step, giving more responsibility to these nations. There has been no real discussion on the subject but I think it might be really interesting if some institutes who are represented here would look in this direction. Let me close with this sentence, there is no alternative concerning the fact that SEE is a part of Europe and for which we have a great responsibility in our own interest in the global context.

Dr. Erhard Busek
Special Coordinator of the Stability Pact
Brussels

Sonja Moser-Starrach

THE ROLE OF THE COUNCIL OF EUROPE IN SOUTH EAST EUROPE

Ever since the signing of the Dayton Peace Agreement in December of 1995, the Council of Europe has pursued a policy of promoting a stable, democratic state, with a view to its integration, at the appropriate time, as a full member of the Council. After almost six and a half years, that time has come.

The Council of Europe cooperation with BiH is an important element in achieving what the May 2000 Peace Implementation Council called for, namely “a BiH strategy to Europe”. The strategic objectives of the state and the Council converge in the strengthening of the statehood; sustaining and developing the national institutions and structures; ensuring that Bosnia-Herzegovina is a fully recognised member of the international community and an entity for international law, thus alleviating ethnically-based nationalist tendencies and promoting European and especially regional cooperation and stability.

In the pursuit of this overall aim, it has been necessary to comprehend Bosnia-Herzegovina as a state with a high level of devolution of political and administrative responsibilities to its two constituent entities (the Federation of Bosnia-Herzegovina and Republika Srpska), and three constituent peoples, under the terms of the Dayton Peace Agreement. Whilst bearing in mind that it is the State of Bosnia-Herzegovina that will accede to the organisation, all action undertaken over the past six years has sought to promote the even development of both entities. Ministerial structures within the Federation and Republika Srpska have been and will remain the Council of Europe’s principal partners in promoting the expected reforms in the legal, human rights, education and administrative fields, especially after accession to the organisation.

Accession to the Council of Europe has been the aim of every state-level government since April 10th 1995, which is the date of formal application for membership – though parliamentary cooperation dates back to January 1994. However, commitments in principle by the Presidency and the Council of Ministers regarding the promotion and protection of democracy, human rights and the rule of law, as well as the implementation of necessary reforms, have not always been backed up by concomitant action. Mono-ethnic nationalist tendencies have dominated the political authorities in the entities. By virtue of being the structures primarily responsible for reform, the Entities have been able to dictate the pace at which such reforms are undertaken, slowing this process down and thus placing obstacles on the country's path for membership.

Constant involvement in the political process by the international community (and particularly through the co-called “Bonn powers” exercised by the High Representative) went some way to alleviating the difficulties caused by the above-described situation. A breakthrough was achieved following the November 2000 general elections, which saw the emergence of the less-ethnically based (but by no means free of ethnic bias) Alliance for Changes. This new grouping obtained a slim parliamentary majority in the state-level House of Representatives, enabling it to displace, for the first time since 1996, the more monolithic political parties. Along with its control of the Council of Ministers, the Alliance also presently holds a majority in the Federation Parliament. With the collective three-member Presidency also adopting a more positive attitude cooperation between Entities, it is only in the Republika Srpska, where a significant hard-line nationalist element persists through the involvement in governmental/parliamentary structures of the Serb Democratic Party (or SDS), that significant opposition to progress towards full integration of the country into structures of European cooperation exists.

This new climate of cooperation has ensured the passage of important legislation at state level, culminating in the adoption in August 2001 of the BiH Election Law, which was one of the key factors that swung the balance in favour of BiH adoption into Council of Europe. However,

delays within the national political structures required the High Representative to appoint the four national members of the Election Commission in order to ensure that no slippage in the election timetable occurs. Obstructionist tactics by Bosnian Serb members of the State Parliamentary Assembly continue to undermine the reform-oriented activities of that body; also the Republika Srpska authorities are still unwilling to fully cooperate in the OHR initiative to promote better coordination of the government agencies` work in the two entities. Whilst the establishment of the breakaway “Croat Self-Rule” in March 2001, led by disaffected senior members of the Croat Democratic Union (HDZ), has not taken off, much work needs to be done to assure the moderate Bosnian Croat population of their constituent place within the country’s communities.

The Bosnian authorities are now preparing for the political milestone of BiH first general elections under domestic responsibility on October 5th 2002. It is our hope that the BiH Constitutional Court Decision regarding the constituency of all three peoples and others over the whole territory of BiH will be honoured in time to have a bearing on these elections, through adoption of changes in Entity Constitutions by the Entity Parliaments.

It is clear by now that membership in the Council of Europe is only a step in an ongoing process. Much has been achieved and yet even more remains to be done. The Council of Europe Parliamentary Assembly’s Political Affairs Committee and, in succession, the Legal Affairs and Human Rights Committee, have adopted in September 2001 the commitments that Bosnia-Herzegovina is expected to honor in the three years following the accession. These commitments of Opinion 234 adopted on January 22nd, 2002 by the CoE Parliamentary Assembly, reflect not only what might be considered as standard requirements of an incoming member (such as signature and ratification of basic treaties, notably in the human rights field) but focus also on the reforms assessed by the Parliamentary Assembly as still being necessary for the development of full and sustainable democracy within the country. The three members of the Bosnia Presidency, the Speakers of the two Houses

of State Parliament and the Chairman of the Council of Ministers have agreed to the post-accession commitments in writing.

Following the adoption of Opinion 234, the CoE Chairman of the Committee of Ministers has sent a letter to the BiH Presidency emphasizing the politically most important commitments to be fulfilled. These are: full cooperation with the International Criminal Tribunal for former Yugoslavia; the full and affective implementation of Dayton but seen as a basis for further development of the state-building process and for constitutional changes based on the will of the country's constituent peoples and the implementation of the Constitutional Court decision on the three constituent peoples. Monitoring mechanisms are also foreseen to oversee the fulfilment of the commitments. Furthermore, in order to assist Bosnia-Herzegovina in its task, a post-accession programme of assistance was proposed in cooperation with the authorities and subsequently adopted.

Aside from day to day negotiations with officials from all levels of BiH government, within the main focus of our work in Bosnia-Herzegovina, I wish to outline a few issues. Working particularly with the Ministers of Justice and of the Interior in both Entities, expertise has been provided with a view to reforming legislation in the administrative, civil law and criminal law fields; training has been provided on revised legislation, and the Council has assisted with reforms to the judiciary and its functioning.

In the human rights field, support has been provided to the establishment and functioning of the Human Rights Commission (Ombudsman and Human Rights Chamber). Expertise has been provided on domestic legislation, for example in such fields as trafficking in human beings, conscientious objections, internal affairs and public order and peace. The first phase of a major nationwide programme to train judges and other legal professionals in the European Convention on Human Rights has been completed. Particular attention has been paid to working with the International Police Task Force on developing a new multi-ethnic police force respecting human rights. Regarding education, assistance has been provided to ensuring the functioning of the Conference of Ministers of

Education, and subsequently in establishing a pluralist education system, including the development of harmonised curricula and reforms of textbooks.

Another area of focus has been the development of civil society and of harmonious inter-community relations. The Council of Europe has worked very closely with NGOs in implementing a host of different activities – be they in human rights, local government, or other fields. Due to its particular situation, considerable attention has been given to inter-community relations in the city of Mostar where civil society and media projects run by our office aim at creating further links between communities.

We are all aware of the general concerns of the international community regarding the development of sustainable democratic stability in South East Europe. BiH accession into Council of Europe will contribute to reinforcing outside perceptions of stability, and remains an end in itself in assuring the country's credentials as a single, functioning, democratic state. Moreover, membership in the Council is clearly a crucial first step towards a further end, namely accession to the European Union, and, in the shorter term, the conclusion of the necessary prerequisite, a Stabilisation and Association Agreement.

Sonja Moser-Starrach
Special Representative of the
Secretary General of the Council of Europe in Bosnia and Herzegovina
Sarajevo

Mladen Stanicic

FREE MOVEMENT OF PEOPLE, GOODS, SERVICES AND CAPITAL IN VIEW OF THE CONTEXT OF STABILITY PACT

1. Introduction

The Stability Pact is a strategic concept whose aim is to warrant long-term peace and stability in South-Eastern Europe. It is becoming an indispensable element of the global security structure which is currently being constructed in relations between the big powers, the USA, Russia and China, with the active participation of the United Nations, the European Union, international financial institutions and individual countries. As one of the sponsors of the pact, the European Union is keenly interested in stability and peace among its next-door neighbours, some of whom are covered by the pending eastern enlargement. This enlargement is intended to transcend centuries of civilisational and religious divisions in Europe, the causes of many political and armed conflicts in the past. The vision of Europe in the 21st century, reaching all the way to the borders of the former Soviet Union, is that of a multicultural community encompassing states with diverse civilisational, religious, ethnic and cultural characteristics.

The EU as an international integration is one of the most important elements in the process of globalisation which is based on structural changes in world economy. The theory of liberal internationalism⁶ views international integration as an inseparable part of globalisation, as a basic foundation for the realisation of the concept “peace by integration” in an international system with increasing interdependence. Under the conditions of globalisation, international integration is organised with the purpose of contributing to a better control and co-ordination of

⁶ Reinhard Meyers: Temeljni pojmovi i teorijske perspektive meunarodnih odnosa, PAN LIBER, Osijek-Zagreb-Split, 1999.

international economic, as well as political relations, with their better internal organisation and co-ordination. Thus integration is nurtured by the process of a continuing growth of profit, carried out by intensification of economic exchange, trans-border differentiation of the division of labour, entwining of segment markets, their merging into a common market, and the economic and monetary union. These theoretical precepts, which have so far been proven as facts on many examples, prove that the membership in international integration, as an inseparable part of the globalisation process, is far more favourable, economically and politically, for each of the members than if they had remained outside such an integration. Since economic and political benefits from participation in this integration are interactive, it follows that the essence of international relations as a whole develops within and among an individual world integration. The position of one country within an international integration determines its position in international relations, thus the main content of international relations of a country proceeds through its participation in international integration. It is particularly relevant to small countries like SEE ones.

The European Union (EU) as one important global integration was established upon theoretical precepts of liberal internationalism, both internally and externally. Liberal internationalism in international relations is compatible with the value system of each member-state, which is based upon liberal democracy and the constitution of a rule of law. Since the subject is a compatible value system both internally and externally, it is the basis for democratisation of international relations, which by the nature of things enables small states as well as big ones to actively and equally participate in international relations, according to their abilities and competence, and especially according to their efficiency to adjust to this value system. Therefore, the participation in international integration is the best way towards the realisation of their national interests under the conditions of globalisation. This goes for SEE countries, too.

One of the most significant characteristics of the liberal internationalism, particularly implicated in the European integration process, is the right of implementation of the four freedoms: freedom of free movement of

persons, i.e., of labour force, of goods, services and capital. These 'freedoms' are the foundation of the EU, functioning since its very beginning, from the first six members in 1957 up to the present day, and the process of its future "eastern enlargement", as well as the Stability Pact process, will also be based upon them. They are the prerequisite for the successful functioning of the integration on:

- A political level, because they are the prerequisite for the compatibility of the value system in each member state, which in the case of the EU is based upon liberal democracy and respect for the rule of law in the internal and on liberal internationalism on the international level;
- An economic level, because they are the prerequisite for a gradual convergence of economic development of all member states, without which an economic and monetary union being a final act of every international integration cannot function successfully;
- A cultural level, because they are the prerequisite for mutual understanding and mutual respect which is a basic component of every voluntary, i.e., 'bottom-up', integration;
- A scientific and technological level, because they are the prerequisite for a gradual convergence in development, which is especially important in relation to the conditions of globalisation.

2. The Specific Position of the SEE Sub-region

Each country or group of countries that wants to become an equal member of the EU, being at the moment the most prominent and the most concrete form of the process of international integration, has to be aware of the fact the implementation of these four freedoms must be indivisible – not only for the past member states, but also for any country that will become an equal member state in the future. It is also applicable both to the SEE countries, the majority of which are in various phases of the process of stabilisation and association to the EU

(SAA and Stability Pact process), and to the other countries of the region that are in more advanced stages of integration - Bulgaria and Romania on the one side, and Hungary and Slovenia on the other. The four freedoms cannot be based only on some institutionalised phases of cooperation, i.e., they cannot be restricted only to the countries that are institutionally closer to full integration (Hungary, Slovenia, Bulgaria and Romania), and in a different way to the countries that are, within the SAA and Stability Pact process, somewhat further away from the full integration. Even the countries that within the framework of that process are in various stages of association cannot be seen separately.² The phases of functional and neo-functional integration by the nature of things cannot be restricted within the frameworks of different institutional phases of association because this would be contradictory to the very philosophy of the 'four freedoms'. The perfect example for that is the process of the Stability Pact, from the very beginning of its activities.

What should be taken into account, however, are the specific qualities of particular sub-regions, which should gradually become an institutional part of the wider region, i.e., the EU³. A significant dose of fine-tuning is necessary here, particularly in the light of the fact that EU enlargement has several times so far been based on the regional principle. For instance, Great Britain and Ireland were accepted together, as was the case with Spain and Portugal. It has not been proclaimed as a formal principle anywhere, thus, for instance, Denmark was accepted together with Great Britain and Ireland. However, wherever it is possible the EU applies the regional principle, for the very sake of pragmatism, because it does not want to accept as its members the countries that have unresolved problems with their neighbours. This would mean that those problems would be carried over to the Union, which would have an

² Out of five countries participating in that process, Croatia has signed the SAA, Macedonia has only ratified it, while Albania, Bosnia and Herzegovina and FR Yugoslavia have not started to negotiate yet. Among other countries of the region, Hungary and Slovenia are ahead of the entrance into the full membership, while Bulgaria and Romania are in the second group of candidates, but still closer to the integration than the countries of the SAA process.

³ For the sake of this paper, the SEE will be considered as a sub-region and the EU as a region.

unfavourable impact on the cohesion of the whole. The EU applies that principle also in the case of the first phase of the eastern enlargement, thus motivating the Central European countries to increase economic co-operation by establishing the free trade area CEFTA (Central European Free Trade Area) that encompasses all countries from the first two groups of candidates for accession to the full membership⁴.

That is why the example of CEFTA as a successful sub-regional integration is often being cited in Brussels, it should be looked up to by the SEE countries as well, particularly by the members of the Stability Pact process. The inappropriateness and the unrealistic quality of such automatic comparisons is actually one of the themes the Union should clear up so that it can as successfully as possible complete the final stage of the eastern enlargement (with the countries of the SAA process).

The area of the Stability Pact in South East Europe is today composed of 9 or 10 states (Yugoslavia – Montenegro). It is certainly respectable, if not because of its economic development, then according to the number of inhabitants. It encompasses developed countries, middle-developed countries as well as of the three poorest European countries (Macedonia, Albania, B-H). There is one NATO member in the group (Hungary), two presumable candidates for the next round of enlargement (Slovenia and Romania), two states that have started negotiations on the entrance to the EU (Hungary and Slovenia), two states that have signed the Association Agreement (Romania and Bulgaria), and five countries that are members of the Stabilisation and Association Agreement. This market, starting from the assumption of faster economic development, could also open the way for greater political linking with the aim of a joint resolution of some problems, also within the mechanism of the Stability Pact. However, while doing so, some specific qualities should be taken into account which are particularly related to the historical development of all countries of the region. First, this sub-region is one of those areas where a centre of their own which would attract other countries has

⁴ Within the framework of the first group of candidates are the CEFTA members, the Czech Republic, Hungary, Poland and Slovenia, and within the framework of the second group are Bulgaria, Romania and Slovakia. Along with those countries, Estonia is a member of the first group, while Latvia and Lithuania are members of the second.

never been built, neither have any forms of co-operation based upon some common interest been established. Without any visible common interest, precisely the dark pages of sub-regional history become more important. Economic analyses, on the one hand, speak about potential possibilities of co-operation, but numerous reservations are instantly visible, on the other hand, which stress that each of these states have always been directed toward relations outside the region, that no attractive arrangements have ever been made between those states and, finally, that there is a constant fear that linking to the sub-region, whose geographical name “the Balkans” has a pejorative meaning for many states of the region, would increase the distance from or make the road to European integration more difficult. With such bad historical experiences and so many fears from the present, it is very hard to develop sub-regional co-operation, which should however be the first step in proving the maturity and capability of those states to go down the road of resolution of their problems and within it find some useful forms of unity.

The wars in former Yugoslavia made the differences and hostilities even worse. Even the arguments that could have been used as a motive for greater linking, co-operation and unity, assumed a negative connotation in the war, pulling the entire development as well as the mind-set backwards. Of course, today it is a significant aggravating factor on which it is impossible to build new European relations, to say nothing of the application of the philosophy and principle of the ‘four freedoms’. The sensitivity of the countries that have passed through the war devastation should be taken into consideration. The beliefs that a vision of future material benefit could neutralise this inheritance of evil, are surely naïve and do not correspond to reality. The attempt to push all states together without the solution of some basic issues, putting the equality sign between the aggressors and the victims, are a typical example of a mechanical, bureaucratic approach, but not at all a foundation on which co-operation could be developed that would be desirable and useful to all.

A bureaucratic approach that, for the sake of higher political or human and sinecure reasons, would aspire to fast solutions, acting as a

supervisor or the only initiator of action, cannot succeed here, either. A mechanism of bureaucratic decision making of the international community during the past few years has recorded a sufficient number of failed examples which should be carefully analysed in order to prevent their repetition in the first phase of the eastern enlargement of the EU. No matter how poor or devastated by war these countries are, the majority of them are not yet ready, at least for the time being, to accept unconditionally supranational mechanisms that would significantly weaken their sovereignty. Strong outside pressures, the attempt to create and offer some alternative solutions, which would be closer to the bureaucratic centres of decision-making, have not so far been welcomed by the citizens who at that time chose their national option in spite of the fact that perhaps it was less useful for them. Only the projects that would take into consideration the reality of relations, the mood of the main protagonists and the possibility of their gradual realisation, can hope for success and, as such, could become the projects of a successful development and even the foundation for co-operation based on the philosophy of the 'four freedoms'⁵

3. Security Aspects of the Process

The gradual accession to the EU is such a project, which after many failed attempts of joint projects can motivate the countries of the sub-region for a closer co-operation. After the difficult historical legacy during which these countries had completely different geo-strategic goals, this is their first common goal that all want to achieve. Therefore, the EU should make it clear to those countries, i.e., should offer them credibly a joint prospective of entrance into the Union, regardless of the various institutional phases of that process. For political leaders of the region, and, what is more important, for the people at large, Europe is a syntagm without alternative and the vast majority of citizens is aware that it is the future also for this area. Therefore, only if that process is consistently and credibly implemented and if every project set up in the region leans on or relates to the wider regional European solutions, a

⁵ For further information see: Vukadinovi_, R. Security in the southeast of Europe.

sincere and concrete sub-regional co-operation can be established that will implement the philosophy of the 'four freedoms'. That is why the Stability Pact should not, by any means, be a substitute for an "eastern enlargement" of the EU, and neither for the SAA process. Those processes must be complementary.

One should also pay a lot of attention to the security aspect of this process, which is very much bound with all kinds of cooperation based of the "four freedoms". The events following the collapse of former Yugoslavia showed that instability in the subregion threatens broader regional and global security. The UN's and NATO's peace-keeping actions, as well as NATO's armed action, helped to pacify parts of this region by force, establishing a kind of protectorate over the most sensitive focal points – a full protectorate in Kosovo and a modified protectorate in Bosnia-Herzegovina. There are many indications that international presence might be required for as long as it takes to complete the process of the EU's eastern enlargement. It is increasingly shown that this process is compatible, in the sense of security, with the military-political containment. The "Europe of the thirty" assumes a broader European region of peace, stability and prosperity on the basis of long-term strategies that will enable the EU to more than double the number of its members – from the present-day fifteen to over thirty members. With its accelerated eastern enlargement, the EU expands also the limits of broader regional security. This proves again that the process of eastern enlargement is not limited to admitting the first and the second group of candidates, currently twelve countries, with whom accession agreements have already been signed. We should add also the countries which have already signed or will soon sign the Stabilisation and Association Agreements, which means the South-Eastern European countries.

The events in this region over the past ten years have highlighted some other characteristics of international relations, which should also be considered. The political practice in this part of the world clearly shows that the main agent of change are the United States and its policy. The United States was the decisive factor in stopping the wars and establishing peace in Croatia, Bosnia-Herzegovina, and Kosovo. Seen

from a broader perspective, the geo-strategic space of South-Eastern Europe can be linked with the turbulent parts in the neighbourhood. Quite obviously, it is in the United States' interest to have this subregion as a stable and peaceful environment, particularly after and during the anti-terrorist campaign in Central Asia, which is in fact in the very vicinity. Bosnian-type conflicts, instability either in Kosovo or in Macedonia, would fit ill with the American interests and objectives. South-Eastern Europe as a link with Western Europe and as a peaceful hinterland of the European continent is the desired state of affairs. The US activities in Macedonia and Kosovo clearly reflect this line of thinking. In this context, sub-regional linkages in South-Eastern Europe gain relevance. A rational adoption of a functional, sub-regional cooperation and projects that are being offered under this scheme are at the moment in the national interest of all countries concerned. But for the time being, all that can only be reached, if the foreign troops remain in this area as long as it is necessary.

4. The Relevance of Functional Co-operation

Functionalism as one of the theories of integration starts from the assumption that development of international integration should be based on functional connections, through various common activities such as health care, science, culture, trade, economy, transport, etc. Successful co-operation on a functional basis without the establishment of a political body or another supranational authority – in the long term – leads to mutual approaching and creates the basis for an easier solving of political problems. The experience of the establishment of the EC for coal and steel led some of the theoreticians to the comprehension of the purpose-serving quality of functional co-operation and integration, primarily when the subject is co-operation and connections on a regional (or sub-regional), and not on a global level. Neo-functionalism, as a continuity of functionalism, considers exactly such doubts in the functioning of integration, which are the need for the establishment of supranational systems or a possibility of development through some form of intergovernmental co-operation. As distinguished from functionalism, theoreticians of neo-functionalism advocate the

establishment of common institutions with a real mandate. According to the opinion of the neo-functionalists, stimulus for integration starts from a common interest and integration should be developed from a specific field of co-operation into the sectors in which there is interest in mutual co-operation (sectors of interest for regional or sub-regional co-operation, sectors in which co-operation of trans-border areas is possible and the like)⁶.

It could be concluded that within the framework of the theory of functionalism, which is static, co-operation, i.e., functional co-operation is more dealt with, while neo-functionalism is more dynamically oriented and deals with functional integration. Co-operation does not imply common supranational institutions, while integration cannot efficiently function without them. According to many indicators, as well as according to the past historical experience, free movement of labour force, goods, services and capital on the territory of South East Europe can only proceed on the basis of functional co-operation. There are many practical as well as political reasons for that. The most important practical reason is the one already mentioned in the previous considerations. The subject is about the countries on a different level, not only of economic but also political development. These are, for instance, countries that are ahead of a direct entrance into the full membership of the EU (Hungary and Slovenia), which due to this are on an appropriately higher level of economic development than other countries of the sub-region. Croatia is not only on a much higher level of economic development than the other countries of the SAA and Stability Pact process, but it is also more developed than most of them when speaking about the development of institutions both political and economic. Its market is already by many channels connected with the European, it is a member of the world monetary system, it has organised a national audit, etc. Albania and Macedonia lag a lot in this respect, and if the fact is added that in and around those countries the security situation is still unstable, then any co-operation with them carries heightened risks. FR Yugoslavia and Bosnia and Herzegovina are partly

⁶ For further information on the theories of integration and on the theories of functionalism in that context see: Samardžija, Višnja: *European Union and Croatia*, and in: Vukadinović, Radovan *Theories in International Relations*

protectorates. A national audit, which would be related to the world financial market, does not function there. Thus, it is hard to imagine in this phase how any kind of institutional co-operation, to say nothing about integration, would be established. If you add a lower level of development of democratic institutions in these countries – the military and the police, for instance, are not completely de-politicised, the rule of law functions in a very problematic way, etc., then it is clear that any pressure upon any kind of integration within the entire SEE area would be counterproductive and practically unfeasible.

