The European Union Foreign and Security Actions and the Western Balkans

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Abstract

The EU's realisation of the need to develop more cogent external relations, foreign and security policies towards the Western Balkans can be attributable to the failure of Europeans to end conflicts on their doorstep in Bosnia, Croatia, Albania and Kosovo throughout the 1990s. It is argued that the EU's network of external relations traditionally consists of three main elements: trade, foreign and security policy and development co-operation. Therefore, this paper will dwell upon the EU's international role through its external relations elements which are also considered to be the main tools of bringing stability and prosperity into the Western Balkans. Moreover, it will be argued that the EU has an extensive network of foreign relations, but no 'real' foreign policy. This article will specifically examine the experiences of the EU's CFSP by highlighting the success and failures of the ESDP in the region.

Key words: security, defense, Balkans, EU

Introduction

The EU's realisation of the need to develop more cogent external relations, foreign and security policies towards the Western Balkans can be attributable to the failure of Europeans to end conflicts on their doorstep in Bosnia, Croatia, Albania and Kosovo throughout the 1990s. It must be stated here that the EU's network of external relations traditionally consists of three main elements: trade, foreign and security policy and development co-operation.[1] Therefore, this paper will dwell upon the EU's international role through its external relations elements which are also considered to

be the main tools of bringing stability and prosperity into the Western Balkans. Moreover, it will be argued that the EU has an extensive network of foreign relations, but no 'real' foreign policy.

All the above mentioned three main elements of the EU's external relations refer to the fact that the EU is still regarded as a soft/civilian power. *Firstly*, this article will focus on new security challenges in the Balkans such as state disintegration, ethnic conflicts, organised crime, trafficking and smuggling of migrants and drugs, which are making impossible to put sharp dividing lines between internal and external security of the EU. *Secondly*, the lack of clearly defined institutional identity of the EU's CFSP and unsuccessful experiences of the EU in the Western Balkans will be addressed. The EU does not have a foreign policy in the same meaning that a nation-state has a foreign policy. This will be analysed within the framework of a dilemma that the EU has some sort of *action*, but does not have a 'real' foreign policy. *Thirdly*, how much EU became successful in the elimination of new security challenges in the Western Balkans will be explored. This section will specifically examine the experiences of the EU's CFSP by highlighting the success and failures of the ESDP in the region. *Finally*, this article will conclude that there is a clear demand for the EU to play a more assertive role in the Western Balkans.

New Security Challenges and the Balkans

The Balkans is a major crossroad for various security threats ranging from internal to external security issues. In other words, political, social and economic instability in the Balkans, such as the continued uncertainty in the region, the permeable borders and an ineffective rule of law provide fertile ground for the proliferation and spread into a wider region of resurgent nationalism, ethnic conflicts, minority problems, uncontrolled migration and trans-border criminal networks. These potential threats are ranging from the illegal trafficking of arms, drugs and human beings to politically and criminally inspired assassinations, which results in serious repercussions *externally* for the whole European continent due to their spill-over effect.

There is another dimension of security risks in the Balkans which are *internally* related to the prevalence of dire socio-economic situation and unemployment; a high level of corruption in the political, social and economic institutions; a low level of trust in the police and judiciary; serious deficiencies in law enforcement, border controls and customs; and, a limited capacity and experience to

achieve transformations in politics, economy, state institutions, and social affairs. These matters are specifically related with the Security Sector Reform (SSR), which is part of a much wider process of transformation and stabilisation that is also widely known as a nation/state-building process. The debate on SSR and its relevance to conflict prevention, peacekeeping, and peace- and nation-building began a few years ago and gained high level attention with the UN Development Programme's (UNDP) Human Development Report of 2002. In this report, the UNDP makes a strong case for "democratising security to prevent conflict and build peace" as well as stresses the crucial role of democratic control of the military, police, and other security forces for human development and human security.[2] This is also particularly applicable to the countries in the Western Balkans, which they have been plagued by intra-state conflicts, threat from failed states, unresolved status issues and non-state actors.