There is another very significant reason why any pressure on the stimulation of the process of the 'four freedoms' in the region through any kind of integration would be counterproductive. Processes of co-operation between countries, especially those realising the philosophy of the 'four freedoms' on the basis of liberal internationalism, and the development to date of the EU is the best confirmation of their historical foundation, more and more develop through non-governmental or non-state actors, through various civil associations, i.e., through civil society. It is the result of the fact that the international division of labour under the conditions of globalisation leads to functional networking, which is the result and the prerequisite of scientific, technical, economic and political modernisation. The protagonists of such networking are decentralised individuals, who develop co-operation with others on the basis of individual entrepreneurial interests in all kinds of work. It is the very link that connects liberal internationalism on the external with liberal democracy on the internal level within the framework of every state belonging to that civilisation pattern or intending to become a part of it. The free movement of labour force, goods, services and capital in South East Europe should follow that process, which actually means the adjustment to the conditions of globalisation without which any either economic or political process, cannot be successful either on the external or the internal level. Emphasis should be laid on local protagonists, civil society, various non-governmental associations, which will develop such functional co-operation in accordance with authentic interests and which will only in that case have some chance for success and even stimulate the process towards higher forms of functional and, when the conditions are created, of institutional integration. The best example of this is

economic co-operation, which in order to be successful would have to be initiated from the bottom, i.e., by economic entities, companies, enterprises, their associations, entrepreneurs, etc. Regardless of the level of inter-governmental or inter-state co-operation, the businessmen in this region try to co-operate, mutually researching the market, consulting out conditions of payment, etc.⁷ On the basis of the interests of the businessmen, i.e., the economic part of civil society, functional co-operation gradually moves to the institutional level by concluding bilateral agreements on free trade (for instance, the agreements between Croatia and all countries of the sub-region). This is an example of moving from functional to institutional co-operation, where the contents of this kind of co-operation should be differentiated from the contents of a possible integration, because now such co-operation is mainly realised on the bilateral level. If raised to the sub-regional level, it would be the road to integration, but for the time being it is obviously still too early for that. However, with the development of the relations within the current level of co-operation, it is possible that, when the conditions are created, this very economic part of the civil society in Croatia or some other country of the sub-region, through their associations or even the national chamber of economy demand the establishment of higher forms of functional and even institutional co-operation, and, furthermore, of functional and institutional integration⁸.

In this phase it would be optimal to develop a free movement of labour force, goods, services and capital within the sub-region on the basis of functional co-operation, which, with the development of relations, should grow first into institutional co-operation (an example of this are current bilateral agreements on free trade between Croatia and the

⁷ An already many times mentioned example for this is the visit of 400 Croatian businessmen to Belgrade immediately after the establishment of the democratic government in Serbia. On the basis of the talks then held even today the businesses are being concluded without any mediation of the state and regardless of the nature of the inter-state relations.

⁸ Remember the difference between the contents of co-operation and integration, which is related to the difference between the theories of functionalism and neo-functionalism. Functionalism lingers on co-operation and does not demand the establishment of supranational institutions, while neo-functionalism considers that the process of functional co-operation logically ends by the establishment of supranational institutions as a step towards integration.

countries of the sub-region), and then, when the conditions are created, into functional and institutional integration. How this would look like can be illustrated by the example of the development of co-operation in the improvement of mutual trade.

5. Promotion of Mutual Trade

The promotion of mutual trade must be an important and, based on past experience in Europe and elsewhere, probably the leading component of the broader, long term economic co-operation of the countries of SEE as a tool of their integration into EU structures. This long-term vision of regional trade co-operation and eventual integration into the EU contrasts sharply with present reality. Trade relations in the countries of the region are characterised by a variety of restrictions and impediments to trade with each other and with the rest of the world. Moreover, relations with the EU are shaped by a variety of different bilateral trade arrangements which reflect the different states of play of bilateral relations of these countries with the EU. In many conferences and discussions on this issue, the participants identified numerous concrete actions as priorities for each country, as well as some areas for regional cooperation. The following major themes were common:

Competitiveness is a very important concept for economic and trades development in each country and the region and it needs to be promoted and used as a basis for further trade development. To increase competitiveness, each country needs to conduct and use competitiveness studies, including cutting-edge methodology; identify and support champions (leaders) and clusters; build a better policy dialogue between business and government; and educate business and government as well as strengthen business associations and promote improved communication between the associations and government and partnerships between business and government. In this context studies of the country's competitiveness and export potential as grounds to formulate government policy and business strategies are also very important. On this basis, training for business and government in areas such as competitiveness, management, marketing, finance, trade, and

strategic planning can be provided. The identification of the best regional and international trade and tax policies and practices will provide the framework for the recommendation of the policy changes to reduce corruption and unfair competition.

Trade Finance means development of trade financing and non-banking instruments by joint work of lenders, businesses, and government in order to promote export financing and increase access to financing projects of mutual trade. In this way, a better use of international and regional assistance programmes will be encouraged, contacts between lenders and business, and a better flow of information between lenders and borrowers, especially the improvement of credit information, will be facilitated.

In the field of *Administration* enhanced transparency, competence and efficiency from both governmental and non-governmental administration, e.g., chambers of commerce, trade promotion centres, etc., are needed. Administrative staff must be trained and professionalised and coordination among and within administrative agencies and economic operators must be improved.

Legal Environment must be established in a way so that the rule of law, which is the basis for the promulgation of the existing trade agreements must become a top priority. The legislative process has to be more transparent, business must be involved in developing legislation, legislative barriers to trade must be identified and reduced, and the currently diverse legal framework must be equalised. Trade law, including international agreements and trade-related laws and regulations, must be published in easily accessible forms and in a user-friendly manner, including the Internet.

Public and private institutions and organisations must coordinate their efforts to collect and distribute reliable *Trade Information*: databases, contacts, and trade opportunities should be standardised and audited; and trade shows should be promoted. The coordination and synergy between public and private institutions and organizations in their efforts to collect and distribute reliable trade information should be strengthened. A

national database of unified business information, contacts, and trade opportunities by using available sources and ensuring quality and accuracy of the information should be created. Business associations and governments should promote and assist participation of businesses in trade shows.

All in all, there is a great need to increase cross-border trust and contacts. Information must be improved, standardised, and made available readily. Cooperation between governments is necessary, particularly in standardising trade-related procedures, laws, and regulations. There was the idea of establishing a SEE web site trade navigator, containing tariff and non-tariff trade measures and procedures, with links to international initiatives and national administrations. The idea has not been realised yet.

Regional and bilateral trade shows and conferences would also be very useful because regional cooperation in the competitive regional trade development has to be matched by efficient follow-ups and active cooperation and coordination with different initiatives and donors. Cross-border cooperation and business contacts, especially between SMEs, by promoting free movement of businessmen in the region, supporting regional and bilateral trade events, and improving communication between business support institutions are also very important. Some kind of gradual cooperation

among governments in the region in general and particularly in the areas of taxation, free trade, law enforcement, and coordination of integration to international structures could also be effective tools for enhancing functional cooperation in trade. At the present stage of development, this kind of cooperation can be focused on some kind of exchange of national and regional information about customs procedures and EU and WTO regulations. If this kind of information is widely available in English, it will be of very much help. An SEE trade navigator in web site and paper versions could contribute, as it was mentioned before, as a very efficient tool.

6. The Case of Croatia

We have already mentioned the example of bilateral agreements on free trade, which Croatia concluded with the countries of the sub-region and which are based on functional co-operation, although they already have some characteristics of institutional co-operation (joint committees). Thus, the subject is the process that is not only connected to the development of economic relations, but also influenced by political circumstances. As an example of the complexity of the correlation of economic and political conditions, without whose combined appropriate establishment, none, and thus not even this sub-regional co-operation, will be successful, i.e., it will not speed up the functioning of the 'four freedoms' in the sub-region. On the contrary, the example of the problematic relations of Croatia with the neighbouring countries of the sub-region will be shown. That example also illustrates all the complexity and delicacy of the entire historical and civilisation legacy of the whole sub-region, within which the functioning of the 'four freedoms' should be established.

Bosnia-Herzegovina is a particularly important neighbour with whom the Croatian policy will probably have to demonstrate the highest possible degree of diplomatic and political expertise. Although he accepted the Dayton Agreement, President Tu_{man} at the same time continued to fan the hopes of nationalists in Bosnia-Herzegovina, thus weakening their desire for cooperation within their own country. The Croatian coalition government made it known from the very beginning that its attitude towards Bosnia-Herzegovina will be different, based on the respect for its state sovereignty and the wish for good neighbourly relations. The consistent implementation of such a policy has rapidly weakened yet those Croatian forces in Bosnia-Herzegovina that opted for secession. The development of normal, bilateral relations and concern for the fate of the Croatian people in Bosnia-Herzegovina has so far enjoyed the strong support of the international community. Under such conditions one can predict intensive economic and political cooperation and the creation of conditions for security along the Croatian border with Bosnia-Herzegovina, which especially gains relevance in the light of the global antiterrorist campaign. This will

require the solution of the problem of refugees, both in the Federation and in the Republic of Srpska, and the common approach to cooperation within the Stability Pact on the following foundations:

- Cooperation should be based on the project of EU eastern enlargement and fit within the framework of the Stabilisation and Association Agreement, with the objective to establish a zone of long-term stability in the region.
- In this regard, close cooperation should be established with the international community, as part of its mandate, which is to transform Bosnia-Herzegovina into a country capable of implementing the main principles and criteria of the European Union.
- It is of crucial importance for Croatia to intensify cooperation with those parts of the Croatian people in Bosnia-Herzegovina who are not responsible for the exodus of Croats from this country, which brought their numbers to less than a half over the past ten years, and which threatens their position as a constituent nation.
- Cooperation between Croatian and Bosniac people in coordination with the international community should be stimulated.
- The international community should have its attention drawn to its excessive tolerance towards the Republic of Srpska, which threatens the integrity of Bosnia-Herzegovina.
- In the economic sphere, functional cooperation should be encouraged, while possible institutional economic cooperation, for instance in the form of a bilateral free trade zone, will depend on the dynamics of the democratisation in Bosnia-Herzegovina, on the basis of the Dayton Accords and the Zagreb Summit Declaration.
- Both countries have a specific responsibility in fighting illegal immigration, which might be a perfect mechanism for fostering terrorist channels from Central Asia to Europe. The successful

cooperation in controlling very long and, in some spots, inaccessible borders will strengthen their role in the global antiterrorist campaign.

Yugoslavia is Croatia's neighbour with whom it has a number of complex open issues. To start with, Belgrade provided the inspiration and support for the Serb rebellion; the aggression was also spearheaded from that centre; the suffering and destruction as well as the major Serb exodus after the fall of the so called Krajina were also the products of Milo_evi_'s policies. This is recent past, which still cannot be forgotten, although the rational political approach speaks in favour of the beginning of normalisation. Croatia needs to be very cautious with every move it makes, because it is still not quite clear whether "democratic processes" in Yugoslavia are true, or whether the new government is simply playing for time to improve the perception of Serbia in the international community (an effort in which it is even partly successful). The international community is still vacillating between the desire to treat "new" Serbia (FR Yugoslavia) as an important factor of stability, even at the price of double standards for it and the other countries in the sub-region, and the need to punish the new authorities for failing to express clearly whether they want to adopt the standards of cooperation, especially cooperation with the International War Crimes Tribunal in The Hague. The international community has not yet defined a clear strategy towards "new" Serbia, opting instead for the wait-and-see policy in order to give the new authorities more time (especially with view of the very obscure reaction to the terrorist attack on America and the very hesitating, if at all, support to global antiterrorist campaign). This kind of tolerance towards, the so called, democratic authority in Yugoslavia, again puts the credibility of the international community seriously at stake. Moreover, with the unresolved question of Kosovo, with Montenegro seeking independence, with Sandjak seeking autonomy, and Vojvodina moving increasingly in the same direction, Yugoslavia is still a source of great uncertainty. The last elections marked just the first step towards greater security in planning bilateral cooperation and concrete steps towards the normalisation of relations. Some specific issues (such as the return of refugee Serbs, minimal opening of mutually useful transport routes and the establishment of the first forms of trade) are possible small steps towards normalisation.

Everything else will need to wait for a new stage of development in which Yugoslavia, or Serbia, will truly solve its domestic political issues and start along the path of democratic European development. Only then will it be possible to open up prospects for cooperation on the bilateral and sub-regional levels. The following points need to be made at this stage:

- The main precondition and framework for Croatia's cooperation with Yugoslavia must be the project of EU eastern enlargement, with the idea of creating a long-term stability zone in this region.
- In this context, cooperation should be adjusted to the dynamics of international democratisation in Serbia, which depends mostly on (a) realistic recognition of the responsibility for the aggression on three neighbouring countries, (b) the quality of its cooperation with the international War Crimes Tribunal in The Hague, (c) the quality of its genuine support of the global antiterrorist campaign, (d) the recognition of the borders of all neighbouring countries, especially Bosnia-Herzegovina and Macedonia, (e) the recognition of Montenegro's right to independence.
- Once positive developments are recorded in these domains, a high degree of formal and institutional relations should be established within a broader regional and security project.
- The international community should be informed repeatedly that the geopolitical situation in this part of the world has changed so much that Serbia can no longer be the main factor of sub-regional stability, and that any insistence on such a perception slows down and threatens the establishment of the security zone in the region. The best evidence for this is Yugoslavia's hesitating sustenance to the global antiterrorist campaign.
- In the economic domain, functional economic cooperation should be encouraged at this stage, and any institutional cooperation, for instance the unrealistic idea of a regional customs union, should be rejected.

If the political development in Montenegro should come out in favour of independence, Croatia should immediately recognise that country as an independent international legal entity.

Slovenia and Croatia emerged from Yugoslavia together, but their paths soon parted. While Slovenia continued to systematically build its European political, economic and cultural structure, Croatia remained buried under its domestic difficulties and problems. The issues marring their bilateral relations (Bay of Piran, the Ljubljanska Banka debt, the Krško nuclear power plant) should not pose major difficulties for normal bilateral relations. But since the two countries were new states which wanted to demonstrate their sovereignty at all cost, conditions were created to aggravate the problem and block cooperation. The new approach by Croatia – one hopes also by Slovenia – should lead to a relatively quick solution of all the disputes, leaving room for the many elements that bind them. Croatia is an interesting economic space for Slovenia, while the Adriatic coast is a traditional destination for Slovene tourists. For Croatia, Europe begins on the border with Slovenia, and through Slovenia Croatia can reach Europe economically and politically much faster. The two countries also share the view of cooperation in South-Eastern Europe, the question of succession, and Slovenia's help for Croatia in joining CEFTA. Given good political will, it is possible to predict many new developments in the interest of both countries which might contribute also to Croatia's image abroad.

Hungary is the neighbour with whom Croatia has developed best relations, unburdened by any open issues. To this we should also add the expressed readiness of Hungary to continue to cooperate in the same spirit, and the Croatian authorities should build relations that will establish deeper ties between the two neighbouring Danubian countries. Hungary is moving fast towards a full membership in the European Union. It is a NATO member already and is also included in the Stability Pact. Studying the Hungarian progress towards the Euro-Atlantic integrations and organisations, Croatia could draw many lessons, and the Hungarian vote of support might be very important as Croatia bids to join CEFTA and later the EU.

Conclusion

This paper deals with the possibility of the establishment of the process of the 'four freedoms' in the SEE sub-region, which is considered in a wider sense than the part of the sub-region covered by the Stability Pact and the SAA process. The process of the 'four freedoms' cannot be restricted either institutionally or politically, starting from the assumption that all countries that participate in it share the same value system. The subject under discussion is the model of liberal internationalism in foreign and the model of liberal democracy in internal relations. The EU is also established on that model as well as all the phases of its enlargement including the most recent one, i.e. the phase of the eastern enlargement.

Thus, all countries that want to become members of the Union must secure gradual a functioning of the 'four freedoms', not only in the direction of the current EU members, but also of the new members, particularly the neighbours in the sub-region. This also relates to the SEE sub-region although due to the inherited historical and civilisational reasons whose characteristics burden even the most recent past, it will not be so simple. This is also true for some other areas and sub-regions. A mechanical or bureaucratic comparison with an imposition of the examples of other sub-regions would be counterproductive in the SEE area. Since sub-regional co-operation based on the philosophy of the 'four freedoms' is in the direct national interest of all countries in the sub-region, but also in a wider regional, especially security, interest, it should be approached carefully, respecting the specific qualities of the area with an optimal combination of respecting narrower national but also wider regional and sub-regional interests. On the basis of the theory, but also on the practice of international co-operation and integration, functional co-operation of the countries in this phase seems to be as appropriate in meeting all those interests. In accordance with the democratisation of internal relations of all countries in the sub-region, this co-operation would gradually grow into functional integration, and then into institutional co-operation and integration. The EU for its part will facilitate and speed up this process if offers these countries a clear and credible prospective of fast entrance into the Union.

Non-governmental organisations and associations, i.e., the institutions of the civil society of all countries under discussion can play a significant role in this process. They can become main protagonists of the functional linking and gradually encourage the entire process leading towards the wanted goal. The exchange of information, publications, experts, the organising of scientific and expert conferences on various fields of co-operation, the elaboration of joint projects, all this can have an impact on the increase of knowledge and interest in co-operation, which then, depending on other political and security circumstances, can faster overcome all phases from functional to institutional co-operation and integration.

As to Croatia, due to its geostrategic position in the centre of this strategically important project, which marks the beginning of the new millennium, the Stability Pact (only under the previously mentioned preconditions) opens new possibilities for its internal economic development, released from the need to continue allocating a significant part of its GDP to defence and security, and provides a good basis for a faster involvement in European and global security structures.

References

Bornschier, Chase- Dunn, The Future of Global Conflict, Sage Publications, London, 1998.

Frieden, Jeffrey A., Lake, David, International Political Economy, St. Martin press, 1995. New York

Meyers, Reinhard, Temeljni pojmovi i teorijske perspektive meunarodnih odnosa, Pan-Liber, Osijek-Zagreb-Split, 1999.

Nikić G., Samardžija V. Stanić M.: Koristi i troškovi ulaska Hrvatske u EU, IMO, Zagreb 2000.

Rosati K., Dariusz, Economic Disparities in Central and Eastern Europe and the Impact of EU Enlargement, UNECE, Geneva 1998.

Samardžija V. Europska unija i Hrvatska, IMO, Zagreb, 1994.

Stanić M. Editorial, Croatian International Relations Review, No. 17,18,19, IMO, Zagreb 1999.

Stanić M. et al. International integrations, Strategy, Croatia in the 21st Century, Office....

Vukadinović R. Sigurnost na jugoistoku Europe, HUMS, Zagreb, 1999.

Vukadinović R. Teorije o međunarodnim odnosima, Zagreb 1978.

Mladen Stančić
Director, Institut for International Relations
Zagreb

Vladimir Bilandzic

**REGIONAL APPROACH - AN OBSTACLE OR
AN OPPORTUNITY FOR AN EARLY
INTEGRATION OF THE FEDERAL REPUBLIC
OF YUGOSLAVIA INTO THE EUROPEAN
STRUCTURES**

Introductory Remark

I would have to start this presentation with a disclaimer. When I was kindly invited to give a perspective from Serbia on the issue we are discussing at this seminar, I told the organisers that my contribution could not be regarded as a representative one, since I work for an international organisation - the OSCE - in Belgrade. At the same time, I cannot claim that my views represent the views of the organisation I work for. So, what I am going to say are my personal views, based of course on my experience and research on Southeast European politics, especially in the countries of former Yugoslavia. Therefore, while apologising for not being in a position to give a more authoritative presentation, I will try to give a meaningful contribution on the subject, especially from a perspective of someone coming from Belgrade.

The Evolution of the International Policy towards South East Europe

Before addressing the main issue of the conference - the relevance of a regional approach to SEE, especially the one contained in the Stability Pact, it seems appropriate to examine, in historical retrospection, how the international approach to the SEE crisis evolved and how the situation in the region changed in the meantime.

First, by way of introduction, I would like to say a few words on the evolution of the EU strategy for the SEE. Is there such a strategy and if so, how did it emerge?

One cannot deny that in the last decade, since the fall of the Berlin Wall in 1989, and especially since the disintegration of former Yugoslavia, which started in 1991, the European Union (until 1992 known as the European Community) has been actively involved in the events in the Balkans. Sometimes this involvement was not that successful, especially at the beginning, but, on the whole, it was continuously on the rise, leading to the situation that today, the EU is probably the most important international actor in the region, primarily economically, but also politically (in the military sphere, NATO still has the lead).

However, one could also claim that the EU, until recently, has not developed a fully coherent elaborate strategy for SEE. This was due mainly to three factors - insufficient development of the EU instruments and institutions at the early years of the crisis, different priorities (internal reform and expansion strategy as main agenda items) and differences in the situation and status of the Balkan countries which required a differentiated approach.

At the beginning, the EU policy was mainly re-active and preventive, only at rather a late stage (efforts to prevent the Yugoslav crisis in 1991 and to act as mediator between the conflicting parties) and based on economic instruments (sanctions for parties that do not co-operate and incentives for those that are co-operative). Only after the end of the war in Bosnia-Herzegovina, and the conclusion of the Dayton accords in November 1995, the EU policy became more assertive and future-oriented, culminating in the initiative for the conclusion of the Stability Pact for SEE, which was adopted in the summer of 1999, after the NATO intervention in Kosovo.

Before the fall of the Berlin Wall and the beginning of the process of disintegration of former Yugoslavia, the European Community (predecessor of the EU) did not have either an elaborated strategy or particular interests in the Balkans. The reasons were two-fold: firstly, the

EC still did not have a coherent or co-ordinated common foreign policy in general, and secondly, the Balkans as a region did not have a particularly prominent economic or strategic importance for the EC, because it was economically undeveloped and politically divided between the East and the West.

At that time, only two Balkan countries were of more immediate importance for the EC - Greece, via the fact that it was an EC member state, and former Yugoslavia, which had a quite developed economic co-operation with the EC (FRG and Italy were its major economic partners).

Nevertheless, the EC, in spite of the lack of a wholesale strategy and hampered by internal differences, showed great activism and viewed the Yugoslav crisis as a challenge to prove itself as a new and emerging power, not only in economic field, but also in foreign policy matters. Although all the legal and political instruments were still not prepared (the Maastrich Treaty was still in the making) the "EC rushed into the Balkans, hoping it would acquire the necessary security and foreign policy as it went along; the EC promised it would rise to the occasion." (British commentator Jonathan Eyal).

The EC managed to undertake a diplomatic mission at the outbreak of hostilities in Slovenia in June 1991. The EC diplomatic mission (so-called EC "Troika") mediated a cease-fire and dispatched EC observers to monitor it. This success was not only to the credit of the EC, but also a reflection of the fact that Milosevic-led Serbia, and the Yugoslav Army, which was under his domination, did not have the ambition or plan to keep Slovenia within the federal state. Instead, they were set to keep the Serb-populated territories in Croatia and Bosnia-Herzegovina. Faced with this strategy, the efforts of the international community, including the EC, in controlling the ensuing wars in these two republics, especially in its early years, were much less successful.

Forms of EU involvement in the Yugoslav crisis were manifold. They were:

- Political (statements, declarations);
- Diplomatic (mediation, convening of the Conference on Yugoslavia in The Hague in 1991, later forming of the so-called Contact Group with the USA and Russia to deal with the crisis);
- Legal (findings of the so-called Badinter commission which concluded that the former Yugoslavia had dissolved, and that all its Republics had the right to self-determination and independence);
- Economic (sanctions against unco-operative republics of former Yugoslavia and incentives for co-operative republics);
- Security related (observer missions to monitor a cease-fire, discussions on sending peace-keepers);
- Humanitarian (relief missions and aid).

The effects of this manifold and, at the beginning, intense involvement of the EC in the Yugoslav crisis were, as mentioned, at best mixed.

The EC proved unable to prevent the violent disintegration of the country (this was probably impossible because of the irreconcilable differences between the main Yugoslav republics), but it did establish some principles which were the basis for later deliberations on the crisis in the UN and the OSCE (Organisation on Security and Co-operation in Europe), and which formed the basis for the recognition of the new states emerging from former Yugoslavia.

These principles were: non-recognition of unilateral changes of borders between the republics by force, non-recognition of forced population transfers, protection of the rights of minorities, respect of the rule of law, individual responsibility for the war crimes, equal rights of all the successor states of former Yugoslavia.

The EU involvement probably would have been more successful if it had been in the position to use also military force, but the EC did not have any joint military capability, although there were suggestions to form special forces for this occasion.

As a result of these EU constitutional limitations and internal political differences, a more prominent role in the later stages of the crisis was assumed by the UN and, especially, by NATO, and in that framework, by the US.

Especially after the escalation of the war in Bosnia-Herzegovina, the EU involvement became less prominent, and the role of the UN peacekeepers and, increasingly, NATO rose substantially. It was clear that the reputation of the EU suffered because of its modest results and because of the initial stage of the crisis, and, even more importantly, it became clear that an organisation like the EU lacked the coherence and the instruments to deal with a war situation.

Although the EU member states (primarily Britain and France) did provide the bulk of the UNPROFOR units in Bosnia, these forces were co-ordinated by NATO, with increasing American political and military leadership. At the end, it was NATO bombing which brought the conflict in Bosnia to an end in 1995 and forced the Bosnian Serbs to make compromises. The US sponsored the diplomatic talks and negotiated the peace agreement in Dayton in November 1995. Thus, it was Washington, and not Europe, which emerged after the first five years of conflict as the main peacemaker in the Balkans. Although this was interpreted as a setback for the EU, one has to mention, to its credit, that the main elements of the peace agreement were based on the principles earlier formulated by the EU, and on the elements of peace plans earlier proposed by the European mediators (such as the so-called Owen-Stoltenberg peace plan for Bosnia). Still, it was clear that the US-led “coercive diplomacy” had proven to be a more adequate instrument for ending a war in the Balkans than the EU sponsored “soft” economic diplomacy. However, as soon as peace prevailed in Bosnia, the EU undertook again a more prominent role in peace-building and post-conflict rehabilitation.

After the Dayton Agreement, the EU was able not only to take the main responsibility for the economic and political post-war reconstruction of the Bosnian State, but also to re-emerge as the main international actor in the region as a whole. The influence of the EU was the result of its economic power, its proximity to the region, but also due to the fact that all the Balkan countries were eager to co-operate with the EU since they aspired to an EU membership.

As far as Bosnia is concerned, the EU provided not only economic help, but also assumed some functions in the security field (police control) and the administration of the country, which was divided into two entities. The EU administered for a few years the city of Mostar (divided between Croats and Muslims), and the Western European Union (defense organisation which is the security arm of the EU) provided the police forces for the city. The city of Brcko (also contested between the Serbs, Croats and Muslims) was also put somewhat later under similar international control. Regarding Bosnia as a whole, the function of the Office of the High Representative for that country is also undertaken by an EU official. He has the power to overrule the laws and decisions of the Bosnian Parliament if they are in contravention with the Dayton Agreement and to make decisions if the local government is unable to reach a consensus, which makes him the highest authority in the country, putting it under a sort of an international protectorate.

The EU and the WEU, as its affiliate, have also intervened and acted in some other countries of the region, in connection with security and stability problems.

In 1997, after nation-wide anarchy and chaos in Albania (which resulted from the collapse of so-called pyramid saving schemes), the EU backed the dispatch of troops (mostly Italian units numbering 6,000 men) to restore order in Albania. The WEU also organised international police operations to assist the Albanian authorities to stabilise law and order in the country.

The WEU organised a de-mining operation in Croatia, and helped to monitor the situation in Kosovo as from 1998 through the imagery provided by the WEU Satellite Centre.

The most important dimension of the EU approach towards the Balkans were, however, the conclusion of the association agreements with some of these countries (so-called Europe agreements), which are regarded as the first step towards eventual EU membership. These agreements were conditioned by the tangible progress of individual countries in two main spheres: the development of a stable market economy and the progress in liberal democracy.

While such different treatment of the SEE countries through the association agreements was primarily the result of different internal situations in each of them, it also illustrated the fact that the EU, until recently, did not have a wholesale strategy towards the region, instead acting on a country-by-country basis and putting them in different categories. This was not conducive to the stability in the region and it also introduced friction and competition between the individual Balkan countries, which were competing for closer ties with the EU. They were not encouraged to co-operate among themselves, but to direct their efforts out of the region, towards Western Europe.

The EU became aware of this deficiency and introduced at the end of 1996 the so-called “regional approach”, which in a way conditioned the EU co-operation with the Balkan countries by their mutual co-operation. The EU commissioner for foreign policy, Hans van Den Broek, expressed this in a simple way: “We cannot co-operate with you, unless you do not co-operate among yourselves”. In other words, the EU asked the Balkan countries to adopt Western European standards for their mutual behaviour (to behave as Europeans). However, this strategy remained largely on a political and declaratory level, and it was not substantiated by concrete economic programmes and incentives. Also, the more developed Balkan countries did not want to be put as hostages of those lagging behind and to wait for them to enter the EU. Therefore, the EU later moderated its strategy and combined it with an individual treatment of the Balkan countries.

Significantly, almost at the same time when the “regional approach” was launched, the USA launched its own initiative towards the Balkans: the so-called South-East European Co-operative Initiative (SECI), aimed at promoting concrete projects and supporting the development of market economy in the region. This shows that both the EU and the USA had strong interests in the region and that they were in that respect not only acting as partners, but also as competitors, or political rivals. Unfortunately, both initiatives did not operate with large funds and they were a far cry from the much-needed sort of a “Marshall Plan” for the Balkans.

During the escalation of hostilities in Kosovo (1998-99) and in particular during the NATO intervention against Yugoslavia, the EU role in the Balkans again diminished and gave way to NATO dominance and US leadership.

However, in the ending phase of the Kosovo conflict and the NATO bombardments, the EU again re-appeared and took credit for the peace deal. It was the EU envoy, the Finnish President Mahti Ahtisaari (together with former Russian PM Victor Chernomyrdin) who presented the peace deal to Milosevic at the beginning of June 1999, and who convinced (of course, with the backing of NATO and US political and military power) the Yugoslav president to give in.

At the same time, even during the bombing campaign, leading EU members advocated the need to develop a more effective post-war EU strategy aimed towards the reconstruction and economic revival of the Balkan region. The German Foreign Minister Joska Fischer, as the chairman-in-office of the EU during that period, proposed in May 1999 an initiative for a “Pact on Stability in Southeastern Europe”, aimed at overcoming a situation of permanent instability and potential conflicts in the region. This was immediately supported by the EU Council of Ministers. According to their conclusions of May 17, 1999, the main goals of the Pact were meant to be the achievement of a long-term stabilisation, security and democratisation and economic reconstruction of the region. Significantly, the “perspective of full integration of these countries into the EU structures -- aiming at the EU membership..” was

also mentioned. The Declaration on the Stability Pact was adopted at a ministerial conference in Cologne (Germany) on June 10, 1999, while the Pact was ceremonially proclaimed at the summit of the members states in Sarajevo.

The Pact on Stability is so far the most comprehensive and most substantial initiative for the Balkans, with much wider aims and a more integral approach than earlier initiatives. Its main political goals are: maintenance of peace in the region, and promotion of its stability and prosperity on the basis of the development of good-neighbourliness, and respect of democracy, human rights and minority rights. It has three main fields of specific projects and activities, grouped in three so-called regional Working Tables. (WT 1 on democratisation and human rights, WT 2 on economic reconstruction, development and co-operation, and WT 3 on defense and security matters).

In addition to the SP, the EU has introduced for the region of the so-called Western Balkans the SAA agreements as another element of its regional strategy, which could best be described as a combination of a regional and an individual approach.

In sum, one should re-emphasise that the EU role in the Balkans has undergone different stages during the past decade. After the fall of the Berlin Wall, and especially during the initial phase of Yugoslavia's break-up, the EU (EC at the time) aimed to act almost alone and with great ambition, set to emerge as the main European peacemaker. It largely failed, due to internal institutional limitations and political differences, and during the later stages of the crisis and the escalation of the war, it had to give the military and political leadership to NATO and to the USA, especially during the conflicts in Bosnia (1992-1995) and Kosovo. The US overshadowed the EU not only as the NATO leader, but also as the negotiator of the peace accord in Dayton. However, after Dayton, the role of the EU was steadily on the rise, not only in economic but also in the political and security field, and the EU was also instrumental in reaching the peace deal on Kosovo. At this stage, after democratic changes embracing the whole region, and with a decreasing probability of further conflicts, it is to be expected that the EU will

remain the leading external political actor in SEE (especially as the initiator and co-ordinator of the Stability Pact). It is evident that today it does have a strategy for the region - whether it is the most effective and appropriate one time will tell.

The Changing Situation in the Region of SEE

Parallel with the efforts of the international community to stabilise the region and formulate the best approach to it, the situation in SEE had its own dynamics, which were also relevant for the implementation of the international strategy. During most of the nineties the situation was not encouraging. The region, especially its Western part, engulfed in conflict and, until recently, even a relatively modest goal of basic stability seemed distant and difficult to achieve. However, from the beginning of the year 2000 a wave of changes took place, which opened new perspectives. Without entering into the developments in individual countries, one could conclude that, while in the preceding years the nationalist regimes in the region were reinforcing each other, the political changes that occurred in 2000, almost simultaneously, or within a small time span, in important countries of the region, like Croatia and the FRY, confirmed also that positive processes have synergetic effects. The war leaders and the parties that identified with the war option, which has thrown this region into a cycle of mutual destruction and isolation from civilised Europe, are irrevocably leaving the political scene.

This has lead the Balkans to a new, historical situation: For the first time in history conditions exist to test in practice - also in this region - the validity of the axiom that “democracies do not wage war on one another”. For the first time in their recent history, the Balkan countries share the same “ideology” – a commitment, and not only a declaratory one, for the values of liberal parliamentary democracy, represented by a multi-party political system, market economy, rule of law, and the full respect for individual and collective human rights. For the first time all Balkan countries have the same strategic goal, the entry into the European integration structures, first of all to the European Union.

Although it is evident that not all of them would be able to reach this goal at the same speed, in the meantime they will be forced to uphold in their mutual relations those same European norms and standards and to remove the barriers towards closer co-operation, especially in the economic field.

This new development gives ground to challenge, or to revise two assumptions, or better, two misconceptions, which have fairly often characterised the discussion on Balkan issues. One is the assumption that the Balkans are peaceful only when dominated or ruled by great powers, be it the past Ottoman Empire or the Austro-Hungarian Monarchy, or by a bipolar bloc structure emerged from the Second World War. Another assumption is that the Balkans can achieve durable peace and prosperity only if their destiny is left entirely to the Balkan peoples, which was a frequent propagandistic slogan connected with the initiatives (most of them totally unrealistic) for the Balkan co-operation in the fifties and sixties of the twentieth century. The history, and especially the most recent one, after the collapse of the bloc structures, and the wars on the territory of former Yugoslavia, and the ensuing intervention of the international community, initially indecisive, but afterwards more and more resolute, have amply shown that the stability of the Balkans requires both these aspects - respect for the legitimate right of the Balkan peoples to decide upon their affairs and their mutual relations, but also the necessity that this is done in full accordance with the accepted international norms and with the help, and, why not, the close scrutiny of the international community, as long as it is needed.

The Balkan democracies are still too young and too fragile to be left alone to the perils of not fully defeated nationalism and authoritarian tendencies. Therefore, it is necessary, especially in those countries where the instability and aggressive policies were most pronounced and where democracy came the last, to keep a longer-term monitoring and engagement of the international community and its institutions at a number of levels.

One should not overlook that the Balkans remain to be the only region of Europe whose stability is faced, if not with open threats, but then

certainly with numerous challenges, which could lead to the renewal and the escalation of tensions and conflicts. For example, this is the only region in Europe where there are still open or latent, border or territorial disputes.

Particularly complex and even more difficult are the unresolved ethnic problems, especially the still open Albanian national question, with potentially serious implications on the stability and territorial integrity of Yugoslavia, Macedonia, and indirectly also on Bosnia and Herzegovina.

The consolidation of the status of Bosnia and Herzegovina and the strengthening of its integrity, as a sovereign state with two entities, are also challenges for the region and for the international community as a whole.

Finally, the FR of Yugoslavia, in spite of democratic changes, or some would argue, because of them, is facing a problem of re-defining the relations between the two federal units. It is important that there is an EU-brokered framework for the definition. Whatever the final outcome, it is of crucial importance that both sides remain committed to the democratic procedures and the negotiated solution of the issue.

While the situation differs from state to state, the region as a whole suffers from structural problems, such as economic inefficiency, high unemployment, uneducated population, the absence of the strong institutions of civil society, lack of respect for the law, and, generally speaking, the absence of democratic culture. These problems require action by the indigenous political forces, but also outside assistance.

What is needed is a long term engagement of the international community, and it would seem that it is assuming such an approach, since the forms and the scope of its activity in the region are widening. This was reflected, inter alia, by the establishment in early 2001, on the basis of the agreement with the Yugoslav government, of the OSCE Mission in the FRY, as well as by the enlargement of the OSCE Mission in Skopje.

There is also a need for a continued international military presence in the region. This is needed not only for the preservation of peace and the prevention of possible threats, but also as a support for diplomacy which still has a lot of work to do in the region. The experiences in the crisis management in the region on the territory of former Yugoslavia show that the combination of these two elements - diplomacy and force - was present in all its stages. It is argued, not without ground, that it was the combination of force and diplomacy that eventually pacified the region.

Significantly, the countries that participated in the conflicts in former Yugoslavia are subjected to the specific measures on the basis of Dayton Peace Agreement, stemming from Article 2 on confidence and security building measures, and Article 4 on arms limitations and reductions. The recently concluded agreement based on Article 5 provides for voluntary measures by the countries of the region and in the neighbouring areas.

In addition to that, the Stability Pacts has its “military” component, too, since the so-called Working Table III contains priorities such as the promotion of civilian control over the army, social reintegration of demobilised military personnel, arms destruction, de-mining etc. This is another illustration of a comprehensive and complex approach of the international community to the establishment of stability in the region, which implies a thorough and complex monitoring of the military component.

However, the assessment of the situation in SEE would not be complete without mentioning the growing degree of multilateral co-operation based on the initiatives coming from the region itself. The SEE countries, after the interruption caused by the war in former Yugoslavia, have renewed their multi-lateral process of regional co-operation, which dated back from the end of the eighties. This process got an impetus after the Dayton Peace Agreement and resulted in the first summit of the Balkan leaders in Greece at the beginning of 1997. After the conflict in Kosovo, the process continued without the participation of Yugoslavia, but it lead to further steps such as its institutionalisation, the adoption of the Charter of Good-neighbourly Relations in the Region in Bucharest,

and the acceptance of the idea of the formation of the Balkan “peace-keeping forces”. Finally, after the democratic change in Belgrade, Yugoslavia rejoined the process and participated in a Balkan summit in Skopje in 2000. At a recent summit in Tirana it assumed the role of the chairman of the process.

Therefore, one could say that the process of profiling the comprehensive approach by the external actors and the process of reprochement and increased co-operation among the internal actors of the region have led to the achievement of basic stability (if not yet a security community) in the area of South Eastern Europe. This relatively improved situation is a proper framework to discuss the achievements and potentials of the regional approach and the Stability Pact.

Stability Pact Assessment

No doubt, the most important new initiative for a long-term regulation of the relations in the region was the adoption of the Stability Pact for Southeastern Europe in June 1999. This initiative brought many hopes and expectations, and the results so far are positive, but perhaps still too modest. However, what is important is the fact that the international community treats by this initiative the region as a whole and that it is comprehensive in its scope (e.g. contains a political, an economic and a security dimension). Also mutual co-operation among the countries of the region is here set out as a step towards their integration into Europe, but not as a strict precondition which would discourage the participation of those countries who are wary that their participation in the Pact might slow down their individual path to Europe.

The adoption of the Stability Pact, which was followed also by the holding of the summit of the countries of the region and the EU countries in Zagreb in November 2000, also seemed to indicate that the prevailing part of the international community, as well as the Balkan states themselves, have come to the conclusion that the process of fragmentation in the region should be brought to an end. Other steps that

followed, such as the EU -brokered principles for the redefinition of FRY, seem to convey the same message.

However, while its aims are far reaching, it remains to be seen what the real effects of the Pact will be in practice. The funds that were given to its disposal so far do not give ground to the claim that it is a “mini-Marshall plan for the Balkans”. Initially, the donors have pledged most money for economic reconstruction (1.8 billion US\$), and smaller sums for democratic and institutional development (260 million US\$) and for security and defense related matters (78 million \$).

At a recently held Second Regional SP conference in Bucharest in October 2001 it was reported that the pledges for assistance so far reached 3 billion Euro, indicating a growing trend of contributions, although not yet sufficient to address all the needs of the region. However, while important, the mere volume of financial aid is not the only criterion for the assessment of the SP performance. What is needed is an adequate direction of aid - for relevant projects and involving the growing participation of local stakeholders and actors. Also, the Stability Pact should support projects that stimulate regional co-operation and not autarchy or rivalry. The feedback between the SP strategy and the approach of other international institutions is also important. It has for example, been noted that there is a link between the SP and the regional strategies of the World Bank, The European Investment Bank, and the EBRD.

It is also evident that the SP has stimulated regional co-operation in a number of domains in SEE. This has been the case with the infrastructure and economic projects, but also with the projects in other areas, where co-operation requires very close governmental interaction (police, border control, organised crime, human trafficking, SALW)

The relationship between the SP and the OSCE also remains important. The SP has been launched under the OSCE auspices, and its structure resembles the structure of the OSCE. The OSCE puts the SP in its proper all-European dimension and underlines that European security and co-operation are indivisible - that there can be no lasting stability in Europe

as a whole if there is instability in some of its regions. This message from the FA of 1975 remains relevant today. On the other hand, the OSCE activities in different SEE countries have also acquired the a regional dimension. There are already regular meetings of the heads of the Missions, as well as co-ordination meetings at a working level. It is also worth mentioning that in FRY a memorandum establishing regular consultation between the OSCE Mission and the National Stability Pact Office has been signed and implemented in practice.

Also, the link between the Stability Pact and the Process of Stabilisation and Association with the EU remains of crucial importance. The main driving force and appeal of the Stability Pact was its contribution to the prospect of an EU membership. If the SP is conceived as a surrogate for EU membership than its appeal would be least, irrespective of the economic advantages. This needs to be kept in mind.

While criticism of the SP remains in some aspects valid, it remains to be seen what would be an alternative to such a regional EU-sponsored project, in the absence of a speedy integration of the countries of the region into the EU (which is not realistic). Therefore, the SP deserves support and its potentials should not only be kept in mind, but also developed creatively. After all, was it a mere coincidence that the period after the launching of the SP was also the period in which the democratic processes finally embraced the whole region? Probably not, although the input of the Stability Pact to such a development should not be exaggerated, either. Still, this is an indication that the regional approach, as embodied in the SP, does work.

Conclusions - Importance of the Regional Approach for South East Europe Countries, especially the Federal Republic of Yugoslavia

The regional approach is not a panacea or an answer to all the issues and problems, but it is a logical approach, since the SEE countries cannot get a green light for the integration into Europe unless they apply European standards in their mutual relations. Having in mind their intention and

probability to enter Europe sooner or later, it is better that they apply these standards at an early, and not at a late stage.

Of course, the process of association of each individual country with Europe can be done only on a country-by-country basis, judging its own performance and democratic and economic achievements. On its road to Europe no state should be tied or slowed down by other less successful or less co-operative states in its neighbourhood.

Nevertheless, it is unrealistic that the admission of the SEE states into the Union will be done "one by one". Experience with the EU expansion, especially "Eastward one" shows that the EU expanded by taking groups of geographically close or in other ways "similar countries" - for example, the admittance of Nordic and neutral States, the forthcoming acceptance of Central European States, Baltic states and two Mediterranean island states. Why should then the region of the SEE be an exception when eventually its turn comes up? It is hard to imagine that just one of the countries from the region would be accepted.

Such a combination of a regional approach with the achieved degree of political consolidation and economic stabilisation of each individual country as a model and criterion for their accession to Europe is recognisable in the different elements of the EU strategy - in the Stability pact, in the earlier Royamont Initiative, in the regional policy of 1996, as well as in the approach to dealing with the issue of redefining of the FRY. It is also noticeable in the policies of individual SEE countries who have combined their efforts to get closer to Europe with the efforts to improve bilateral relations with neighbours (like the breakthrough achieved between the two key countries in the region - the FRY and the Republic of Croatia - achieved at the recent meeting of the two foreign ministers in Belgrade).

However, it is noticeable that the regional approach does not enjoy the same political support in all the SEE countries. Not surprisingly, it is more favoured in those countries that are further from the integration into Europe, than in those that are closer to this perspective. This is natural since the former would have to spend a prolonged span of time in

the regional framework before getting closer to the desired aim of European integration.

In Belgrade, there is no doubt about the advantages of a regional approach and regional co-operation, including projects such as the Stability pact. After all, the Stability Pact was the first international institution to which the FRY was admitted after the democratic changes (on October 24, 2002). Last week, at the Council of Europe Ministerial meeting in Vilnius, the foreign minister of the FRY, speaking in his capacity as the current chairman of the Process of Co-operation in the SEE, has pleaded for a greater co-operation between and harmonisation of different regional initiatives in order to define priorities and fields of co-operation.

At the same time, it is clear that the support of the regional co-operation by authorities from the FRY is closely linked to the process of achieving stabilisation and an association agreement with the EU. As long as regional co-operation and a regional approach serve this purpose, there will enjoy a high degree of support. Also, if regional co-operation is an opportunity to prove the democratic credentials of the country in the regional framework and its readiness to reconcile and establish partnership relations with the neighbours, the regional approach will be perceived as an advantage and not as a burden.

Generally speaking, it would seem that the advocacy of the regional approach, both by external sponsors and regional actors, in order to be effective, and not counterproductive, should take into account two considerations. Firstly, the uncritical and unconditional insistence on the regional approach as the *conditio sine qua non* for a European perspective is bound to create apprehension and perception of designs of creating or re-creating regional associations dominated by local powers or kept as an international quasi-protectorate for a prolonged period. Secondly, the rejection or disqualification of any regional approach and regional co-operation can be perceived as an attempt to isolate other countries of the region and to leave them at the margins of Europe.

Therefore, the most appropriate approach would be the combination of a regional approach and the European perspective, thus avoiding to give ground for selective interpretations. It is also vital that the regional approach and regional co-operation maintain the support of the EU - without such a support no regional initiative can be expected to advance.

It is fair to assume that the role of the EU will increase, as the prospects of the EU membership grow closer for the Balkan countries (this process has already started with the conclusion of the association agreements). As was said before, all Balkan countries are for the first time united in the single aim to integrate into Europe, and all of them share for the first time in recent history the same ideology (liberal democracy and market economy). Therefore, the geopolitical meaning of the term "Balkan" will gradually lose its original (mainly negative) connotation, and the region will eventually simply become the Southeastern part of a united Europe. Still, even then it will remain, for a considerable time, the least developed region of Europe, and the EU will probably have to retain a special policy towards the region even after it has been integrated into its ranks.

It is also likely that the strategy of the USA and the EU towards the Balkans, while relying during the period of peace predominantly on economic and political means, will also keep a military component, namely the reliance on a long term presence of Western military forces in the region, in various forms, but as guarantor of peace and a deterrent to the renewal of conflicts. This will be combined by putting under strict control local military forces (inter alia, by integrating them into structures like "Partnership for Peace") and by measures to prevent any disturbing of a regional military balance. In that vain, the armies of the Balkan states, especially those that participated in the conflicts in former Yugoslavia, are being put under multidimensional international surveillance and subjected to concrete limitations and reductions.