Ending wars are much easier than shaping the freedom and building viable states. Therefore, the 'new' risks and threats (the so-called "soft security threats")[3] to Europe in particular and international security in general have become so important challenges that they need to be tackled with novel means. Since the inception of the EU's CFSP with the Maastricht Treaty in 1993, the EU's security understanding is under evolution: developed mainly as a diplomatic-military instrument and moving into something broader and more comprehensive definition of security, such as SSR-related issues – economic development, building democratic institutions, guaranteeing fundamental freedoms and respect for human rights. As a manifestation of this, the EU initiated an international Stability Pact project in 1998 as a central co-ordination forum for the EU's engagement in the Western Balkans in order to support the war-torn communities and states on their path towards integration into European and Euro-Atlantic institutions and to facilitate regional co-operation as a means to achieve mutual security and prosperity.

The Stability Pact's main target is to transform the Western Balkans from an endemic war situation to a peaceful environment, from a constant dependence on external humanitarian aid to a sustainable regional economic development, and from a socialist political system and centrally planned economies to democracy, human rights, civil society and a free-market economy.[4] As a matter of fact, it was only after the end of the Kosovo war in 1999 that the EU started to actively engage in nation/state-building efforts in Bosnia-Herzegovina and Kosovo and to launch the Stabilisation and Association Process (SAP) in 2000 as a new and comprehensive

policy approach for the whole region.[5] The Stability Pact, which is a temporary forum with no legal status, provides a ground for co-operation and consultation between the countries of the region and those international partners in the Western Balkans. Yet, one of the main handicaps of the Stability Pact is that it designed from the very beginning as an institution without funds of its own. The absence of funds and lack of institutionalisation makes the Stability Pact 'a duck without its feet'. As a result of this two difficulty, the Stability Pact is not even at the capability of successfully achieving the core task: Co-ordination for the priority areas and prevention of the duplication of activities of main donors (International Monetary Fund (IMF), World Bank (WB) and the EU), which are providing funds for the stabilisation and development of the Western Balkans.

Nevertheless, the Stability Pact has achieved some progresses in the sphere of SSR. The Stability Pact brought institutions like NATO and the WB together in order to make possible the application of a comprehensive disarmament, demobilisation, and reintegration (DDR) project – as a part of the SSR – to the security forces of transitional societies in the Western Balkans. The DDR project is a process and based on a schedule comprises three distinct and successive phases: (1) *disarmament* is referring to the voluntary act of handing-over of weapons by combatants to the qualified military authorities; (2) *demobilisation* is referring to the administrative act in virtue of which combatants change their statute from soldier/militia to that of civilian; (3) *reintegration* is referring to the process by which demobilised soldiers/militia once again begin to be reintegrated into the social and economic life of the country.[6] Civilian control of security and armed forces is an important aspect of the SSR. Although some steps have been taken for an efficient internal (parliamentary) oversight of these forces, parliaments in the Western Balkan countries still have to further develop civilian control mechanisms to ensure that the professionalisation of armed and police forces should continue and their behaviour is fully in line with international human rights standards. The Stability Pact also brought European Commission and NATO together in the context of the Ohrid Framework Agreement (OFA), which was signed in August 2008 and is a comprehensive agreement on improving human rights, making political organisations and activities more efficient, decentralisation of state power and border management and security with the aim of demilitarising borders of all Balkan states.[7] In the same vain, the 'Regional Arms Control Verification and Implementation Assistance Centre'

(RACVIAC) brought together military personnel from the countries' of Western Balkans to address a range of important issues including arms control and confidence building measures.

In the economic field, the Stability Pact provided a platform for concluding multilateral trade agreements between the Western Balkan countries. By the year 2006, a total of 32 free trade agreements were subsequently negotiated under the auspices of the 'Stability Pact Trade Working Group', which resulted in increased regional trade. [8] A successful regional economic co-operation and increased interdependence between the Western Balkan countries finally became mature enough to transform the free trade agreements into a multilateral agreement through the Central European Free Trade Agreement (CEFTA) in 2006. Since January 2007, the EU has concentrated all of its aid programs for the economic and political stability, democratisation and sustainable development of the Western Balkans in the new Instrument for Pre-Accession Assistance (IPA). In order to eliminate the endemic political, economic, security and social problems of the Western Balkans, the IPA concentrated in providing development aid to the following five main areas: (1) transition assistance and institution building; (2) cross-border co-operation; (3) regional development; (4) human resources development; (5) rural development.[9]