In this context, the membership in the "Partnership for Peace" is of particular importance for the security of all states in the region of South Eastern Europe, and for the establishment of durable stability in the region. Although one should not overestimate the scope of this initiative,

because it is, after all, only a first step or a “waiting room” for a NATO membership, it nevertheless contains important elements, such as joint military exercises, assistance in military training, and, in particular, the promotion of democratic control over the army, which is of special importance for until recently warring parries in the conflicts in the Balkans. Stability presupposes predictability, and belonging to the same military organisation introduces a certainty that possible disputes among its members would not escalate into an open rift or a military confrontation. Belonging to the same organisation is also an additional guarantee for the territorial integrity of member states, and it eliminates mistrust or antagonistic attitudes towards the only military alliance in Europe – NATO. Because of all these factors, the entry of all SEE countries, including the Federal Republic of Yugoslavia, into the Partnership for Peace would be a useful and logical step, which should dispel possible doubts by its neighbours with respect to its long-term military-political orientation. For the sake of stability in Southeastern Europe, it is of vital importance that all the countries of the region belong to the same military organisation.

For the future of the Balkans, it is encouraging that all Balkans states share the same aim - an integration into Europe. If some time ago it was considered in some of those countries that a formation of national states is a ticket to get more rapidly into Europe, now it is clear that the entry into European integration requires giving up certain elements of sovereignty and transferring them to Brussels. This can also be positive for the de-escalation of the tensions in the regions itself, because national sovereignty is not any more a supreme aim. However, the stabilisation of the situation in the Balkans requires that the cessation of fragmentation on a wider scale is accompanied by the processes of regionalisation and de-centralisation within the societies and states, because only such a combination can deal with and absorb internal economic, political and ethnic contradictions, which are characteristic of the majority of the countries in the region.

It is, however, indicative, that practically all Balkan states proclaim their belonging to a European identity, and not to some specific or common Balkan identity. This points out that there is not much ground for the

thought that the Balkans could be constituted into as a distinct European region in the economic, political or cultural sense (some common elements are identifiable, but they are not sufficient for forming a separate identity). However, European orientation and the acceptance of European norms would inevitably straighten integrative links in the region. Whether they will be strong enough to create a regional identity remains doubtful. It seems that the process of forming a Balkan as a distinct European region is overcome and encompassed by the wider process of all-European integration, towards which all the states of the region are striving. And this is most important: It is not crucial that the region as such enters Europe, but that Europe embraces the region and “Europeanise” it.

Vladimir Bilandzic
Special Advisor, OSCE Mission to the Federal Republic of Yugoslavia
Belgrade

Frederic Labarre

REGIONAL INTEGRATION THROUGH THE STABILITY PACT

Introduction

This paper attempts to argue that the current structure of relations in South East Europe (SEE) and in the Balkans in particular requires regional, or local, integration before any membership in greater bodies (like the European Union) can be considered.

To demonstrate this, I will require a more specific definition of just what is integration. The end of the Cold War has articulated the proposition that the amenities of the West could be extended to former communist societies in the wake of their transition to a market economy. Implicitly, this would mean that there are material rewards for the majority (although these may be reaped in a relatively distant future) of peoples and countries hoping (sometimes expecting) to one day be members of the EU. During the 12-odd years that we have been living in the post-Cold War world, the necessities of membership and reform have been so pressing as to make these two concepts identical. In other words it seems that integration is only seen in its legal or geopolitical sense, and is limited to the goal of EU membership.

Integration is much more than that, and a large part of this paper focuses on a definition of membership that puts the onus on a deep transformation (or at least reassessment) of the identity of the would-be EU members. The second part of this paper describes the spirit of the Stability Pact as a tool of integration that is informed by a logic of cooperation and interdependence. This is a significant departure from the recent Balkan history to say the least. Therefore, a theoretical shift must precede the attitudinal shift. Realist policy-making must cede before institutionalism. This change, if the Stability Pact (in effect a legal

illustration of liberal-institutionalism) is to succeed, must be made consciously. That is, theory must become policy.

Our demonstration proceeds along two seemingly unrelated paths. The first part of this paper gives a thorough definition of the meaning of integration based on Claude Ake's theories. We will find that a more supple definition of integration breaks new ground in the reassessment of identity in SEE.

The second part of this paper puts realist and cooperative security theories in opposition and demonstrated that theories provide the characteristics for rational policy-making. From that demonstration, we infer that realism –an exclusive approach– must give way to cooperation if integration as we understand it is to succeed. Part 2 also provides a set of steps to be covered to succeed with integration and make the Stability Pact work.

Part 3 proposes the creation of a multi-national (multi-ethnic) regional peace support operations training center as an initiative that would harmonize regional and great power policies relative to the SEE, develop long term trust and democratic transparency, and lay a partial foundation for a secure peace that will redefine the region as an all-inclusive entity to which the EU can enlarge.

For the purpose of this paper, we deem those participants to exclude Western European or North American States. These are considered “sponsors” or benefactors. At best, this can only be considered a sketch of a study, but still, it should provide a good sense of whether the region is integrating and thus, if this paradigmatic shift is being accomplished. This can provide an explanation for some shortcomings, and indicate the level of resistance that can be expected in the near future.

I do not think I am going too far on a limb by stating that the Stability Pact is better than the *status quo* or the alternative system of relations that has been operating in the SEE. However, the notion that regional integration through the Stability Pact must precede EU integration needs to be examined on its own merits.

Part 1: Integration in Question

What do we mean by integration? It seems that lately, membership in European and/or Atlantic institutions has become equivalent to integration. In other words, integration is synonymous to the enlargement of a geopolitical entity or region.

What is perhaps more important to grasp is that the members (or would-be members) of a region or organization would acquire a certain measure of like-mindedness associated with this enlargement. Whether the acquisition of like-mindedness must precede membership or whether membership will achieve like-mindedness gives an indication of the dilemma faced by decision-makers of both sides, and it also gives an idea of the complexity of the notion of integration. These difficulties and the errors they may trigger beg for an examination of the concept of integration. The complexities often prove so daunting as to leave analysts unsure of the Pact's real potential. Analysts do not deal well with uncertainty, and tend to deride any nebulous concept. The oft-derided Stability Pact is often the target of derision. The reality is that the Stability Pact cannot do for others what others are not willing to do for themselves.

For our purpose, we ascribe Claude Ake's theory of integration to the entire SEE. While Ake was devising a theory for the stabilization of post-colonial countries, we can safely use his theories for a region that was under the empire of socialist ideas. We can use his theories provided that we think of countries as if they behaved as individuals. There are limits to this approach because it suggests that consensus within a society is complete and/or that the leader is so strong as to be able to impose his/her will on society. This is rarely the case in the best of circumstances. Still, we need to start somewhere, and ascribing to a country human characteristics is a good starting point for discussion.

The claim that States behave within a region as individuals do within a State can be made because the European Union is a political system not unlike that which we find within a State. That is, a system operating on

the transmission of inputs and outputs⁷, but also a system that is grounded in certain values, and a system that sees clear political and geographical boundaries to its influence, and which tries to accommodate all the members it feels are located within these boundaries. This is the crux of integration. According to Ake, and according to what we have just said about an EU in relation to the SEE, political integration is closely related to the problem of increasing “normative consensus governing political behaviour among members of a political system”.⁸ Norms and values have something to do with membership in organizations and regions only insofar as new members have absorbed these new values and norms as their own, and apply them consistently.

Readers will notice that in the introduction, we drew a sharp distinction between the concepts of membership and integration. At the very least, membership is merely the geographic inclusion of a member of an outside group into a larger or more influent (or more desired) one. This does not mean that the new member is “integrated” in any other more meaningful way. For example, I may be attracted to the prestige of membership in a country club, but this is of little value if I am not seen by the club members as being an avid golfer. To reap a sense of belonging, I need to be a good enough golfer to warrant membership in the first place. The ethics of that sport can be quite difficult for me to grasp if I am a pro hockey player. Indeed, I may even have trouble seeing it as a sport in the first place! But once I have learned and applied that body-checking your opponent on the golf course is against the rules, we can say that I am integrated, i.e. more than a member.

It is this “absorption” process which I define as integration. Integration is not synonymous with membership, but to the application of the responsibilities of membership, which incur little sacrifice because responsibilities become second nature once integration is complete. Integration is rather the difficulty of inducing commitment and

⁷ Michael CLARKE & Brian WHITE Eds.: “Understanding Foreign Policy: The Foreign Policy Systems Approach” Southampton, UK, Edward Elgar, 1989, p. 29.

⁸ Claude AKE: “A Theory of Political Integration”, Homewood IL, Dorsey Press, 1967, p.1.

obedience to beliefs, symbols and values that define the situation where the political action will take place.⁹

There are four ways to induce such commitment: authoritarian, paternalistic, identific and consensual.¹⁰ The Stability Pact is the embodiment of a system of norms and values that present themselves as the alternative to the current structure of relations at work in the Balkans and in the SEE that is confrontational and exclusionary.

Authoritarianism or paternalism does not drive adhesion to these norms and values, because this would require a strong personality at the head of each participant country of the Stability Pact. The recent presidencies of such strong-willed individuals such as Franjo Tudjman in Croatia, Alija Izetbegovic and Radovan Karadzic in Bosnia and Slobodan Milosevic in Serbia proper indicate that there was little willingness to adopt a non-confrontational regime of relations in the region. The secessions of Slovenia and the Former Yugoslav Republic of Macedonia (FYROM)¹¹ may have been more successful and less bloody, but they are betraying the fact that there was no willingness to work together as a reconstructed or redefined region. This is because there was more effort being devoted at reconstructing each new country's identity in hostile reference to the "other" than there was in reconstructing a whole region under a new common identity.

This is why identific theory presents a problem. In the case of SEE, the pride of being "Slovene", "Bulgarian" or "Albanian" superseded the pride of being a South Slav, or if one is desirous of including Albania more fully, a "South Eastern European". If the latter option of all-inclusiveness takes precedence on narrow identification, the new region can be integrated as a whole to a wider process of integration. But this is extremely difficult to do at this point in time, for no sooner had each former Yugoslav Republic become independent -in essence given *itself* a new identity through the disintegration of Yugoslavia- that it needed to

⁹ Ibid., p. 1.

¹⁰ Ibid., p. 102-114.

¹¹ Turkey recognizes Macedonia under its constitutional name.

wrestle with the identity that the recent Balkan wars had given *each member of the region*.¹²

Ake's consensual approach, which he describes as "optimal" seems better suited to describe what is happening with the Stability Pact. Consensus theory of political integration subordinates coercion of a method of ensuring commitment to new norms and values. It is useful in the case of SEE because, according to this point of view, all anti-social (or anti-associative) behaviour is considered deviancy.¹³ Looking at the positions, statements and actions of the NATO and the EU communities during the Balkan wars, we see two organizations representing the nations of Western Europe and North America exhibiting signs that they share the same values and beliefs regarding a non-violent approach to conflict management, respect for human rights, democracy and the rule of law. In other words, North America and Western Europe are perfectly integrated as regions and peoples because their statements and actions reflected commonly held beliefs within their respective populations.

Furthermore, we can also say that adherence to new norms and values that the EU represented were already somewhat understood by the relevant populations of SEE. Brian Hall in his "Impossible Country" tells how some Croats felt that subservience to Serb dominance in a reconstructed Yugoslavia would hinder their EU (then EC) accession dreams. Similarly, the recent overthrow of Slobodan Milosevic's regime indicates that a decade of fixed elections has not dampened the ideals that Serbs have set for themselves. The reversal that we have witnessed in Yugoslavia at the end of the 90s shows that Serbs' hopes closely resemble that of the Croats, insofar as pursuit of wealth and welfare are concerned. Pyramid schemes in Albania in 1997 demonstrate that the

¹² Events and actions in part define identity. This is why a soldier with whom the author worked at the Pearson Peacekeeping Centre in 1998 attributed to former Yugoslavs several unsavory epithets. This is understandable since the soldier in question had spent a week chained to a post as a human shield to an ammunition depot in 1995. It remains that this outburst betrays the mindset of the soldier insofar as he has a conception of what is acceptable behaviour and what is not in a bellicose situation. This is in essence a clash of values operating over different norms concerning human rights and the law of armed conflict.

¹³ *Ibid.*, p. 5.

population is eager for the material rewards that were impossible during communist rule and political isolation.

Whereas the pursuit of wealth is in fact the pursuit of the *benefits* of integration rather than integration in itself, it denotes a significant departure from earlier norms. More importantly, it denotes that this departure is more widespread in the region. Consensual integration of new European and Atlantic norms is thus theoretically possible. The problem seems to be that there is a double consensus: one revolving around the pride of nationhood, and one around the desire for better living standards. There is a real risk that the Stability Pact may be used to provide a semblance of stability that answers the needs of human development and betterment (because it will encourage investment and delivery of aid packages) while at the same time allowing ethnic exclusiveness, the basis of identity-building and national defence formulation, to remain as a source of national consensus. Such a scenario could explain the laborious conflict recovery of Bosnia, the slow pace of change in Serbia and the apparent “reversal” in Macedonia.

Thus, optimal integration can only happen if there is a change in the perception of identity, because identity informs the structure of relations in the region by affecting the way in which we think about national security.¹⁴ Individuals constantly exposed to violence have trouble imagining that conflicts may not always escalate into warfare. While disagreement can always degenerate into violence, this possibility is difficult to imagine between certain sets of countries. This is why the EU’s explicit aim is “to create in South East Europe a situation in which military conflict will become unthinkable and *thereby* to expand to South East Europe the area of *peace, stability, prosperity and freedom*

¹⁴ Notes on a talk from Paolo Calzini at the 15th ISODARCO Winter School in Andalo, Italy, on “Internal dynamism and external intervention in the Balkans”, January 20-27th 2002. Calzini believes that the Balkan bloodshed is only explicable in relation with history of the region. This, combined with the knowledge that identity is constructed in reference to the past, makes bloodshed inevitable. See Brian HALL: “The Impossible Country”, New York, Penguin, 1994, and Robert KAPLAN: “Balkan Ghosts”, New York, Vintage, 1994.

which the 15 member States have created [for themselves, it should be added] in the last 50 years”.¹⁵

The reader will notice that there is a causal relation between the creation of a situation void of violent conflict and the expansion of the zone of peace (a euphemism for the EU). The reader will also notice the relationship implied in peace, prosperity and freedom.

There is something to be said about whether prosperity brings peace or the other way around. Certainly, as far as donors and investors are concerned, stability and peace is a *sine qua non* condition for the outpouring of funds.¹⁶ However, the alternate view is that where some sort of distributive justice exists, there is the possibility that society will tend to cling to and improve the level of wealth it enjoys.¹⁷ But neither stability nor wealth came the way of the SEE. Therefore, for intervention and aid to take place, stability and peace, even imposed from without, must reign. This would seem to put the theory of consensual integration on its head, as it suggests the muscle of some outside power. The promise of material welfare is conditional upon the success of the Stability Pact. This is undeniably a form of pressure that is being brought to bear by the EU, but also by the participant countries themselves. After all, they are the signatories of the Pact, and the foreign powers and international organizations its sponsors. Wealth and prosperity here are tools of appeasement that show no sign of triggering a real rapprochement between participants.¹⁸ In this sense, the Stability Pact is having real difficulties.¹⁹ Several commentators of the Stability

¹⁵ The EU and South East Europe – Overview
www.europa.eu.int/external_relations/see/intro/index.htm Italics and brackets are the author's.

¹⁶ IISS: “A System for Post-War South –East Europe” in *Analisti I Ballkanit*, 3:14, July-September 1999, p.82.

¹⁷ Alvin RABUSHKA: “Economic, Civil, and Political Freedom: The Cases of Singapore and Hong Kong” in Michael Walker, Ed. *Freedom, Democracy and Economic Welfare: Proceedings of an International Symposium*, The Fraser Institute, 1988, p. 151.

¹⁸ Hanns. D. JACOBSEN: “The Stability Pact for South East-Europe: Did it Work?”, paper presented at ISODARCO's 15th Winter Course *South Eastern Europe: Internal Dynamics and External Intervention*, Andalo (Trento), Italy, 20-27 January 2002, p. 14.

¹⁹ Albert RAKIPI: “The Marshall Plan and the Stability Pact – A Comparative Approach” ” in Albert Rakipi, Ed., *Stability Pact: Just Around the Corner*, Albanian Institute for International Studies, Tirana, 2000, p.85-86.

Pact note that the responsibility of stability lies with the donor countries, whose dishing out of funds is a recipe for success.²⁰ In fact, success will be measured when SEE countries will be able to agglomerate their respective identities around a new notion of region, trade amongst themselves first, and then graft their region to the rest of Europe.²¹ This is by no means seen as a mechanical occurrence, but these goals were stated both by Stability Pact participants and the EU. A major attitudinal shift must happen so that the Stability Pact succeeds and its success is seen as the entry key to the EU.

Conclusion

This section has dealt with a thorough investigation of the meaning of integration. What we have highlighted instead is an educated distinction between membership in an organization and integration of its values. Furthermore, we have noticed that actors sought to reap the benefits of integration without fully achieving it. The following section will demonstrate the size of the challenge as political theory and policy-making are taken as tools for decision.

Part 2: The Necessity of a Theoretical Transformation

While it seems evident that the realist point of view best explains the pattern of relations in the Balkans, there seems to be an indication that

²⁰ This is indeed alarming: many point to the need of investment before donors or investors would be comfortable with giving. See Marta MUCO: "Four Questions for the Stability Pact. A Regional Approach" in Albert Rakipi, Ed., Stability Pact: Just Around the Corner, Albanian Institute for International Studies, Tirana, 2000, p.102. Jelica MINIC: "Reconstruction and Development Programme for South Eastern Europe" in Albert Rakipi, Ed., Stability Pact: Just Around the Corner, Albanian Institute for International Studies, Tirana, 2000, p.123-124 says that the outpouring of funds is merely a pacifier, yet, in the same article, that author recommends as a matter of priority "essential reforms and foreign capital inflow, especially foreign direct investments..."

²¹ Bodo HOMBACH: "The Balkans-A Difficult Journey to the Stability Pact" in Albert Rakipi, Ed., Stability Pact: Just Around the Corner, Albanian Institute for International Studies, Tirana, 2000, p.14. See also Pandeli MAJKO: "Albania and the Pact of Stability for South-East Europe" in Analisti I Ballkanit, 3:14, July-September 1999, p.5. And MINIC, op.cit., p.124.

the theory also serves as a policy. In opposition to this approach, the Stability Pact acts as an alternative, as a new theory “not so much for explanation, but rather for the building of new international relations.”²² It could be the core of a “security community”. For this to happen, participants to the Stability Pact must change what they conceive as national security.

Realistic security focuses on the State security in an egotistical manner. Being so, it is inevitable that security is concerned with that State alone, to the detriment of neighbours. Realism is inherently exclusive. The only stability that can be achieved in such a scenario is that of the balance of power. Realism may be confrontational, but it carries the seed of its own peace.²³

Stability for its own sake is for some highly undesirable because it does not lead to a sustainable peace (a controversial concept in itself). To Daniel Nelson, the Stability Pact is “an effort to buy stability cheaply and to substitute stasis or quiescence for balancing threats and capacities.”²⁴ This perception may be overly pessimistic, but he has a point; stability is not security. If the Stability Pact makes consensus among its participants, it remains that the sponsorship afforded them by the EU also makes integration paternalistic or authoritarian. Similarly, the integration that Tito achieved within Yugoslavia may have been highly consensual, but it was also very paternalistic, and therefore far from optimal.²⁵ Hence various ethnic groups having not united around the idea of Yugoslavia, tensions dating back centuries remain available for future figures to use authoritarian (identity-based) integration.

Just like ethnic groups needed to unite around Tito’s Yugoslavia, today’s SEE country must unite around the Stability Pact’s theoretical underpinnings: that of a Kantian view of security, where liberal

²² RAKIPI: *op.cit.*, p. 85

²³ John HERTZ: “Ideal Internationalism and the Security Dilemma” in *World Politics* 2, January 1950, pp.157-180.

²⁴ Daniel N. NELSON: “Stable Peace or Secure Peace?” in Albert Rakipi, Ed., *Stability Pact: Just Around the Corner*, Albanian Institute for International Studies, Tirana, 2000, p.36.

²⁵ AKE, *op.cit.*, p.137.

democracies trade together, and settle their differences without resort to violence.

This is an elusive prospect because the quest for independence of each of the former Yugoslav republics is often the basis of consensus in each of those respective societies. As a result, secessionist tendencies seem to be driven by mass parties. It is not surprising, therefore, that the parties and their leaders start to believe (until independence is achieved and factionalism begins) that they are the legitimate incarnation of their respective societies' wishes. In the end, party and individual interest become synonymous to national interest.²⁶

Because this is so closely associated to nation-building, assessment of national security in the SEE will tend to be ethnic-driven and non negotiable. A zero-sum outcome is inescapable, and realism, no longer a theory, finds its characteristics transposed into the policies of very few, but very powerful individuals. It is this train of thought that has spawned Europe's first war in 50 years.

A disintegrating Yugoslavia's values collided with an integrating Europe's which now saw the situation there as deviancy. Europe, as an evolving cooperative security system whose "members must be prepared to engage in collective diplomatic, economic, and, if necessary, military action in areas outside their common space which may threaten their welfare and stability"²⁷ cannot help but intervene. In the post-Cold War world, the international community can not stand idle in the face of "deviancy".

SEE countries must effect a shift from an orthodox vision of security to one that favours cooperation. There must be a conscious decision by those in power to switch to a policy that will prescribe "consultation rather than confrontation, reassurance rather than deterrence, transparency rather than secrecy, prevention rather than correction and

²⁶ *Ibid.*, p.19.

²⁷ Richard COHEN: "From Individual Security to International Stability", Garmisch-Partenkirchen, Marshall Center Papers, #3, April 2001, p.2.

interdependence rather than unilateralism.”²⁸ The Stability Pact is a tool to achieve this, but there are reasons to believe that there is hope that projects and investments will achieve that shift for the participants rather than the participants willfully choosing a new outlook. SEE leaders must individualize security. The only way to do this is to guarantee basic human freedoms and living standards. If these guarantees are collective to a society (irrespective of ethnic background), individuality is reaffirmed. Thus, any promotion of the “national” interest ceases to be ethnic or group-oriented, because human security is ensured²⁹, making the national interest individual-oriented, that is, aimed at the maintenance of the privileges and guarantees of basic human freedoms and economic needs. As we have outlined in part 1, there are indications that participants are seeking the benefits of integration without the effort of absorbing new norms and values. The academic literature emanating from the Balkans certainly supports that claim. It is essential that participants believe in the new approach to integrate as a region, and to make the Stability Pact a resounding success.

If participants are unconvinced, as I believe they are, it is because they do not trust each other and a cooperative approach. They do not believe that a change from a realist policy to a cooperative/internationalist policy will bring them security. The removal of Milosevic is seen as a great step forward in eliminating mistrust.³⁰ Still, other SEE countries, most notably Slovenia, have started their integration of EU norms and values without waiting for the departure of such irritants as Milosevic, Tudjman, et al. Slovenia is now well on its way to NATO and the EU. The prospect of membership, and not membership in itself, will exact a change of policy and theoretical outlook. To think that “successful integration... would produce changes in attitudes and enmesh each national, political and economic system with the others”³¹ is applying

²⁸ Gareth EVANS: “Cooperative Security and Intra State Conflict” in Foreign Policy #96, Fall 1994.

²⁹ COHEN, op.cit., p.10.

³⁰ Janusz BUGAJSKI: “Balkan Contradictions: Yugoslavia and Regional Stability” in Albert Rakipi, Ed., Stability Pact: Just Around the Corner, Albanian Institute for International Studies, Tirana, 2000, p.39.

³¹ James H. WYLLIE: “European Security in the New Political Environment” London, Longman, 1997, p.180.

the logic in reverse. If this were so, there would be no reason to exclude Turkey from the EU, since its NATO participation would have modified its norms of behaviour.

When people and States operate in a system with realistic characteristics, they are never sure of what the neighbours are doing, because secrecy is a policy feature of realism. The only thing they can be sure of is that, whatever they are doing, it must be detrimental to them. Even if it is not detrimental to individual or State security, realism fosters misperception. We do not need here to review the security dilemma, but we do need to be reminded of some features of the alternative, which is cooperation.

Cooperative behaviour may occur between participants of unequal strengths. The advantage of cooperation, besides the relatively equal distribution of rewards, is that any defection from cooperation is a clear statement of intention.³² Cooperative behaviour begets cooperation, as hostility begets hostility. The significant difference between the two is that cooperation brings security, while hostility can only achieve stability.

It would seem that to reach that stage, participants would have to choose not to be hostile, and abide by this new rule. The Stability Pact does not prescribe any rules of the sort, except reiterating the intent of each signatory, under the aegis of the EU, NATO and other organizations and great powers, that they will strive for the objectives of good neighbourly relations. Nowhere in the document is there a regional mechanism for conflict resolution. As such, this prescription is much too vague, and the role of other sponsors much too great to foster this choice autonomously within each SEE country. At present, I doubt that a policy change can occur to effect a real departure from realism; participants believe more in the responsibilities of the sponsors of the Stability Pact than in the advantages of a change in mentality.

Perhaps we can suggest a framework here. For neighbours to be certain of each other's intentions, we must start by democracy. Not because it

³² Robert JERVIS: "Realism, Game Theory and Cooperation" in World Politics, p. 321.

gives freedom, but because it serves as the illustration that a given society is not motivated by a single idea to its neighbour. There must be a transparency of plurality that serves to balance a society so that it doesn't seem to lapse back into extremism. Once this is achieved, investors and donors will be far more comfortable in forging ties. The resulting economic growth (which may not occur in the near term, but which will occur nonetheless) gives added security to individuals of the region. Freedom from want is added to freedom from fear. Once the region is secured by the application of democratic principles and some form of market economy (mixed in with some social guarantees³³ that can always be sponsored by NGOs, IGOs, or foreign governments), the new system of relations can now be codified, giving a legal meaning to a philosophical concoction that was hitherto merely "imagined".³⁴ It remains that it is the sum of the volition of the participants that makes this real.

Infrastructure projects themselves, such as roads, power grids and supply networks will be seen as traditional security liabilities rather than communication routes if the change in attitude does not come from within society itself. Democratization must come before anything else. Democracy relies on the application of measure and tolerance to political debate. These are no easy qualities to master for any population or leader after a decade of ethnic conflict. This is why it is doubtful that facilitated communications and infrastructure reform can easily be made as a prerequisite for the development of a spirit of tolerance, as Pandeli Majko suggests.³⁵ Security through trust must come first. Projects will only be successful not if they are generously funded, but if the region accepts that such projects are designed to foster interdependence, whose material benefits emerge out of the acceptance that the "others" are there to stay, and that survival can only be mutual. Trust will come if cross-boundaries accusations stop. What better way to prevent those than a democratic society, with an independent media, and a system of

³³ NELSON, *op.cit.*, p.37.

³⁴ Charles KING: "Strategy and Region-Building in the Wider Southeast Europe" in Albert Rakipi, Ed., *Stability Pact: Just Around the Corner*, Albanian Institute for International Studies, Tirana, 2000, p.49.

³⁵ MAJKO, *op.cit.*, p.6.

government endowed with an effective opposition. An effective government opposition seeks popular approval by questioning the efficiency of those in power, instead of having a dictatorship tell the population that its troubles can be blamed on the neighbour. Again, for a democracy to function, a society must believe in its mechanisms. Enough has been written about what constitutes democracy so that we don't need to reiterate it here. However, it must be said that every member of society is responsible for the maintenance of the democratic system. Basic individual freedoms must be guaranteed. Foreign direct investment, indeed, wealth will not give you that.³⁶

In the short term, it costs more to a society to develop projects it thinks will give it wealth than to implement principles of good governance. The Stability Pact, especially in its articles 7, 8 and 10, provides a tentative ground to effect a meaningful change in SEE relations, but the mentioning of so many sponsors and benefactors in article 1 begs the question that is answered in article 9, whether "countries in the region who seek integration in Euro-Atlantic structures, alongside a number of other participants in the Pact, strongly believe that this process will facilitate this objective."³⁷

The lone paragraph stating the responsibilities of the participants of the Pact (SEE countries) indicates negatively that the Pact is a solution imposed from without, adding weight to any doubt we may entertain as to whether a theoretical shift has occurred in the minds of the leaders. So much depends on international organizations and countries outside the SEE, that we cannot help but be hopeful for some kind of success. The security of too many actors in the EU depends on it. Furthermore, this provides a litmus test for EU diplomacy both collectively and individually for all EU nations. International credibility demands that the

³⁶ Ramon P. DIAZ: "Capitalism and Freedom in Latin America", in Michael Walker, Ed., Freedom Democracy and Economic Welfare: Proceedings of an International Symposium, Vancouver, The Fraser Institute, 1988, Chapter 6. The experience of Latin American market economies that were also dictatorships demonstrates that. The cases of Argentina and Brazil show that there can be economic growth, social inequality and dictatorship within a society.

³⁷ Art. 9 of the Stability Pact. Notice that the definition of integration does not resemble what we have given in this essay, yet comes from official sources.

Pact succeed, so that the EU can prove it can mend the messes that occur in its own back yard.

For unrepentant nations, this can be a significant advantage, playing the necessity of an ill-defined success (which may limit itself in the near to medium term in achieving stability instead of real security) for more and more material benefits. Provided that success is not an illusion banking on stability rather than security, we should see the emergence of a new, fully integrated region able to bring completion to Europe. It may be that the test of security lies solely in the hands of the participants to the Pact. Still, there is no indication of what sanctions may be applied for any defection from it.

Provided that participants “accept that within each society there are contradictions and tensions that reveal what kind of community [they] really [are]”³⁸, the pride of demonstrating to the world that SEE countries abide by modern norms of international behaviour will bring them together closer as a region.

If article 9 can serve as indicator, regional integration should lead to EU integration. More than the pious statements of Eurocrats, the Stability Pact codifies Europe’s intentions vis-à-vis the SEE. It also leaves room for any country not choosing EU integration to opt out, thereby manifesting its sovereign right as a State. According to our definition, and also looking at historical experience, this should not be cause for concern. Switzerland does not exhibit signs of malintegration despite not being member of the EU.

³⁸ John Ralston SAUL: “Across the Great Divide”, in Queen’s Quarterly, 104:1, Spring 1997, p.14.

Conclusion

We have set in opposition realist and cooperative security theories, have found that either could render its characteristics available for policy formulation, and that if policy formulation was a rational action, then one policy could be substituted for another. In essence, what we have achieved in this section is some sort of “debate on a postulate” which defined our vision as to how and why SEE countries needed to foster a change from a realist to a cooperative outlook. We have found that in the case of the SEE, strong support from interested States and organizations, aimed at immediate stabilization, needed to be combined, above all, by a deepening of democratic principles before infrastructure projects and investment bids could be expected to develop interdependence.

Mistrust and group-specific policies need to be eradicated through the carrot of short-term advantage for participants to the Stability Pact. Now, the time has come for us to propose a project that should amalgamate transparency, hard security, dialogue and region building in a meaningful way.

Part 3: Hard Security Initiatives

On the one hand, Stability Pact participants are eager to demonstrate that they are making progress in the letter and the spirit of the Pact. Despite signing off on the role of international organizations, SEE countries are still likely to be ill at ease with the notion of foreign presence in their region. This is reciprocal. UN and NATO missions are also hoping for a way out, but not to the cost of a flare up in tensions.

On the other hand, European values and norms are not embedded enough to warrant western withdrawal, or to expect that meaningful cooperation will be genuine and mutually beneficial. Legal and social structures are not completely adapted to full transparency and neighbours typically do not trust one another.

Could the creation of a regional peace support operations training center be an initiative that could attain some or all of the objectives above? Functional civil-military relations could certainly be improved if officers could gain access to a common training center that would promote European models of military subordination to the civilian powers.

It would bring together military personnel of all corners of the SEE, where they would acquire the same knowledge, eliminating a form of security dilemma. Theoretically, courses at such a regional peace support operations training center would be integrated into normal career paths of the student-officers, meaning that they would return to their duties after their studies to greater responsibilities where they can practice what they have learned. The officers of the armies of SEE countries would have a chance to develop an ethos hitherto unknown to them, and, for some of them, offer closure from the events of 1991-1999, and develop a new sense of pride in the martial activity.

Presumably, this would be an initiative run by NATO countries with the help of other organizations, so there would also be room to learn English (in view to European integration). But more than stronger contacts between each SEE country and a Western sponsor through language, this could strengthen the spirit of dialogue that will lead to civilians trusting

their militaries more (an essential feature in some multi-ethnic communities emerging from civil war) and also lead to militaries within the region trusting each other more by virtue of the transparency afforded by the commonality of the program.

In time, the aim of this center would evolve as to develop a common regional doctrine for PSOs which could be extended to other areas. This is relevant in the context of parallel integration of the EU (which is crafting its common foreign and defence policy) and the of the SEE (which would then be developing the tools and the habits of cooperation to better graft the region to the EU in due time).

Peace Support Operations is a non-contentious sphere of activity. It is also an activity that requires qualified and dedicated manpower. A regional peace support operations training center would develop the skills and leadership needed to hand back the region to its own authorities in expectance of a greater pullout of foreign forces. So the intent would be far more than symbolic. It would be a practical tool destined to integrate the SEE countries, and to extirpate Western armies from the region. Any integration and any extirpation are dependent on the degree and quality of rapprochement that occurs in the region.

Perhaps the greatest achievement of a regional peace support operations training center would be that it would train military personnel for modern contingencies. Peace support is fast becoming the principal activity of responsible armies. As the expression of the values of European societies, their respective militaries have adapted to the new policies these norms commanded. An indication of successful SEE integration would be obedience to the notion that unjustified, proactive and aggressive use of a State's privilege of coercion is now proscribed in many cases.

If the military tool can learn restraint, it is easier for politicians to advocate policies demanding restraint. Furthermore, the army becomes a more useful tool for the other members of a community (like the PFP, the EU or NATO) as the capabilities are similar, and the outlook identical.

Provided the center is located in a neutral location, and that what is taught there is practical and applicable to real situations, provided that what is taught does not rub members the wrong way, that there is continued support from sponsors and benefactors, but mostly, provided that participants freely choose to participate in good faith, such an initiative could fit nicely in the defence and security sub table of the Stability Pact.

Conclusion

The Stability Pact has its shortcomings, but it is adequate grounds for successful integration. Membership follows integration if dominant EU and Atlantic values are absorbed and applied in the societies of SEE.

To absorb these values and norms, SEE countries must put in practice the characteristics of democracy and the rule of law. Only this can permit foreign investment and confidence in the region for more funding of projects. A rules-based region has better odds of developing true cooperative projects, because there is the implicit acceptance that the neighbour's well being affects your own. Infrastructure projects like roads and power networks cease to become liabilities, and instead foster greater trade and interdependence.

Trade cannot be generated in an environment ruled by instability. Therefore, this essay proposes a practical initiative destined to address the question of civil-military relations, regional relations, capability and region-building, all in harmony with national policies and priorities.

This could be a stepping stone in a long series of processes on the way to the successful integration and consequent membership in Atlantic and European structures. The above is proposed for discussion purposes and is quite open to criticism. I feel there is a certain logic to the transformation of SEE from a hotbed of tension to an area of peace. While donors have a responsibility during the incubation period of the Stability Pact, SEE countries are, in the final analysis, masters of their own destinies. And thus a simple positive decision from participant

leaders is required. Anything else that leaders of SEE may wish for outside EU structures, and indeed, outside EU norms, remain the privilege of sovereign States. “The new Europe [has demonstrated] that nationalism is a movement that over time cannot be suppressed or manipulated”³⁹ writes Madeleine Albright. But the experience of the former Yugoslavia demonstrates that nowadays, there are sharp limits to a State’s sovereign rights.

Either through their own willingness, or through the benevolent (or violent) pressure of neighbouring powers, SEE countries must dissolve their new-found identities within a greater European identity.

Frederic Labarre
International Liaison-Project Officer Royal Military College
Kingston

³⁹ Madeleine K. ALBRIGHT: “The Glorious Revolutions of 1989” in Larry GARBER & Eric BJORN LUND, Ed.: The New Democratic Frontier, Washington DC, National Democratic Institute for International Affairs, 1992, p. 12.

Enver Hasani

THE SOLUTION OF THE ALBANIAN QUESTION AS A PRECONDITION FOR THE FRUITFUL COOPERATION IN THE BALKANS

The Stability Pact was launched on the eve of the Kosova war and conflict⁴⁰. Paradoxically, though, Kosova has so far benefited the least from it. Only very recently Kosova managed to have its own representative in it. This is a sign that the same mistakes are being made vis-à-vis Kosova as in the past, seeing the region as a bogus or maverick part of the far South-East of Europe.

When launched almost three and a half years ago, expectations were high among the poverty-stricken citizens of the Western Balkans. It came as a remedy for the sufferings and the tragedies caused by the Yugoslav wars of succession. Not rarely, people and the Balkan elite saw the Pact as a new variant of the Marshall Plan for this part of Europe. But, it was not. Time proved this. The Marshall Plan was different in all its basic aspects. The Marshall Plan was successful, *inter alia*, due to the existence of a Soviet threat, a fact clearly missing in the case of the Stability Pact. The cohesiveness enjoyed by the Marshall Plan is very unlikely to be ever achieved by the current actors of the Stability Pact for the reasons just mentioned. This is not to say that the Pact does not have the same premises as those enshrined in the Marshall Plan. However, the context is different. It is entirely different indeed. Among the differences I have in mind are those related to the concept of a “nation-state”. That is to say to the concept of recognising the *fait accompli*-policies reached forcefully at other levels and places. This very

⁴⁰ Cf. UN Security Council Resolution No. 1244, adopted on June 10, 1999. The Resolution “Welcomes the work in hand in the European Union and other international organizations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation”.

premise was pushed to the extremes by the leaders of the Pact.⁴¹ This assistance changed slightly over the time. The current leader of the Pact, Erhard Busek, seems to have realised that a state-centred approach of the Pact cannot be that fruitful for all cases, including Kosova. In fact, if this rigid and strictly legal approach is not abandoned, then it will surely render ineffective the main mission of the Pact, that is, the reintegration of the whole region into Europe and wider contexts⁴². This is the point and the very cause of the failure of other political projects of the previous century. This failure has nowhere been more obvious than in the case of the Albanians living in the Balkans.

I heard here today, as I did elsewhere on other occasions, a theory according to which the economic development and prosperity will by themselves resolve the ethnic problems in the Balkans. In fact, this is the very logic developed and encouraged by the international community administering Kosova at present. However, no economic progress has so far been recorded in Kosova, and progress that could eventually prove that those who believe that economics is the main remedy for the ethnic troubles are right. Even if there had been such a progress, I very much

⁴¹ “ **II. PRINCIPLES AND NORMS:** 5. We solemnly reaffirm our commitment to all the principles and norms enshrined in the UN Charter, the Helsinki Final Act, the Charter of Paris, the 1990 Copenhagen Document and other OSCE documents, and, as applicable, to the full implementation of relevant UN Security Council Resolutions, the relevant conventions of the Council of Europe and the General Framework Agreement for Peace in Bosnia and Herzegovina, with a view to promoting good neighbourly relations. 6. In our endeavours, we will build upon bilateral and multilateral agreements on good neighbourly relations concluded by States in the region participating in the Pact, and will seek the conclusion of such agreements where they do not exist. They will form an essential element of the Stability Pact. 7. We reaffirm that we are accountable to our citizens and responsible to one another for the respect for OSCE norms and principles and for the implementation of our commitments. We also reaffirm that commitments with respect to the human dimension undertaken through our membership in the OSCE are matters of direct and legitimate concern to all States participating in the Stability Pact, and do not belong exclusively to the internal affairs of the state concerned. Respect for these commitments constitutes one of the foundations of international order, to which we intend to make a substantial contribution.

⁴² “ **III OBJECTIVES:** 9. The Stability Pact aims at strengthening countries in South Eastern Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity, in order to achieve stability in the whole region. Those countries in the region that seek integration into Euro-Atlantic structures, alongside a number of other participants in the Pact, strongly believe that the implementation of this process will facilitate their objective”.

doubt that the ethnic situation would have been different than the one prevailing at present. I believe that economics is only one side, tiny albeit, of the problem, certainly not the main one standing for the principal remedy for the solution of the ethnic questions. Ethnic questions are not created by economy, nor will they be settled by economic means. The same wrong premise was developed by former Communist regimes that believed that the economic basis stands for everything, national questions included. Having said this, I embark upon the new approach that has as its *raison d'etre* the political nature of the existing ethnic problems. That is to say, an approach that believes that ethnic problems have a political nature in essence. Albanians living in the region are no exception to this.

As I stated at the very title of my this presentation, the solution of the Albanian question is a precondition for long-lasting peace, stability and cooperation in the region. This solution has many and, by now, unknown modalities. In my view, nevertheless, the main issue at stake is that any solution should be perceived by the Albanians as fulfilling their demands and self-determination claims. This is especially important when it comes to the solution of the Kosova issue. But it also relates to the rest of the Albanians living in Serbia, FYROM and Montenegro.

The approach so far has evidently been state-centred. Until very recently this was a position that the international community insisted on. This, however, is gradually changing. There is being crystallised a wise idea stressing not the state-centred approach but the one seeing the region of the Balkans simply as a troubled region that needs to be calmed down. The inclusion of Kosova within the Pact's programmes and activities in the form of a "*corpus separatum*" that does not take into account the niceties of the international law is a courageous step worth of praise. It shows that people can perceive and implement different realities in a variety of ways. However, these perceptions do matter. They have an impact on reality and can gradually change it. For those who are familiar with the International Relations (IR) decision-making theories, just recall that perceptions did matter very much in the First World War, the Cuban Missile Crisis and the like.

In former times, Kosova drew no attention of the Stability Pact. This was, in my view, due to the state-centred pursued by its leader, Mr. Bodo Hombach. This approach has been and still remains an approach pursued in Kosova by its international rulers, the UNMIK. This attitude remains a big hindrance towards the cooperation in the region as a whole since it leaves Kosova as one of the major hot-spots in the region outside of the main regional activities, political and other. UNMIK should, in my view, follow the path chosen by the Pact leaders recently. This would definitively pave the way, that is, facilitate, a satisfactory solution of the Kosova question, a task that rests with the UNMIK and its mandate given by the UN Security Council Resolution 1244 (1999). Or, to put it another way, the UNMIK authorities should try to facilitate the regional integration of Kosova through the strategy chosen by the Stability Pact recently since this is the only way that paves the secure road towards the solution of the final status of Kosova. So far, UNMIK policy has been quite the opposite pushing Kosova into the corners of isolation in much the same manner as it was done over the past decade.

The strategy of the Pact as it stands at present allows for wider opportunities of cooperation among the Balkan people and this should be further encouraged. The overall cooperation helps in the creation of a permissive environment that would enable the international community to tackle the ethnic issues.⁴³ Only through the exchange of information

⁴³ In fact, the Stability Pact is the first serious attempt by the international community to replace the previous, reactive crisis intervention policy in South Eastern Europe with a comprehensive, long-term conflict prevention strategy. The Pact is a political declaration of commitment and a framework agreement on international co-operation to develop a shared strategy among all partners for stability and growth in South Eastern Europe.

In the founding document, the EU, which has assumed a leading role in the Stability Pact, undertakes the attempt to draw South Eastern Europe "closer to the perspective of full integration... into its structures", including eventual full membership. The European Union and its Member States are collectively the most important donors in the region.

Without democratic institutions that work effectively and the democratic development of a state under the rule of law there can be no long-term economic development and prosperity. Equally, democratisation and non-discrimination are also fundamental preconditions to guaranteeing internal and external security, since the June 2001 Regional Table, Working Table I focuses on four priority areas. In addition to the refugee matters, the media, education and youth, the inter-ethnic dialogue and cross-border co-operation take a prominent place. This area builds on achievements by, *inter alia*, the Human Rights

among peoples can there be a fruitful dialogue leading to international peace and security. Through military and other violent means no ethnic trouble has ever been solved and, I presume, it will never be. The same applies to other troubles and problems facing the modern world, such as international terrorism. The phenomena of international terrorism and terrorist-like activities can be neutralised only through military means, but on a temporary basis. However, their final settlement depends entirely on other non-military means.

Albanians in the Former Yugoslav Republic of Macedonia (FYROM) have signed an agreement with the Slav authorities of this Republic, the so-called *Ohrid Agreement*. This document sets the stage for a political solution of the outstanding problems between these two nations. The tragic conflict in FYROM seems also to have had an effect in terms of increasing the mutual awareness as to the necessity of living together. Parties to the conflict should not miss this opportunity. There exists at present a very permissive environment for a full implementation of the *Ohrid Agreement*. Both sides see that the regional cooperation is to the benefit of all, although the FYROM authorities still stick to the old methods of restricting the freedom of movement among its own Albanians and others living in Kosova and Albania. The programme of the Pact can be of tremendous help as long as they take on the task of a greater involvement in the implementation of the *Ohrid Agreement*, whose full implementation is a precondition for the position of the FYROM Albanians and the stabilisation and integration of this country into the Euro-Atlantic structures.

and Minorities Task Force that has drawn up a comprehensive programme for the promotion of multiethnic coexistence and for the protection of minorities. Human Rights Centres have been established. Legislation reviews, awareness campaigns, and promotion of the status of the Roma population are important activities. The Good Governance Task Force has focused on the development of local governments and the establishment of ombudsman institutions and the reform of the public administration. In the framework of the Enhanced Szeged Process, a mechanism that had originally been established to support democratic forces in the FRY at the time of the Milosevic regime, more than 40 partnerships have been concluded with cities and local authorities governed by opposition parties in Serbia. In March 2001, the partnership programme was extended beyond the original beneficiary FR of Yugoslavia to FYR Macedonia, Bosnia & Herzegovina, and Albania.

One of the main reasons for instability and disorder in Albanian society has been the unsolved status of the Albanians living outside its borders, almost the same number as those in proper Albania, despite the fact that Albania played a very constructive role in recent years, applying an appeasement policy towards Kosova and the region as a whole. No Albanian government has ever encouraged violence and war over the last decade. The same constructive approach was shown during the conflict in the Preshevo Valley and the FYROM. However, in the eyes of the Albanians of both sides of the divide there is a perception that no reward ensued in exchange for all the constructive efforts of the Albanians. Moreover, a new phase of the Association/Stabilisation agreements with the EU seems to be out of reach for Albania. Only a double-track strategy, one with the EU and the other with the Pact, can keep Albania onboard, that is, encourage it to further play a regional, constructive role.

This brings us to the last point I would like to stress, that is, which is the prior task for us: Stability/Association approach or regional integration?! To put it another way, are the EU and the Stability Pact mutually exclusive or interlocking mechanisms and endeavours? Seen from the realist perspective of an IR scholar, the regional approach would encourage the regional balance of power logic and regional hegemony, as seen during the history of the region throughout the 20th century. For this, I think that the central-level approach as foreseen by the Stabilisation/Association approach is more apt to the Balkans compared with the regional-level approach. The latter has always been a fertile soil for regional bosses and hegemons who have constantly obstructed the trends for equality within and among the peoples of the Balkans.

Enver Hasani

Professor of Public International Law and the Director of Human Rights
Centre of the University of Pristina
Pristina

Drago Pilsel

THE ROLE OF THE MEDIA IN THE REGIONAL CO-OPERATION

The Role of the media in the Regional Co-operation in SEE is one of the crucial aspects of the Stability Pact for South East Europe, especially in the Democratisation and Human Rights Task Force. Without democratic institutions that work effectively and the democratic development of a state under the rule of law there can be no long-term economic development and prosperity. Equally, democratisation and non-discrimination are also fundamental preconditions for guaranteeing internal and external security. Democracy and Human Rights: Deep-rooted democratic habits and a vibrant civil society constitute the foundation upon which the achievement of the objectives of the Pact can be built.