It has declared through the European Security Strategy (ESS) on December 12, 2003, that the EU has global political and security ambitions: elimination of global threats like terrorism, Weapons of Mass Destruction and tackling threats that might emanate from weak and failed states through conflict prevention.[10] Even though the EU has increasingly focused on global political and security problems through the ESS, true challenges still remain in the Western Balkan part of the European continent. With the exception of Croatia in the Western Balkans, the regional security is bleak. The violent disintegration of the former Yugoslavia in the beginning of the 1990s was one of the most important triggering events for the creation of the EU's CFSP. If the EU's CFSP strategy transforms the troubled Western Balkans into a stable and secure region, then the idea of creating a 'Europe whole and free' will be possible to attain.

Does the EU have an effective CFSP? The Question of the EU's CFSP and the Western Balkans

The EU and effectiveness of CFSP

The EC's traditional external diplomatic/political, development aid, trade and economic activities had a structural impact on its international relations throughout the 1970s and 1980s. This, in turn, led to a foreign policy decision-making response by the EC in order to supplement its global trade and economic activities. The development of foreign policy activities gradually fostered the creation of an independent European identity and a more unified political performance in the international arena. In other words, it became essential to have a European foreign policy to help to create an independent European identity. Thus, the incremental rise in economic and diplomatic power of the EC during the Cold War generated new impulses towards improving the international performance of the EU as a unitary actor after the end of the East-West tension in the beginning of the 1990s. Hill argues that the EU is no more than 'a system of external relations'. By this, he meant both that the EU represent a subsystem of the international system as a whole and that it is a system (i.e. not a single actor) which generates international relations – collectively, individually, economically, politically – rather than a clear-cut European foreign policy as such. This system is essentially decentralised and consists of three decision-making procedures: national foreign policy, CFSP and external relations of the EU.[11]

In fact, the debate about 'common' European foreign and security policy has two separate dimensions: *Firstly*, the degree to which policy is conducted on a collective basis; and, *secondly*, the various issue areas into which policy decomposes in practice. Hill concludes that a truly European presence in the world would require the realisation of collective policies in all major issue areas, which would eventually induce bringing economics and politics together, as well as rationalising the decision-making process.[12] The Maastricht Treaty of 1993 not only brought economic and political issues closer to each other, but also led to the Community to be seen as a coherent actor through a name change from the EC to the EU with a new CFSP of its own. Political issues are dependent on economics and economic issues are dependent on the Community's political instruments. Duff argued that, in order to improve 'consistency' in foreign and security spheres, member states have tried to strengthen the CFSP through 'common positions' and 'joint actions.'[13]

However, the EU has not been very successful in translating its economic potential into economic and political effects. Likewise, Hill claimed that the title of a "Common Foreign and Security Policy" suggests singularity rather than pluralism and is therefore of symbolic importance.[14] The conflicts in former-Yugoslavia throughout

the 1990s turned out to become a deep disillusion for the EU which failed to act through 'joint actions' under the CFSP and thus destroyed the widespread hope that 'the hour of Europe' had finally arrived. [15] Although bloodshed in the Western Balkans made it necessary to have a common European foreign policy, structures to make this real and effective still do not exist. There is an understanding among the EU member states that although a demand for reaching a 'real' European foreign and security policy through a common view or an agreed declaration exists, it does not necessarily mean agreement to act for devoting resources to a single body or projecting power commonly.