Since June 2001, Regional Table, Working Table I, focuses on four priority areas: inter-ethnic dialogue and cross-border co-operation, refugee matters, the media, and education and youth. The Media Task Force - a collaborative effort of donors, NGOs and recipient countries - adopted the Charter for Media Freedom and a Strategy for Media Assistance. It also set up National Working Groups in seven SEE countries, which are comprised of media professionals, members of civil society, and representatives of state authorities. Areas of support cover legislation, training, public broadcasting and networks of private outlets or associations.

Certainly, to this moment, many good projects were founded under the umbrella of the Stability Pact. The best project, the best meeting about the role of the Media in the Regional Co-operation in the frame created by the Stability Pact in last year, was the First University of Communications of Southeast Europe organised by the Media plan institute in Sarajevo, Bosnia and Herzegovina, from the 18th to the 20th of October 2001.

As the president of Forum 21, Association of Broadcast Journalists of the Croatian Journalist Society in Zagreb, I was moderator of the round table 'Media against Hatreds: Media and Peace-Building in Southeast Europe'. A broad spectrum of issues – as many as 40 topics – underlined the justifiability of the term “University”. Around 570 men and women of various profiles, professional, scientific, educational, cultural, social, political and other backgrounds took part in, or “attended”, the University. That was quite a big number. However, it was not only the quantity that was easily noticeable. The quality overwhelmed the quantity. I can say that the quality was irresistible.

In addition to a perfect organisation, the selection of topics was right on target. The organisers made a proper choice of the topical and challenging issues. These were some of the topics: EU policy toward South East Europe; the media and terrorism; the Internet and journalistic ethics; education of journalists; regulatory agencies and their independence; challenges of Internet regulations; thinking digitally; media and regional co-operation; speech of hatred; information gap; freedom of information; and many others.

This is a sufficient proof that it is necessary to acknowledge the specific features of the region, which went through conflicts and crises, while fears from a historical relapse are still widespread. A recurring theme in the keynote of many panelists was the following: “We do not want to be the backyard of Europe”. For example, the information gap remains the beginning and the end of the story. One colleague from Serbia said that less than five percent of the Serbian population had access to the Internet. The situation is even worse in Bosnia and Herzegovina. Most experts believe that at best not more than two percent of the local population have access to the Internet. The role of the Stability Pact should be stressed in particular in terms of its more vigorous and dynamic engagement in media co-operation in the region and in the development of the communication sector.

There is a constant struggle for financial survival and a great need for skills training in the basic tenets of fact-based journalism – how to produce fair, balanced and well-documented stories. On the positive

side, the media in this region of Europe have a unique opportunity to recreate themselves and launch a new era of free expression in a land once dominated by dictators and nationalists who used professional communications as a tool of war.

In a recent report I predicted that it would take at least one generation to move beyond the roots of communism and the stranglehold that authoritarianism had on the media. I believe the most important part of the process is to educate the region's young journalists and encourage greater professionalism and fresh approaches to newsgathering. Democracy should be carefully built day by day and journalists should become promoters of pluralism, liberty and progress. Without that, we will not have real freedom for a long time in South Eastern Europe.

The Information society is changing our reality in the field of communication, politics, trade and traffic – in short, in all fields – through the media and electronic networks. The acceptance of diversity, differences and tactic divergences do not prevent us from our joint thinking about the future. Therefore, if the information society is international, if local realities are deeply rooted in history and culture, strategies may only be regional. It is precisely at that level that South East Europe is the area suitable for the most tranquil life in the oncoming century.

The Stability Pact may work and help initiatives of education, exchange of information and interactivity in the region if the Pact really wants to belong to reality. But it is necessary to explain, act pedagogically and multiply opportunities for information so that those who are unfamiliar with projects of regional co-operation, or those who are skeptic or critical, get interested and attentive, even induced.

I can suggest that the Pact officers should do an intelligent job of lobbying immediately. The difficulties should not be understated. One should not be naive. Nevertheless, the project of media regional co-operation is rich and facilities progress and integration in Europe are step by step more credible.

Politically, the vision of the future of the developed media in civil society is generous. Strategically, its implementation should be shared between market and public service. Everyone should take a chance.

It has been mentioned that the South East European region is seen as the European backyard, an exotic and since most recently, a dangerous area within which guests feel well at peace and risk their lives in turbulent times. It is high time that we change that international focus. This is why I am happy and honoured to participate in this seminar in Reichenau.

As Dr. Martin Luther King said in 1963, in the historical March on Washington address', I also have a dream. I will explain it. In a sense we have come to this meeting to cash a check. When the architects of the European Union wrote the magnificent words of many crucial documents of the Union, they were signing a promissory note to which every European citizen was to fall heir. This note was a promise that all men would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that Europe has defaulted on this promissory note insofar as its citizens in the Balkans are concerned. Instead of honouring this sacred obligation, Europe has given a bad check to many people in South East Europe; a check which has come back marked 'insufficient funds'. But I refuse to believe that the bank of justice is bankrupt. I refuse to believe that there are insufficient funds in the great vaults of opportunity of this region where I am coming from.

So, and at this opportunity in Reichenau, many of us have come because we believe that we can cash this check – a check that will give us upon demand the riches of freedom and the security of justice. I also took the word in this very important meeting; I have also come to this hallowed spot to remind Europe of the fierce urgency of these questions. This is not the time to engage in the luxury of cooling off or to take the tranquilising drug of gradualism.

Now is the time to make real the promises of democracy and prosperity we heard in Sarajevo on the summit of July 31, 1999 when the Stability

Pact was converted from a proposal into a long-term programme with clear objectives and structures that will monitor its implementation. Now is the time to help the people in the region to pass the autumn of freedom and equality.

As I said, I have a dream. I must say to you and to your organisations that it would be fatal for all of us to overlook the urgency of these questions and to underestimate the determination of a large number of professionals in the media to built solidarity and peace.

The whirlwinds of revolt will continue to shake the foundations of the Stability Pact until the bright day of justice emerges. My dream is a civil society with open doors of opportunities to all people, a society of awakened citizens, Europeans, dedicated to work hard because there will be neither rest nor tranquility in Europe until my people in the region, or in every other part of Europe, will not have been granted all their rights as citizens.

Finally, I hope that all of us in our countries, everyone in his or her own way, will continue to build the bridge of regional cooperation. I am deeply convinced that we shall come a step closer to the objectives of our PFP Consortium Study Group “Crisis Management in South East Europe“.

Today the question is not whether we need communication in the region, but when it will start to be established to a satisfactory degree. Democratisation of all countries in the region creates stability, just as technological development creates conditions for better communication. And then it is up to curiosity to carry out its part.

Conflicts, distrust, prejudice and a lack of real co-operation are certainly among the top reasons for the economic underdevelopment of South East Europe compared to the rest of the continent. These things can be improved by promoting communication among people living in the region. Direct communication unburdened by the political interests of political parties or individuals in power should play the main role in this process.

In this frame, I have good news. On May 7th, the Public Broadcasting Service (PBS) in Bosnia and Herzegovina started after many years with a central news program at 7.00 p.m. for all the country. It is supported by the public televisions of both entities: the Federation of Bosnia and Herzegovina and the Republic of Srpska. This is a good step for the process of reintegration of the country and a clear sign to the nationalistic forces that the process of reconciliation and of building confidence cannot be stopped.

The media can certainly be of help in the reconciliation process, but they cannot take the leading role. It is necessary that the responsible officers of the Stability Pact support those media professionals who maintained the language of information, not propaganda, because only those people have the right to call themselves “the media”.

Thanking all of you for your kind attention, I need to repeat once again that we in the region ‘do not want to be the backyard of Europe’, but a normal part of our lovely common home - Europe.

Drago Pilsel
Forum 21
Zagreb

Sandžak - From a Paradigm of Political Crises and a Potential Safety Crisis-Spot in Federal Republic of Yugoslavia to its Possible Role as an Integrating Area of Serbia and Montenegro

Each conversation about Sandžak as one of the paradigms of political crises in the Federal Republic of Yugoslavia, that is in Serbia and Montenegro, would have to be started with basic data about the area itself about the causes and the nature of problems that exist concerning Sandžak and within it, starting from the time when it was, under the title the “*Sandžak question*”, for the first time the subject of interest of the international community, far away in 1858.²

Unfortunately, the “*Sandžak question*” or, the “*Muslim-Bošnjak question*”³, with smaller or greater intensity, has lasted a hundred and fifty years and there is a great number of facts

¹ Šefko Almerovic is the president of Helsinki Committee for human rights from Sandžak.

² Under the title “**Sandžak question**” about political problems of Muslims-Bošnjaks from Sandžak an international scene is being discussed, from time to time, for more than hundred years. Unfortunately, the most common reasons to discuss Sandžak were sufferings of Muslim Bošnjak population or, as it would be said today, human rights violations. Because of these reasons about Sandžak was the first time discussed an international scene in 1858, concerning so-called “**Kolašin affair**”. At that time horrible cruelty in the slaughter of almost 600 Muslims in Kolašin was the reason it was discussed about Bošnjaks an international scene and decisions about pretending that performed ethnic cleansing of Kolašin and its surrounding did not exist were made. But expelled population that returned stayed in their homes just for the next several years more precisely until 1879. Then, by decisions of Berlin Congress Kolašin and surrounding, and some other towns and areas, was given to Montenegro, along with the obligation to respect rights of domestic population concerning safety, property and religion. However, Montenegrin authorities violated and interpreted decision about annexing territories in their own way – as the right to expel non-Montenegrin population – in armed actions they completely ethnically cleansed this area and in homes and properties of Muslims-Bošnjaks they brought Montenegrins. In Berlin Congress about the rest of Sandžak was discussed as separate item an agenda and then Austria-Hungary got all rights to occupy it but partially, as for territories (to the Lim) and for military restrictions (to station 5000 soldiers in Pljevlja-Priboj and Prijepolje). Turkey kept civilian management and it will keep it until 1912. Next time about Sandžak will be discussed between two world wars.

The cause is, again the slaughter of 150 Bošnjaks in Šahovice, committed between 8th and 11th November 1924 by Royal Army and police of Yugoslavia from that time. From Šahovice and surrounding was then expelled all Bošnjak population and Šahovice was officially named Tomaševo, as it is called today. Exactly with the same practice – violent “cleansing” of territories from Muslim Bošnjak population (murders and expelling and other forms of state repression), and by hiding their, material and spiritual legacy, starting with physical destruction of religious buildings and tombs to destruction, renaming of towns and taking literary works of certain authors and whole people – Yugoslav authorities will continue to solve “Sandžak question” until the end of 20th century, and according to some indications, especially according to the relation of present authorities in Serbia and Montenegro, ran realistically be assumed that it will be like that in 21st century.

³ Although real ethnic name of Yugoslav Muslims is „Bošnjaks” Party commission in former socialist Yugoslavia – determined for their national name to be taken the word Muslims and under that name they have been declaring themselves an three Population surveys – in 1971, in 1981 and in 1991. In that time communist authorities original name – Bošnjaks avoided because of Bosnian Serbs and Croats who make half of Bosnia and Herzegovina Population, to remove direct link and identification with Bosnia, that Bosnia belongs to Bošnjaks æ Serbia identifies with Serbs, Croatia with Croats, Slovenia with Slovenians, Macedonia with Macedonians, Montenegro with Montenegrins. During the war in Bosnia and Herzegovina, Bošnjak intellectuals started initiative original national name to be returned – Bošnjaks and so was decided an All Bošnjak Congress, in October 1993. Since then the Word Bošnjaks officially is used for the name of people who in former SFRY had name Muslims. But, Bošnjaks in Serbia and Montenegro lost the Status of nation, and in Constitution of FR Yugoslavia and in everyday life they don't even have recognized the Status of national minority. True, alter the change of authority in Serbia, representatives of authority publicly showed political will to allow Bošnjaks to call themselves by their original name and in public communication they use term Bošnjaks, but that is not official yet. Because of all that, Sandžak Bošnjaks until recently used

which are necessary to know and keep in mind in discussions about Sandžak as paradigms of they state so an population survey held in the first part of political crises and a potential crises-spot area.⁴ Along with that, Serbian-Montenegrin regime in last ten years tried to solve the “Sandžak question”, that is, the question of Bošnjaks in FRY, by ethnic cleansing of the majority population, and instead of a solution, even more with aggressive and anachronous national, actually national-chauvinist politics, it actualised all unsolved and suppressed questions and created even more problems. Because of that, ever for a short survey of the basic data about the further and closer prehistory of the “Sandžak question” lot of time, space and effort are necessary. On the other hand, it is very risky to leave out facts from the prehistory of the “Sandžak question” and the present the essence of present problems and point to possible solutions today in an understandable way.

Considering that neither time not spare allow us such a presentation of the whole problem, I will limit myself just an analyses of the facts, that appeared as a result of long historical processes and which the beginning of the 90s motivated the Serbian-Montenegrin regime to resolve the “Sandžak question” and to solve it in the very same way because of which Sandžak became a paradigm of political crises – by use of violence, crimes, repression and ethnic cleansing. For a better understanding of the objective Problems in Sandžak and, eventually, Sandžak as a regional problem, and especially for objective and rational viewing of possible democratic solutions of the “Sandžak question” that is, the Bošnjak-muslim question in FR Yugoslavia, in footnotes I will give broader explanations and name further important data and events from the last ten years. I do that for two reasons: firstly, through those explanations of events and situation in Sandžak from the time of Milošević’s reign we can scope, it could be said, the complete issue of problems in Sandžak; and, secondly, without those facts the causes of the present state truly cannot be understood, and along with that, neither can we view solutions of the problems in Sandžak nor Sandžak as a regional problem.

But, if, eventually, someone has an interest and a need to scope Problems of this region more completely, they can in more detail find out about some further important data and facts about the prehistory of the Problems in Sandžak and Sandžak as a regional Problem in an article published by the Helsinki Committee from Sandžak under the title “*Short Information on Sandžak*” and in “*Analyses of Politics of new Serbian and Montenegrin leadership*”.

Sandžak – one of paradigms of political crises and a potential safety crisis-spot in FRY

I will continue in a completely direct way, with the Statement that Sandžak has, according to evaluations of objective and relevant observers and analysts, from the beginning of the collapse of SFRY until present, from the aspect of safety in FRY and in the whole region,

compound word „Muslims Bošnjaks”. The aim was to respect the fact that in the constitution of former SFR Yugoslavia they were treated as people under the name of Muslims, but also to point out the fact that they are firstly Bošnjaks, and secondly that they are part of Bošnjaks from Bosnia and Herzegovina and other republics of former SFR Yugoslavia. Also, by adding to their constitutional name the original name Bošnjak, they showed political willingness and intention that in constitutions of present republics, Serbia and Montenegro, change the name Muslim, which was artificially and beside democratic procedure given to them, to original name Bošnjaks. Finally, new authorities in Serbia allowed that they state so on population survey held in the first part of April this year. Unfortunately, authorities in Montenegro still manipulate with national name of Bošnjaks, and Population survey is postponed for two years and they still insist an the word Muslim.

⁴ “**Sandžak question**”, that is Bošnjak question in Sandžak is not solved until now sol the reason that regimes in Serbia and Montenegro persistently tried to solve it in the same way it was created in some periods by violence, crimes, repression, ethnic cleansing and division of Sandžak territory – in others – by ignoring, covering-up and state programs by which were encouraged processes of moving away or assimilation of Bošnjaks – because of which Sandžak has become paradigm of political crises.

represented “the region of high risk” and from the aspect of human rights violations, the region in which the heaviest forms of human rights violations based on national grounds, in concrete, towards citizens of the Bošnjak nationality were performed.⁵

As an explanation for such a Situation usually the fact that make Sandžak a special region in the FR Yugoslavia and in the Balkans in general is taken. That is why I will name some of the basic facts in order to analyse it, when Sandžak is an issue, these facts are the sources of the conflict and the answer to the question – what is it that makes Sandžak a regional Problem or what are the causes of the Problems in Sandžak.

Possible sources of political crises

The first fact which could be the cause for Problems in Sandžak and make it a regional problem is its *population*. Mainly, the population of Sandžak is, in a national and religious

⁵ When, from the early spring 1992, Milošević started to realize planned and well prepared war by openly/hidden aggression on Bosnia and Herzegovina, military and civilian authorities in Serbia and Montenegro the territory of Sandžak literally turned into a war zone in which they, according to planned goals and estimations of Situation and "relation of Power" installed adequate number of armed military and Police forces and armed all military capable Serbian and Montenegrin Population, and one part, so called volunteers, organized into paramilitary Formations.

For all the time the war was led in Bosnia and Herzegovina, in Sandžak all four categories of Serbian and Montenegrin armed forces in border area towards Bosnia and Herzegovina (area of Pljevlja and Priboj) performed terror over Bošnjaks, with all elements of war cruelty, and in other areas they conducted repressive measures that only enemy army and authorities that occupy perform.

Helsinki Committee from Sandžak, beside large number of individual human rights violations, noted following heavier forms of crimes and violence: 18 armed assaults on villages; six kidnappings on citizens from trains, Buses, apartments, in which were kidnapped and murdered 51 Bošnjaks; 36 murders of citizens; 229 woundings and around 10.800 physical abuses of citizens. Beside violence over citizens, systematic destruction of Bošnjaks property was performed – houses set on fire, mining of economy buildings, destruction of vehicles and religious buildings.

Of course, after each crime, murder, kidnapping, citizens ran away from their places out of fear, and during armed assaults on villages inhabitants were literally expelled because except setting houses on fire, they were murdered by attackers. During armed assault on village Kukurovice, 18th February 1993, all houses in village were set on fire, three older people were murdered and the rest of population expelled. Such destiny happened the area of Bukovica near Pljevlja (Montenegro) in which eight innocent citizens were murdered and twelve kidnapped. Beside that, in several occasions the Police conducted campaigns of mass repression towards Bošnjak population. In that way was ethnically cleansed, completely, whole area of Bukovica in which were 28 villages settled by exclusively Bošnjaks, and 31 village in the area of Priboj, and partially (from 30% to 80% population), several hundreds of villages in the area of Pešter and Bihor. {Data are just about cases that noted and in reliable way (with obtained evidence) researched HCS. In that sense, they cannot be considered as true, because it is absolutely certain that not all cases are grasped. According to the data of political parties, their committees for human rights and other NGO's, can be considered that data of HCS are 40 – 50% of complete number of cases.)

About proportions and aims of that violence two data tell enough: seeing in Sandžak events “their” “Crystal night”, British Jews on 1st August 1992 in THE GUARDIAN published protest and appeal in which they called international community and their Jewish community to “stop nazis” because that is “too close to our Jewish community so we could be silent in front of the nazis”. And really, according to writings of Podgorica weekly MONITOR, the slaughter of Bošnjaks was announced several times for orthodox holiday (for Petrovdan, 11th July, for St. Ilija, 2nd August 1992, etc.) Finally, sole fact that in the area of Sandžak there were no classical war operations, and that some of the crimes (kidnappings and executions of citizens) were qualified as war crimes by International Tribunal for war crimes and by some Yugoslav Courts, tell that Milošević in Sandžak conducted secret war with similar aims as in Bosnia and Herzegovina – ethnic cleansing of Bošnjaks.

sense, *mixed*. There are mostly Bošnjaks, then Serbs, Montenegrins, Roma, Albanians, Hungarians and Jews.⁶

The second aspect of this fact is that the *majority of the population* of Sandžak make, on the level of Serbia and/or Montenegro, *national minority*, Bošnjaks. So, in Sandžak *minority population* are Serbs and Montenegrins, who, on the level of Serbia and Montenegro make *majority* and, as it is said in our country they are constitutional peoples, because countries are named after their national names and in constitutions mostly they are mentioned and taken care of.

I am stating these facts because the crises in the area of former Yugoslavia are most often explained with inter-national hostility, and the wars of the 90s are mostly defined as inter-ethnic, that is, inter-national and even religious. Finally, the fact that Bošnjaks are the majority population in Sandžak must be brought in connection with the fact that Serbia and Montenegro led war against their compatriots in Bosnia, and especially because of the goals and consequences of that war.

The second fact: Sandžak represents historically, culturally, politically and economically a circled part, that is an area, a province, a region, which had autonomy long before the present Yugoslav autonomous units Kosovo and Vojvodina.

Except in the far past, Sandžak was an autonomous unit at the beginning of the creation of socialist Yugoslavia, in 1943. Sandžak then, with acceptance and suggestion of the highest organs of the Yugoslav authority and participation of representatives of all ethnic groups, had almost the same status and exactly the same name and power as future federal units (republics). About that time, witness founding and other documents created during two and a half years an autonomy of Sandžak. However, immediately after the end of WW II, under brutal pressure of Belgrade Sandžak's autonomy was revoked. Then again the territory of the region was divided between the republics of Serbia and Montenegro, by a border that was established by military conquest and ethnic cleansing during the Balkan wars at the beginning of the 20th century, but also on the grounds of decisions by the international community from the end of 19th century, more precisely, by decisions of the Berlin Congress, and on the grounds of political bargains among federal republics in previous communist regimes. Of course, by the nature of politics of that time, and politics in general, everybody took care of their and some other interests, and only then of the needs of the Sandžak population.

⁶ According to population survey from 1991, in Sandžak live 419.994 inhabitants, what is five times less than in Kosovo although area of Sandžak is not significantly (for around 1.000 km²) smaller than Kosovo area.

From total number of inhabitants, 257.849 live in Serbian part, and 162.000 in Montenegrin part of Sandžak.

National structure of population has always been mixed. There are most Bošnjaks, then Serbs, Montenegrins, Roma, Albanians, Hungarians and Jews. Total, 228.446 Bošnjaks live in both parts of Sandžak, they represent 54% of total population.

Bošnjaks are majority population in both parts of Sandžak: 155.544 Bošnjaks live in Serbian part of Sandžak, what makes absolute majority of 62.8%, and 72.902 live in Montenegrin part of Sandžak, so they represent relative majority of 46.7% compared to 37.4% Montenegrins. 9.3% Serbs and 6.6% Albanians and small part of ethnic groups.

Except in Sandžak Bošnjaks live in other parts of Serbia and Montenegro. Of 175 municipalities, how much was in Serbia in population survey in 1991, just in five municipalities Bošnjaks did not live. Outside Sandžak is noted 106.579 Bošnjaks: in Serbia 90.867 and in Montenegro 16.712. Excluding one part in Vojvodina, in Serbia and Montenegro they lived mostly in towns, where they gradually, for employment in industrial companies, settled in bigger or smaller number, individually or in "spontaneous" formed but unorganised city parts that were created out of former labourers colonies. But, in Vojvodina they are mostly inhabited in villages in Banal where authorities resettled them from parts of Sandžak, where villages were set on fire by Cetniks in WW II, as colonists after the end of war.

In the context of these facts causes of the problems in Sandžak and of facts that can make it a regional problem, especially because of situation that appeared at the beginning of the 90s when the bloody collapse of ex-Yugoslavia started, can be found.

The third fact which could also be the cause for problems in Sandžak and can make it a regional problem is directly connected to the division of the territory of Sandžak, firstly between Serbia and Montenegro, also because parts of the territory that were given to Bosnia and Herzegovina and Kosovo after WW II. In that way, Sandžak became a region that spreads through territories of Serbia, Montenegro, Kosovo and Bosnia and Herzegovina and is closely connected with them in every aspect.

This fact is also important, beside other things, because Serbia and Montenegro were, as was already said, at war with Bosnia and Herzegovina and practically and literally was at war with compatriots of the majority people in Sandžak – Bošnjaks.⁷

Of course, and for those facts, Sandžak could have been a potential crisis-spot point.

Analyses of possible sources of political crises

It is certain that those are serious circumstances because of which conflicts usually appear or they are at least explained by them. The truth is also that those circumstances motivated the Serbian-Montenegrin regime to undertake measures in order to solve the "Sandžak question", but it is a matter of anachronous and aggressive motives and national chauvinist programmes, which, from the aspects of civilization and democracy, even from the aspect of postulates of present religions and traditions of living in Sandžak, cannot be accepted and justified as necessary, reasonable and meaningful.

The essence is that, in the case of Sandžak, neither of the given situations themselves, I emphasise this, was productive or influenced a re-opening of the "Sandžak question", that is, the Bošnjak question, in Sandžak and in the whole Federal Republic of Yugoslavia.

In the following I will try to prove this statement and point out that in these facts given there is the qualify that a solution of the "Sandžak question" is really necessary and possible or at least prove that it is not an obstacle for democratic a solution, the least cause of problems in Sandžak and that it does not make Sandžak a regional problem.

I will start with the analyses and answers in the order of which the facts that could be the cause of problems are stated.

Analyses of the first fact: The national and religious structure of the population was always mixed. Also, the dominant population was Bošnjak, but that was never, even in the 90s, the cause of conflicts between Bošnjaks on the one and Serbs and Montenegrins on the other side.

⁷ In any other question concerning wars of the 90's in international community there is no agreement about Milošević's responsibility for those wars, even for war crimes. Sole fact that international community brought sanctions to Yugoslavia speak in favour of that, and at London Peace Conference was clearly said that it was aggression of FAY on Bosnia and Herzegovina. Besides, Milošević, before the wars, many times publicly threatened with war (promised "war conflicts", "armed fight", "if we are supposed to fight we will fight", etc.) and at night meeting in June 1991 with presidents of municipalities and chiefs of local departments of Internal Affairs Ministry he announced the decision to "go to war". Beside, the syntagm "Balkan butcher" was launched by very significant international factors. That it is not the case of political rhetoric but legal fact and qualification it is clear from chronology of events since his arrival to power in Serbia to his abolishing from power and extradition to the International Tribunal for war crimes committed on the area of former Yugoslavia which brought up the charges against Milošević for genocide in Croatia, Bosnia and Herzegovina and Kosovo.

Understandably, that war in Bosnia and Herzegovina and later in Kosovo, did, as in the whole region, create certain international tensions but they did not produce conflict situations between citizens of different nationalities. On the contrary, they created direct and aggressive politics of the regime to make international conflicts, majority members of all national communities, because of that became extremely aware and tactful in everyday conduct in relation with the members of other national communities.

That confirms the following official data about processed criminal and misdemeanour acts that concern disputes, fights or murders between citizens of all nationalities: of over 4.000 criminal and misdemeanour acts, as much is noted in three Sandžak municipalities (Novi Pazar, Tutin and Sjenica) for the period between 1990 and 1995, just in three cases participants of conflicts were of different nationality, and those were the cases of usual disputes in cafes.

Unfortunately, these data tell about international division, about the non-existing of normal life together on the level of everyday life of citizens. The practise of the Serbian-Montenegrin regime that, on one side, gives privileges to citizens of Serbian and Montenegrin nationality in all segments of social life, and on the other, that towards Bošnjaks conducts complete discrimination, based on law regulative,⁸ and even police and army repression, as it is performed upon population under occupation and enemies, is responsible for that.

During the war, acts of repression of Bošnjaks in Sandžak by Yugoslav police and army, paramilitary formations that acted as their part, had all elements of war cruelty.⁹ Along with that, as in Bosnia and Herzegovina and other war zones in the area of ex-Yugoslavia, the regulations of war concerning humanitarian rights and international regulations and obligations that address the population of occupied territories were broken: without any reason and cause in a cruel way, in houses, working and public places, citizens were murdered just because they were Bošnjaks; residential, economy and religious buildings in the property of Bošnjaks were burnt and mined; armed assaults on civilian settlements were performed, civilians were taken hostage and murdered after failed exchanges for their fighters who were captured by the Bosnian-Herzegovinan army in the war zones in Bosnia and Herzegovina or they were murdered in their own houses, in working places, on public roads. They expelled civilian population massively and made their return to the homes they were driven or had run away from impossible.¹⁰

⁸ Helsinki Committee from Sandžak identified and made thorough analyses of four discriminating laws, one regulation and one legal surrogate on whose grounds citizens' discrimination on national grounds is performed and areas where majority population is of non-Serbian nationality. Those are: Law on territorial organization of Republic of Serbia in local self-government, Law on special conditions of real estate trade, Law on space planning of Serbia until 2010 and Law on proclaiming insufficiently developed areas of Republic of Serbia until 2005, and regulation Program of assignments and measures for assignments and measures for faster development and slowing unsatisfactory migrations in municipalities Novi Pazar, Tutin, Sjenica and Prijepolje and Instructions of Federal Ministry for Traffic and Communication with which is forbidden the return of refugees who in some of European countries looked for asylum. It is indicating that two laws were adopted in Serbian Parliament after the signing of Dayton agreement, what points out that Milošević not even then gave up on his plans concerning Bošnjaks in Sandžak.

⁹ According to The Statistical Review made by HCS, of completely 2.246 noted crimes and violence, 1770 were performed by police and army, by paramilitary 114, by members of the army of Bosnian Serbs 90, by citizens of Serbian and Montenegrin nationality who were close to the army and the police structures or were organized in their units 87 and by "unknown executors" 98. In those crimes and violence were included murders, kidnappings, woundings and brutal abuse of citizens with severe body wounds.

¹⁰ According to the statements of the leaders of nationalist party of Bošnjaks SDA, from Sandžak moved around 90.000 citizens. According to rare (mostly, in function of dementia) statements of official representatives of former authority that number of citizens who moved away is not larger than 40.000 and of course, according to their statements it was not the case of expelling or moving away under pressure but the case of volunteer

That, as well as other numerous facts about the war in Bosnia and Herzegovina and the repression in Sandžak, and especially its goal and consequences – ethnic cleansing – actually point to other conclusions: firstly, that Milošević tried to solve the “Sandžak question” by repression, that is, the question of Bošnjaks in the FRY, because crimes and discrimination were performed towards Bošnjaks who lived outside Sandžak, in other towns in Serbia and Montenegro;¹¹ and secondly, that Bošnjaks in Sandžak were part of the war plans of Slobodan Milošević he had in relation with Bošnjaks in Bosnia and Herzegovina.

The basic thing is, that to such a situation not the facts about the national and the religious mixture and the national structure of the population in Sandžak but anachronous and high-state-policy politics of the Serbian-Montenegrin regime contributed.

Analyses of the second fact: There is no doubt that there was dissatisfaction among Bošnjaks because of the violent revoking of Sandžak autonomy in 1945, and especially because of the way in which it was done and because of the division of the Sandžak territory between two republics, and later, the giving of the town of Rudo with surrounding parts to Bosnia and Herzegovina, and to Kosovo the significantly bigger and richer town of Kosovska Mitrovica. However, they never opposed to these decisions, neither individually nor in an organized way. It can be said that Serb representatives made more resistance to the violent revoking of Sandžak autonomy. It is a characteristic example of professor Dr. Sreten Vukosavljević, the first and the only Council President, who demonstratively left the last Assembly session and refused to sign the act by which the autonomy of Sandžak was revoked.

Beside that, it should also be kept in mind that thanks to solid national politics in ex-Yugoslavia, especially after 1965 (when the Minister of Internal Affairs, Aleksandar Ranković, was replaced, one of the toughest and most brutal executives of the continuousness of Serbian national chauvinistic and organizer of state terror over citizens of non-Serbian nationality) the position of members of all national minority communities, even Bošnjaks was significantly improved. As a result of that improvement, Bošnjaks in the last thirty years of existence of Yugoslavia solidly integrated in all segments of social life in the frame of these two federal republics, and the idea of Sandžak autonomy was completely suppressed. A significant role played the fact that citizens in previous Yugoslavia, no matter to what

departure to European countries. In the report from 25th October 1996 Special Commissioner for human rights UN, Ms. Elizabeth Rehn, writes that “*as a result of violence 60 – 80.000 Muslims left Sandžak region since 1992 and found shelter in various Western European countries.*” International crisis group in the report from 9th November 2001 estimates that 80.000 Bošnjaks left Sandžak because “*Milošević’s regime from the beginning of war in Bosnia in March 1992 until the end of 1993 over Muslims of this region conducted official state politic of persecution*”. Considering total number of Muslims-Bošnjaks in Sandžak (224.446), any number in question, it is great percentage of moved population. That fact itself points to dimensions and weight, aims of repression by what moving was started. In any case, it is large number of miserable people who experienced all tragedy of refugee, starting with the shock because of murder or kidnapping of the members of the family, setting houses on fire, the sole act of expelling, running away or “voluntary” departure from homes, to the problems they met as refugees, and in the end, problems and impossibility of the return to their own homes.

¹¹ In towns outside Sandžak most murders of Bošnjaks were performed in Belgrade and Podgorica. According to researches of HCS in Belgrade in period from October 1992 until October 1993 12 murders were performed of which HCS investigated 8. Some less murders of Bošnjaks were performed in Montenegrin towns outside Sandžak. But, as in Serbia, most murders were performed in capital of Montenegro, Podgorica. As in Belgrade, those are murders of workers from Sandžak who worked in Podgorica companies.

Except Belgrade and Podgorica, murders and other violence over Bošnjaks we performed in other towns in Serbia and Montenegro. HCS noted and researched murders of Bošnjaks in three towns in Serbia and wounding and violence in two towns in Montenegro. In Montenegrin towns outside Sandžak there were no murders but in all towns where Bošnjaks live violence is noted, starting with armed assaults on houses, mining of stores, wounding and one rape.

Yugoslav nation and national community they belonged, were equal concerning chances of achieving individual and collective citizen, national and minority rights, and in achieving political freedoms and as victims of other citizens' rights violations by the communist regime.

But when the violent and bloody collapse of ex-Yugoslavia came about (SFRY), aggressions on the Republic of Croatia and the Republic of Bosnia and Herzegovina by the regime of Slobodan Milošević and the Montenegrin political and state duet Bulatović – Đukanović, members of minority peoples became the main victims of their national-chauvinistic politics.

To the members of national minorities in question and drastically reduced individual and collective rights they enjoyed in previous Yugoslavia (Croats, Hungarians, Roma, Slovaks, Rusins, Bulgarians and Romanians), and to Albanians in Kosovo and Bošnjaks in Sandžak they completely revoked them and conducted police and army dictatorship which usually make authorities that occupy.

In that way, Albanians in Kosovo, Croats in Vojvodina and Bošnjaks in Sandžak became victims of violence of “inner” aggression of the Serbian and Montenegrin state national-chauvinism of paramilitary formations oppositional parties and national associations of Serbs and Montenegrins. It is understandable that such politics created and encouraged the feeling of power that in time became arrogant behaviour and in individuals close to the authority, aggressiveness towards members of the minority nations, on behalf of members of the Serbian and Montenegrin people.

On the other hand, such behaviour of the majority citizens of Serbian and Montenegrin nationality, and especially state national-chauvinistic politics created a strong feeling of humiliation and danger among the minorities and encouraged organised political and later armed resistance of Kosovo Albanians toward the Serbian and Montenegrin regime. For the same reasons, the national party of the Bošnjaks, Party Democratic Action of Sandžak, developed the idea of a “*special status of Bošnjaks*” and in autumn of 1991 they conducted a referendum concerning Sandžak autonomy.

The essence is, it was not the question of separatism but exclusively legal and legitimate demands for Sandžak autonomy, which, in the newly created situation at the beginning of the 90s, as a measure for human rights protection, democratisation and decentralisation of society, supported all Bošnjaks. Beside that, measures to put into practise the results of the referendum were never undertaken, so referendum was significant just for the party and the regime, because in essence it had propaganda and a political character. In any case the referendum did not create political problems in Sandžak, except for the fact that a chance to the regime was given to use that publicly justified violence against the members of the Bošnjak community.

Analyses of the third fact: Problems in Sandžak did not appear because its territory spreads on territories of Serbia, Montenegro, Kosovo and Bosnia and Herzegovina, nor because Serbia and Montenegro led conquering war in Bosnia and Herzegovina and against compatriots of the majority peoples in Sandžak, the Bošnjaks.

In the first place the territory of Sandžak, which was given to Bosnia and Herzegovina and Kosovo after WWII, is not a matter of dispute, and nobody seeks a return or rearrangement of the borders.

On the other hand, in Sandžak there was no danger of an upraise or an armed rebellion of the Bošnjaks. It is true, Bošnjaks participated with their compatriots in Bosnia and Herzegovina because of the crime committed upon them but that was a question of emotions they could not and were not allowed to show publicly. On the contrary, Bošnjaks from

Sandžak, beside numerous crimes and abuses performed upon them and complete discrimination in all segments of social life, did not react in any way.¹² Beside that the danger that the Army of Bosnia-Herzegovina endangers the region of Sandžak did not even exist in theory, because since the beginning of the war they were pushed 300 kilometres from the border of Sandžak and Bosnia and Herzegovina.

So, the attempts to justify the problems in Sandžak by the national mixture of the population, international tensions, legal and legitimate demands for autonomy of Sandžak or closeness of war in Bosnia and Herzegovina, actually represent part of the war propaganda the regime spread with the goal to justify and cover-up its responsibility for the violence performed upon Sandžak Bošnjaks by Yugoslav army, police, paramilitary formations and a certain number of militant citizens of Serbian and Montenegrin nationality who were close to the police and military structures or organized in their units.

In essence, the hostile attitude of the Serbian-Montenegrin regime towards Bošnjaks and Croats in the Federal Republic of Yugoslavia was basically motivated by the same war goals as in Croatia and Bosnia and Herzegovina. To such a conclusion, mainly consequences of war actions in Bosnia and Herzegovina and state terror in Sandžak like ethnic cleansing point. However, beside the consequences there are other numerous proofs and clear indications that Bošnjaks in Sandžak and those who lived outside Sandžak, in towns in Serbia and Montenegro, were part of planned political actions of great Serbian national-chauvinism, which was conducted at the beginning of the 90s and during the war against Bošnjaks in Bosnia and Herzegovina.¹³

¹² There is no doubt that the cause of calm endurance of discrimination and violence was created by political and constitutionally legal insecurity and heavy repression of the regime over Bošnjaks in previous period. In that sense, it can be said that their fear is absolutely rational. But, it is the case of suppressed civil courage and national consciousness, what encouraged other corrosive processes of self degradation, starting with adjustment to the status of non-existing and/or citizens of second order to hiding of their national identity and accepting to achieve their citizens' rights through "Serbian connections" and/or with bribery of officials in local organs of management, police, even army and ministries.

¹³ Muslims-Bošnjaks from Sandžak and Bosnia and Herzegovina were parts of unique plans of national ideologists, and when they did not speak of them and when they mentioned them in their projects of national programs. For both options, there are many examples, and here we mention just two well known texts which "most directly influenced on forming public opinion" and for Muslim-Bošnjaks, on both sides of the Drina, they brought tragic events: Memorandum of Dr. Stevan Moljevic from 1941 and Memorandum of SANU from 1986, and on events that followed and came out of these documents.

In Memorandum of Dr. Stevan Moljevic, one of the ideologists of creation of Greater Serbia out of "all Serbian countries", and some other law professors, which was published on 3rd June 1941 in Nikšić, quite openly was presented the plan for ethnic cleansing from non-Serbian population, and towards Bošnjaks, those who lived in Bosnia and Herzegovina as well as those who lived in Sandžak was planned application of practice "three thirds": one third to kill, one third to expel and one third to baptize. Unfortunately, the plan is realized to the great extent.

In Memorandum of SANU the same plan was presented in significantly more subtle way, but that document of SANU from 1986, as general belief and objective academic valuations is considered political and nationalist program conducted by Slobodan Milošević as a war plan "Ram" for Bosnia and Herzegovina and in Sandžak as a plan of "controlled destabilization", with unique aim – ethnic cleansing.

But, Milošević in front of domestic and in front of international community skilfully hid his plans and practice concerning Bošnjaks in Sandžak. Serbian-Montenegrin regime in the same way acted in the case of war in Bosnia and Herzegovina. Although he, in front of the whole world and international community performed open aggression on Bosnia and Herzegovina at the same time he was convincing that world and international community, and he believed in that, that they believed him – "that Serbia and Montenegro do not participate in war". But, facts say it is not so. Beside other things, international community brought sanctions to Yugoslavia because of the wars it led in Croatia and Bosnia and Herzegovina. Finally, Tribunal, except for the crimes committed in Kosovo and Croatia, accused Milošević for crimes committed in Bosnia and Herzegovina

Undoubtedly, the aim of wars in Croatia and Bosnia and Herzegovina was “to unite all Serbian countries” or, as independent analysts said “the creation of Greater Serbia”. According to the consequences of the war in Bosnia and Herzegovina – the ethnic cleansing of territories, it can be concluded that the aim of terror in Sandžak was – the **creation of ethnically pure Serbia and Montenegro**, in Sandžak whose territory in Serbia, as Kosovo, they consider the “**cradle of Serbianity**”, Vojvodina for “**Serbian Piedmont**” and Muslims Bošnjaks “**as centuries long Serbian enemies**”.¹⁴

In any case, Milošević, beside war goals he had in relation to Croatia and Bosnia and Herzegovina, had the goal to solve the “Sandžak question” or the “muslim-Bošnjak question” as a part of one plan: The creation of ethnically clean and Great Serbia.¹⁵

and on the ground of commanding responsibility. There are, of course, other numerous proofs that FRY practically started and led war and Serbs from there brought into war.

14 Such relation towards Muslims, that is Bošnjaks, is motivated with the fact that Bošnjaks in large number accepted Islam after arrival of Turks and on „*Kosovo myth*“, which represents very mixed and complicated mythological scheme because it is mixture of pagan magic and Christian myths and legends with indisputable historical event – battle with Turks in Kosovo in 1389. In any case, it is hard to explain it in several words but it is quite certain that it significantly influenced national and political consciousness of Serbs, and there are opinions that it performed key role in forming socio-psychological character of ethnic Serbs. Here we state two examples of such understanding of Muslims Bošnjaks and “*Kosovo myth*”.

Dobrica Cosic, who is by many considered to be the main ideologist of newer Serbia nationalism, and by Serbs “father of the nation”, in his book PROMJENE – CHANGE that was published in 1992, among other things writes: “**Muslim state, wish for the state Bosnia and Herzegovina, created on confession is extremely anti-Serbian.**” And some time before, at symposium “Tradition and contemporary” held on 29th November 1987 in Swedish Royal Academy, Cosic claimed that Kosovo loss from 1389 is even today preoccupation of Serbian heroes, “**who in people's spirit ached soul do not stop to fight against Islamic half moon, for honourable cross and golden freedom.**”

15 Complete problem of human rights conditions and in general, chances to solve that problem, was additionally hard and complicated by cunning and it could be said successful politics of the regime by which it was marginalized and was pushed away safety and human rights violation problem in Sandžak. For these reasons regime ruthlessly in front of international community denied the fact that human rights in Sandžak are violated and at the same time persistently ignored demands of political factors, NGO's and citizens from Sandžak themselves to stop with repression and discrimination and to solve constitutional legal status of Bošnjaks who in previous SFR Yugoslavia had status of the nation and in Constitution of newly formed FRY and in Constitutions of both republics, they did not get any status, not even the status of national minority. With the aim to completely suppress the problem of human rights violation of Bošnjaks and to cancel their national characteristics, the regime changed the name of the region Sandžak into Raška area, which is now used in official and public communication.

On the other hand, because of the wars in Croatia, Bosnia and Herzegovina and in Kosovo, of course, and because of complete media blockade of Sandžak, problems of human rights in Sandžak are insufficiently familiar to domestic and international public. Because of that was, after expelling delegation of OECD mission that was in Sandžak until the middle of 1993, insufficient and inadequate interest of international community for condition and solution of problems of human rights in Sandžak.

Such condition regime used to systematically and thoroughly without any obstacles violate human rights, trying to keep it as long as possible in order to achieve the aim to ethnically Sandžak or at least to marginalize Bošnjak community and make it minority in Sandžak. When during spring and summer the question of return of mission OECD in FRY was started again, officials from state and political structures, and leaders of all opposition parties reacted in panic, claiming that in Sandžak human rights are not violated and they opposed to the return of delegation and mission OECD to Sandžak. It is indicating that in the same way publicly reacted the leader of the party “Gralanski savez Srbije”(GSS) – although it was considered to be the party of citizens' beliefs and they had great number of followers among citizens of Sandžak. The attitude of GSS is to Bošnjaks even more strange because the party, in previous years, by attacking the regime of Slobodan Milošević stated examples of human rights violations in Sandžak and in several cases publicly protested in participated in organization of protests because of violence over Bošnjaks. But, those who know parties and complete condition in Serbia, claim that such attitude of GSS confirms the fact how serious and deep are roots

Crises in the relations of Serbia and Montenegro as the source of instability in Sandžak

Unfortunately, there is a fourth fact that also has to be questioned, although it does not belong to the category of historically given, unchanged facts, but it was created as a consequence of inter-state, inter-republic relations of Serbia and Montenegro, which were war allies in wars in Croatia and Bosnia and Herzegovina. Really, it is the case of heavy and serious political crises and deteriorating the relations between the Serbian and the Montenegrin leadership that could, undoubtedly cause additional and essential problems in Sandžak. The essence is, that this time the crisis impended neither because of the national mixture of the population in Sandžak nor because of legal and legitimate demands for Sandžak autonomy in the context of necessity and publicly proclaimed choices for democratisation, decentralization and regional division of Serbia and Montenegro but because of nationalist and authoritarian politics of the Serbian and Montenegrin regime that were not ready or willing to create a dialogue and political solutions of the crises.

As the broader public knows, at the time when Milošević was in power, there was a real danger that Sandžak, for the first time since the beginning of the Yugoslav crises from the beginning of the 90s, becomes a region of war actions, because the whole border between Serbia and Montenegro runs over Sandžak and divides it into two parts. The whole situation was additionally complicated by the fact that the Bošnjaks at the elections voted for Milo Đukanović and the Montenegrins from the north of Montenegro, from the part of Sandžak run by Montenegro, for pro-Serbian Momir Bulatović. Because of that, the Serbian side, explaining the whole dispute as the dispute of people, of course Montenegrins, or as they like to say, Serbian people, and the authority represented by Milo Đukanović, who was, according to them, just supported by the police, the Bošnjaks and the Albanians.

On the other hand, in order to preserve the undeserved image of a democrat and to stick to the illusion that he is protecting the Bošnjaks and other members of minorities, Đukanović discreetly but persistently supported these theses, and in a very smart way abused the trust, naivety and political disintegration of the Bošnjaks, and armed a large number of young people. So if there had been a conflict with Serbia, those would have died for an idea contrary to their interests, for the separation of Montenegro from FRY, that is, for the division of Sandžak between two independent states.

Fortunately, there is no danger of armed conflicts between Serbia and Montenegro any more, or that Sandžak becomes potentially a conflict-zone, because with the help of the international community all ideological and national divisions within Montenegrins on the basis of a Serbian and Montenegrin option calmed down. However, the way of the Montenegrin and Serbian leadership to solve the crisis itself can, undoubtedly, cause additional and essential problems in Sandžak. Beside that, Sandžak has until today, remained an area in which, institutions violate individual and collective citizens' rights on national grounds, starting from teaching units in primary and secondary schools to social politics and state programmes of development. The most lethal is that with a separation of Montenegro from Serbia, that is, from FRY, which is what the Montenegrin leadership works for, will be

of Serbian nationalism and how much in politics, religion, culture and mentality is present Serbian ideology of ethnically clean Serbia. Because of that is totally justified fear of Bošnjaks in Sandžak that regimes in Serbia and Montenegro will continue with the politics of pressure and that they will succeed to ethnically clean Sandžak. That fear comes out of the sole fact that both regimes succeeded in that and that until now they undertook everything in order to circle processes they started with repression and continued with discrimination based on law, dual application of laws and illegal measures – creating unbearable life conditions by making population poorer and poorer by economic and production disintegration and marginalizing Sandžak and whole Bošnjak community.

endanger the life interest of Bošnjaks and, in a most lethal way and without any possibility of removing the consequences in the hardest way, they will be endangered and their citizen and national rights will be suppressed. In that way, the Serbian and Montenegrin regimes are once again solving the “Sandžak question” in one of the ways in which it was solved in the past and because of which Sandžak has become a paradigm of political crises by the “perfect” separation of Sandžak territory and citizens' and human rights violations of Bošnjaks.

On the other hand, it is absolutely certain that to the idea of Sandžak autonomy or some kind of autonomous region neither Serbs nor Montenegrins from Sandžak would object on the condition that it gains ethnic autonomy and “*special status*” for Bošnjaks. When during WW II ex-Yugoslav republics were formed, that at present are independent states, more representatives of Serbian nationality than Bošnjaks. When autonomy was violently revoked, they opposed with far more energy to the revoking of autonomy members of the Council, that is the Assembly, of Serbian nationality than members of Bošnjak nationality.

Objectively, today's situation is not like it is because the long-lasting national-chauvinistic politics of the previous regime had deep consequences, and citizens of Serbian and Montenegrin nationality are still not liberated of nationalistic ideas towards so called national interest, to which non-determination and a doubt of new authorities in Serbia to radically end with the politics of ethno nationalism contribute.

Final considerations

No matter that not even one of the given circumstances themselves produced crises in previous years, there is no doubt that they motivated the Serbian-Montenegrin regime to remove them violently. And in that way, it actualised them and made necessary to approach a solution of the “*Sandžak question*”.

On the other hand, newly created circumstances of present crises in the relations of Serbia and Montenegro, and especially the attempts and the determination of the international community to bring democracy to Serbia and Montenegro and Eastern Europe in general, to develop and stabilise them through mechanisms of European Council and especially Stability Pact, create a necessity for defining a new approach to the solution of the “*Sandžak question*”.

That approach must firstly must be democratic, because democracy represents the source and guarantee of stability, and a means of transition and reconstruction. On the other hand, neither the regimes in Serbia and Montenegro, nor the international community so far tried solve the “*Sandžak question*” in a democratic and complete way. The facts themselves that are not disputable – that the solution of the „Sandžak question“ lasts for a hundred and fifty years and not even one of the until now applied non-democratic questions produced results, except that for decades the agony of the Sandžak population is prolonged and the status of Sandžak is kept as a potential conflict-spot – imperatively determine such an approach.

Democracy means, maximum respect of human rights of all members, no matter of what national and religious belonging, but also respect of the historical fact that the citizens of Serbian and Montenegrin nationality in previous periods were privileged in all segments of social life and Bošnjaks were exposed to cruel forms of state repression and complete discrimination. But, beside that, the traditionally good international relations are not disturbed to the extent that solutions for life together based on mutual trust and pluralism, could not be found.

Beside the traditionally good international relations, there are two more facts that make a solution of the "Sandžak question" possible, but also necessary for a democratic solution. It is true that Bošnjaks form the majority population but now that percentage is insignificant and

most probably below 54%, that is 4%, because Bošnjaks constantly moved away under systematic and heavy pressures.

On the other hand, the population is mixed, literally, in all Sandžak towns and almost all village settlements. Out of 734 settlements, just a few dozens of villages are ethnically homogenous, but those are small village settlements so that just 3,41 % of the total population lives in ethnically clear places.

Both data represent real assumption for equality but also make it necessary to seek a solution not by ethnic criteria but in the frame of democratic principles, needs and the necessity to establish regions and decentralise Serbia and Montenegro.

It should also be kept in mind that Sandžak represents a historically, culturally, politically and economically circled unit, that is, an area, a region, a province, which had autonomy long before the present autonomous Yugoslav units, Kosovo and Vojvodina, and that autonomy was violently revoked to Sandžak in 1945. Because of that, Bošnjaks are constantly dissatisfied. Of course, the fact that Sandžak is divided between Serbia and Montenegro should be respected, but also the existence of their mutual state, Federal Republic of Yugoslavia, that is, Serbia and Montenegro, is in question and that it is with recent agreement of Serbian and Montenegrin leadership mortgaged on three years.

We in the Helsinki Committee from Sandžak respect the legitimate and legal demands of Montenegro for separation from the common state, but we are against a “perfect division” of Sandžak between members of the present federation. The reasons are of legal, humanitarian, but also that political nature. Firstly, such a “perfect division” would mean an additional punishment, which could be measured with death punishment, for the Bošnjak population which was in the previous period ruthlessly punished by the Serbian-Montenegrin regime – by state repression and ethnic cleansing.

Secondly, such a “perfect division” would mean not just a division of one “historically, culturally, politically and economically circled territorial unit, that is an area, a region, a province”, but also a division of families and their property, because the border between Serbia and Montenegro not just divides Sandžak into two parts, but in a large number of cases, it runs through the property of a family and between the households of two brothers.

Naturally, such a division would create un-compensating economic damage to a large number of families and produce other unsolvable problems which would further produce tensions in the region and the existence of the “*Sandžak question*” and Sandžak as a regional problem in decades to come.

Because of that, we believe that Serbia and Montenegro should have in mind the given historical, but also other circumstances created in the last ten - fifteen years in Sandžak, and to respect attempts of the international community to bring democracy into region of Serbia and Montenegro, Eastern Europe in general, and to develop and stabilise it through Stability Pact.

Sandžak as a possible integrating region of Serbia and Montenegro

Considering the given reality and determination of Montenegro to step out of the present federation with Serbia, and because of ethno-nationalistic politics of the present regime in Serbia, there is a drastically smaller number of options for a solution of the “*Sandžak question*” in a completely democratic way and in the frame of the international community.

However, in the present situation it is possible to foresee some solution that would satisfy Bošnjaks and which would not jeopardise members of other nationalities and the state interests of Serbia and Montenegro. Here we will state some concepts of national parties of

Bošnjaks, for which we believe they deserve to be taken into consideration, and that they can be solid ground for talks.

Possible solutions

Under the condition of that community of Serbia and Montenegro survives, are predicted solution is that to Sandžak as a historically, culturally, politically and economically circled unit, that is, an area, a region, a province, autonomy which was violently revoked in 1945 returns. It is considered that in that way the “*Sandžak question*” would permanently be solved.

In that case, Sandžak would have a “*special status*” as a personal and territorial compound an autonomous unit in the frame of Serbia and Montenegro, but also on a federal level.

In both parts of Sandžak representatives would be chosen separately for republic authorities: in the part of Sandžak that belongs to Montenegro for representatives in this republic, and in the part of Sandžak that belongs to Serbia for representatives in the Serbian Parliament, government and in all republic institutions. On the level of the whole entity representatives for federal organs would be chosen, that is, for organs of the state community of Serbia and Montenegro.

On the same grounds and with application of the rule of right and other democratic principles of state management, competence of republics would be divided in the area of economy, finance, health, social politics, education, culture, etc. The essence is, that republic borders would not be changed and in the republics all authorities would still remain but all major questions would be solved in agreement and with an agreement of entity organs in all Sandžak, on the basic values of democracy, civilian society and the rule of right.

But, if it would come to a complete separation of Montenegro from Serbia, the formation of so-called “*over-boarder autonomy of the region*” is predicted. That would mean to form two autonomous units, one of the parts of Sandžak that is ruled by Serbia, with the main seat in Novi Pazar, and other of other part of Sandžak that is ruled by Montenegro, with the main seat in Bijelo Polje. Relations between these two entities would be regulated in a similar way as the relation between Serbia and Montenegro.

In the frame of this concept is estimated that election units for a republic parliament coincide with autonomous entities, and that in elections citizens choose representatives of entity authorities. Of course, it is estimated that the instalment of other mechanisms for achieving democracy and values of civil society, human and citizens' rights protection is necessary.

According to our opinion, the least that should be done is that in this phase, in the frame of constitution of both republics and publicly proclaimed decisions of present ruling structures for democratisation, decentralisation and regional division of Serbia and Montenegro, is to form two boroughs, one from the part of Sandžak under the rule of Serbia, with the seat in Novi Pazar, and the other from the part of Sandžak under the rule of Montenegro, with the seat in Bijelo Polje.

To coincide election units for republic and eventually for federal parliaments with these new boroughs, and on elections to choose borough managers, and not to appoint them by republic authority as it was done until now.

In that case, the question of autonomy must be solved in the frame of decentralisation and democratisation of Serbia and Montenegro and European integration.

With such solutions, we are convinced, that Sandžak would, for the first time in history, have an integrating role between Serbia and Montenegro. This is of extreme significance in

the context of known interpretations of Serbian and Montenegrin historians and politicians according to which the Great Powers, by maintaining or re-giving autonomy to Sandžak, wanted to separate Serbia from Montenegro and to disable Serbia to have an exit to the sea. Whatever happens, with such solutions Sandžak would gain all assumptions to become stability factor and Bošnjak community and all citizens of Sandžak would be active participants in maintaining the community of Serbia and Montenegro, and would motivate and start processes of establishing international and good neighbouring relations of the Federal Republic of Yugoslavia with Bosnia and Herzegovina.

A scenario for the beginning of a solution of the “Sandžak question”

To begin today with solving the problems in Sandžak, should it be started from undisputable facts: that the citizens of Serbian and Montenegrin nationality in the previous period were privileged compared to Bošnjaks and all other members of minority national communities and that for all people it is characteristic to give up privileges with difficulties, even if they were gained contrary to democratic principles. It must be taken into consideration that to most citizens of Serbian and Montenegrin nationality there are still closer ideas of political structures of an authority who are “convinced nationalists” than ideas of reform, democracy and decentralisation.

Those are the main reasons for the still present deep inter-national division of citizens and mutual mistrust of the national parties in Sandžak, in which political life is not democratic and consolidated in a satisfactory way. What is encouraging is that not even one national party of Bošnjaks has extreme and for Serbia and Montenegro opposed versions for solution of “*Sandžak question*” in their plans. According to their present concepts for the solution of the “*Sandžak question*”, it could be said that all interests of Serbia and Montenegro and realities such as the national structure of the population and the division of Sandžak between the present members of the federation, and determination and opinion of international community to stabilise this region.

Respecting these facts and especially accepting visions and the practice of the international community, is a pre-condition for installing democracy and stability in this region. That is why: political action of governments of Serbia and Montenegro is imperative

The majority population should be socialised in a democratic mental pattern that will contribute to develop a consciousness of mutual state identity within minority and non-constitutional peoples.

The governments of Serbia and Montenegro should start initiatives and actions to promote values of democracy, decentralisation, regional division and regional cooperation and stability in Sandžak and in the region.

The representatives of all nationalities from Sandžak and on more levels should establish communication, with the aim to regain, international trust and to develop consciousness about the necessity of life together, without discrimination for the one part and privileges for the other, lost with wars and anachronous national chauvinistic politics of previous regime.

Processes for decentralisation and as a precondition for democracy, but also as mechanism for human rights protection and the protection of unique things of national and cultural identity, to form autonomous political-territorial regional units, one in the frame of Serbia and the other in the frame of Montenegro, should be started,

The role of the international community

If it is to be started from the undisputable fact that not even in one case, from the opposed sides of former Yugoslavia, even of those who were allies such as Serbia and Montenegro

against Croatia and Bosnia and Herzegovina, could agree on anything without active and determined mediation of the international community, then, one could conclude that it is necessary to make an agreement with active participation of the international community.

On the other hand, the solution of the "*Sandžak question*" is put as a politically neuralgic point because without doubt there exist problems and because of that, Sandžak is a regional problem. The way in which it will be solved is less important, but it is important to solve it on principles, starting with the Final Act in Helsinki from 1975 to the European declaration on local self-management.

In any case, I am convinced that, on the one hand, it is necessary to start solving the "*Sandžak question*" and to solve it in a democratic way, and on the other hand, that the international community should start an initiative and participate actively in its solving.

Šefko Almerovic
President of Helsinki Committee for Human Rights
Sandžak

Udo Janz

MINORITIES IN THE CONTEXT OF FORCED DISPLACEMENT IN THE SOUTH EAST EUROPEAN REGION

Overview of refugees and displaced persons in the region

BOSNIA AND HERZEGOVINA		FR YUGOSLAVIA	
Federation		Serbia and Montenegro	
DPs	205,000	BiH	142,900
Refugees from FRY	7,960	Croatia	244,500
RS		Slovenia	650
DPs	203,000	fROM	150
Refugees from FRY	940	IDPs (Kosovo)	231,100
Refugees from Croatia	23,300	Kosovo	
Brcko		fROM	10,850
DPs	22,000	IDPs (Southern Serbia)	10,000
Total DPs in BiH	430,000	Minority IDPs	22,500
Total Refugees in BiH	32,200	Total FRY	662,650
CROATIA		FYROM	
BiH	10,170	FRY (Kosovo)	4,500
FRY	930	BiH	50
IDPs	18,567	IDPs	21,200
Total Croatia	29,667	Total FRYOM	25,750

I. Definition of "Minorities" within the Balkan context

The UN Special Rapporteur for the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, F. Capotori, offered a formulation of a definition of minorities in 1979: a minority must be a "non-dominant" group; its members must possess "ethnic, religious or linguistic characteristics differing from those of the rest of the population", and they must also show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language".

Within the region of the former SFRY, and particularly after the armed conflict of the 1990s, the definition of minorities has a slightly different connotation: in this context, minorities are non-dominant groups that may, nevertheless, be a numerical majority in the country.

Within BiH, the term "minority" is e.g. used to describe groups of persons who are in a numerical minority situation in a particular location or municipality, regardless of their status elsewhere in BiH.

If, for example, a member of one of the three constituent peoples of BiH (Bosniak, Serb and Croat) returns to his/her place of origin, this is generally referred to as minority returns as s/he is returning to a place where the majority are of a different background. This particular definition of minorities applies also to other countries in the Balkan region.

UNHCR is mandated under Annex 7 of the GFAP to ensure the safe and secure return to their homes of all those who have been displaced during the war, and such is engaged on a daily basis in facilitating "minority returns".

As a matter of fact, according to the results of a 2000 re-registration of all IDPs in BiH, a total of 518,000 persons applied for 'displaced' status within Bosnia and Herzegovina. At the end of December 2001, the number of displaced persons in BiH still in need of a durable solution was approximately 438,500.

Some 209,300 BiH refugees are thought to remain abroad, and are still considered in need of a durable solution (more than 75% are located in former Yugoslav Republics and some 25% in other host countries, mainly member states of the European Union). Of the approx. 387,200 refugees who have returned to BiH from abroad since 1996, more than 107,300 have returned to conditions of internal displacement instead of to their pre-conflict homes.

The year 2001 witnessed a high number of 'minority' returns (refugees and displaced persons): 92,061 persons in total of whom 46,848 in the

Federation, 40,253 in Republika Srpska (RS), and 4,960 in Brcko District. In particular, there was a marked increase in spontaneous returns to rural areas, especially to the RS. This was due to a combination of factors, including an improved security environment, greater involvement of authorities in the Federation in supporting returns to the RS, and more effective implementation of the property laws.

The Property Law Implementation Plan (PLIP) resulted from collaborative relationships between UNHCR, the Office of the High Representative (OHR), the Organisation for Security and Cooperation in Europe (OSCE), the United Nations Mission in Bosnia and Herzegovina (UNMIBH), and the Commission for Real Property Claims (CRPC). Its objective is to ensure that all outstanding claims registered by refugees and displaced persons to repossess their properties are resolved. By the end of March 2002, out of 141,229 households that filed a claim in the Federation, 72,379 have repossessed their property, and of 107,516 claims in the RS, 41,245 have been resolved. In total, 116,881 of 255,612 households or 46% had repossessed their property.

As pre-war homes are repossessed and returns to these homes take place, it is becoming increasingly apparent that many conditions necessary for *sustaining* such returns have not been met. While property is being repossessed, powerful deterrents to return often remain in place. These include the deliberate withholding of employment opportunities to 'minority' returnees (employment discrimination), the often-noted 'ethnic bias' in school systems, the continuing prevention of the realisation of returnees' pension rights, the denial of access to health care in places of return, and the manner in which publicly-owned utility companies in many areas continue to deny minorities or returnees access to services such as electricity, telephone and gas.

II. UNHCR's general concerns and mandate regarding minorities

UNHCR believes that much of the efforts of the prospect of creating peace, stability and prosperity in the SEE region will depend on the

success of efforts to find durable solutions for the minorities that have been displaced during the brutal wars in and around BiH and during the more recent Kosovo crisis. For UNHCR, these durable solutions consist preferably in the repatriation to the country of origin, local integration, and/or in exceptionally warranted cases resettlement to a third country.

The first two solutions require a comprehensive legal framework in the relevant countries that would allow for the protection of the rights, interests and identities of the minorities. Adoption of legislation is, in itself, insufficient. Integrating diversity also requires dialogue and participation and a number of countries in the region have established forums where the relevant parties can share their interests and concerns and work towards finding common ground to reconcile possible conflicting positions.

III. The legal status of national minorities in BiH, Croatia and FRY

BiH: The draft law concerning the protection of national minorities has not been adopted yet (adoption is expected in the coming weeks). The draft law is broadly inspired by the Framework Convention on the Protection of National Minorities and provides an extensive list of guarantees of minority rights, mainly based on the current body of international standards, in most cases going beyond the established minimum.

FRY: The Law on Protection of the Rights and Freedoms of National Minorities has been adopted in February 2002. The law constitutes a positive endeavour to ensure comprehensive protection of national minorities in FRY. The law is designed to provide a stronger legislative framework for the protection of persons belonging to national minorities in the FRY which is one of Europe's most ethnically diverse states. To ensure effective participation in decision-making on issues related to specificities of national minorities in Government and public administration, the law introduces the Federal Council for National Minorities and the National Councils of National Minorities (elected by

persons belonging to national councils with the purpose of exercising rights of self-government).

CROATIA: A draft Constitutional Law on Minorities has been in the process of being finalised since May 2000. The latest draft was recently rejected by the Government and the expert group consisting of representatives of minorities, legal experts and representatives of the Ministries of Justice and Foreign Affairs was replaced by a Working Group not including any representatives of minorities.

IV. UNHCR in BiH

The following case studies will outline what kind of obstacles, regardless of the non-existence of a legal framework, UNHCR is faced with while trying to carry out its mandate regarding national minorities and to provide durable solutions. The case studies will focus on the three main minority groups currently present in BiH: the Croatian Serbs, the Roma refugees from Kosovo and Serbia, and the BiH Roma that are displaced within the country.

Croatian Serbs

Approximately 25,000 Croatian Serbs residing in the Republika Srpska participated in the re-registration in the autumn of 2000.

75 % of the heads of households stated that they possessed BiH citizenship which, however, requires verification. Although no proof of citizenship was requested at the re-registration, a number of these individuals will have BiH citizenship because they were born there. Others might have opted for BiH citizenship simply in order to get a travel document without the corresponding full citizenship.

Strictly speaking, these 75 % would not qualify as refugees any longer if their BiH citizenship was confirmed, as they would hold the citizenship of the country in which they reside. It would be the responsibility of the RS and BiH authorities to protect its citizens, and the RS authorities in

general have made no distinction between DPs and Croatian Serb refugees. However, most of these individuals still have property rights in Croatia, which many would wish to utilize either in order to return to their place of former habitual residence, or to have a safer foundation in the RS than what the authorities can currently provide.

However, part of the 75 % holding BiH citizenship may have their only effective link with Croatia, and under European legislation may be entitled to Croatian citizenship, since many of them were born there or have lived most of their lives in Croatia.

A small number have expressed a wish to return to Croatia at the re-registration. However, there appears to be a greater desire to return if return could happen in safety, education was easily available, and property could be repossessed.

Conditions in Croatia

The results of the 2001 census of the population in Croatia have not been published yet.

If the Croatian Serbs constitute more than 8 % of the population they will also have the right to have a proportional representation in the Parliament.

Croatian citizens working abroad will be counted as part of the Croatian population, while refugees abroad will not. Considering the number of Croatian Serbs in FRY and BiH who will not be included, the census is likely to show a much lower figure than what may in fact be the reality.

The citizenship legislation in Croatia favours 'ethnic' Croats, requiring a minimum length of stay and involving much higher financial costs for Croatian Serbs who used to be former habitual residents, should they wish to acquire Croatian citizenship. A number of individuals face difficulties in getting the pre-1991 stay recognised due to lack of records.

The current Law on Areas of Special State Concern, which covers areas from where most Croatian Serbs fled, favours temporary users over rightful owners. Even if an individual repossesses his property through court proceedings, there is no enforcement of the decision in case of it being occupied by someone else, and temporary housing has to be identified for the occupant, not the owner of the property.

Roma, Ashkaelia and Egyptians (RAE) from Kosovo

BiH is currently officially hosting approx. 1,000 Roma from Kosovo in refugee reception centres (it is not known how many are living outside of camps, estimation around 8,000)

Repatriation to the country of origin is at this stage not recommended for the following reasons:

While there have been some recent improvements in their overall situation, RAE communities continue to face serious protection problems in Kosovo. General interethnic tension and intolerance are compounded by particular discrimination against the RAE by almost all other ethnic groups in Kosovo, exacerbating the degree of hardship they face. Those who have been in exile and who are not familiar with the reality in the various communities where RAE reside are particularly affected.

The physical security of RAE communities remains volatile. While some communities have attained a degree of stability where violent attacks are rare, others continue to face regular violence and intimidation. However, even in areas where inter-ethnic relations appear to have improved, experience has demonstrated that the risk of attack remains, particularly from perpetrators coming from other areas.

Like all minorities, RAE communities live in enclaves or concentrated groups, and their freedom of movement is generally restricted, although this can vary according to geographic location. As RAE communities have historically relied on freedom of movement to earn a livelihood,

this situation is particularly oppressive for them. The resulting restrictions on their ability to exercise basic social and economic rights also aggravates their already impoverished situation. Most RAE communities are hosting a substantial number of IDPs, which adds to the difficulty of their living conditions.

While there has been some return of RAE groups, this remains at a very low level. Despite comprehensive and cautious planning for return, incidents such as the stoning of returnee homes continue to take place. Moreover, the few spontaneous and facilitated voluntary returns that have occurred do not necessarily reflect a substantial improvement in the situation for the RAE communities in general. Most of these returns took place at specific locations only after a protracted planning and preparatory process to ensure their security and sustainability. General conclusions regarding the situation of the RAE communities should not be drawn from these returns, or from individual exceptions to the general protection situation of these communities, which remain highly precarious.

BiH Roma displaced within BiH

It is difficult to assess the size of the current population of BiH Roma. The last official figure dates from the 1991 census, which registered around 7,000 Roma, but the actual number is much higher. (It is estimated that there were around 70,000-100,000 Roma in BiH before the war).

UNHCR is involved in activities on behalf of Roma originally from BiH, be they displaced persons, returnees, or refugees in asylum countries. These activities have generally been concentrating on the return and integration of Roma in their places of origin. In this respect, UNHCR has particularly been focusing on the resolution of the property status of the Roma. In the course of this work, UNHCR has found that the lack of property registration and of sufficient documentation proving ownership of pre-war housing is having a particularly acute effect on the possibilities of Roma to return.

V. Concluding remarks

Unless all countries in the region adopt effective minority legislation, the problem of forced displacement in the region will not be overcome. The stability of the region will thus require a concerted effort on the part of all concerned, be that in government or by the international community, including the Stability Pact, the United Nations agencies, including UNHCR, OSCE, and the region specific institutions, such as OHR in BiH.

The tendency in the region as much as elsewhere in the world, compounded by the vicious effects of the wars over the past decade, to sweep the issue under the carpet is untenable and has only exacerbated the problems for minorities in the region.

No one single authority seems sufficiently equipped to make tangible progress in this arena, which is the reason why the emphasis must be on a more holistic approach to which each and every agency and government can contribute on the basis of commonly accepted universal principles for the protection of minorities without which the integration of the region into larger Europe will remain but an illusion.

Udo Janz
UNHCR
Sarajevo