By definition, the *classical realist* interpretation of international relations does not recognise the 'intergovernmentalist' EU to be considered as a foreign policy actor as its member states prefer co-ordinating – rather than integrating – their national foreign and security policies. In many cases, failures to reach a 'real' foreign and security policy have resulted from national governments pursuing their own foreign policy interests, instead of those of the EU as a whole. However, closer examination of 'actorness' quality of the EU reveals lots of doubts since the EU in its foreign policy is acting solely on an intergovernmental basis and is therefore no more than the sum of what the member states together decide. On the other hand, the *liberal interdependence* approach recognises the 'supranationalist' EU as a foreign policy actor where the utilisation of economic and diplomatic instruments jointly in a world characterised by complex interdependence is desirable. Hill and Wallace argued that, "[the CFSP] have moved the conduct of national foreign policy away from the old nation-state national sovereignty model towards a collective endeavour, a form of high-level networking with transformationalist effects." [16] Moreover, it could be argued that there are many states in the international system, which do not possess effective military instruments to empower them to influence international security matters to such an extent that the outcome of events will be shaped. According to liberal interdependence theorists, the EU could be regarded as a foreign policy actor with the diplomatic/political and economic instruments at its disposal and could operate in the international arena comparable to that of a nation-state.

There are two main traditional foreign policy instruments of the EC/EU: *diplomatic/political* (sanctions, recognitions, offering peace proposals, sponsoring peace conferences, etc.) and *economic instruments* (providing/suspending economic aids, tariff reduction/increase, quota increase/decrease, concluding trade agreement or

applying embargo, etc).[17] These instruments, which are making the EU with its CFSP a 'civilian power', are consequentialist in that they put emphasis on the outside perceptions of the EU and have significant effects on both the psychological and the operational environment of third parties. The presence of the EU is certainly felt in most international organisations, in international economic diplomacy, throughout the European subsystem and its borderlands, in the Third World, and wherever mediated solutions to international conflicts are sought. At this point, it will be constructive to make a distinction between 'hard' and 'soft' security strategies. 'Hard' security strategy is traditionally referring to the military or territorial defence of a state or alliance and considering security issues in terms of the military balance of power as well as military strategy and tactics (e.g. NATO). 'Soft' security strategy is a rather new tactic referring to the non-military or quasi-military (or civilian in nature) combat aspects of security including not only diplomatic/political and economic instruments, but also peacekeeping, crisis prevention and management techniques (e.g. the EU).[18]

The conflicts in Western Balkans throughout the 1990s have demonstrated that the nature of new security challenges in the region have not only revealed the spill-over effect of political, social and economic institutional instabilities on the rest of the European continent, but also highlighted the applicability of 'soft' security as the best EU strategy to handle the multi-faceted problems with its 'pluralistic security community' experiences. However, the EU is still at an experimental stage in crisis management abroad. The crisis in Western Balkans clearly demonstrated the inability of the EU to deal with problems right on its doorstep due to lack of commitment to have a 'real' foreign and security policy with necessary military machinery. In fact, the CFSP established in 1993 by the Maastricht Treaty, but only after the bitter experience of the Kosovo crisis six years later was the EU able to begin developing the instruments as well as the political will to make an impact in the Western Balkans. For diplomatic/political and economic instruments to be effective, it often needs to be backed up by military muscle and the threat of use of force.[19] As a military muscle supplementing the CFSP, 'soft' security strategy of the EU has been fortified with the ESDP since 1999.

The EU's CFSP and the Western Balkans

Towards the mid-1990s, democratisation and stabilisation aspects of security, which includes the nation/state-building process for developing stable statehood as a

precondition for stability in the region, takes increasingly place in the form of 'Europeanisation' in the Western Balkans. This 'new security concept', which is referring to democratisation and stabilisation through 'Europeanisation', is developed among the Western democratic countries by means of progressively replacing military values with cultural/normative values and intensifying the economic interdependence between the market-oriented societies. In contrast to the definition of stability during the Cold War, which was the military balance of power, the present day stability in international relations means progress towards pluralistic democracy, human rights, market economy and the Western level of development. This is the essence of the EU's 'soft' power strategy as representing a process of incorporating European ideas, values, norms, rules and procedures into the domestic social, economic and political framework of the Western Balkan countries through the methods of enlargement, IPA, SAP, Stabilisation and Association Agreements (SAA) or Stability Pact. Through linking CFSP to enlargement, the EU is aiming to back up its joint efforts of diplomatic, civilian and military interventions ('soft' power strategy) in the Western Balkans with prospective EU membership perspectives. It is this possibility of one day joining the EU that has strengthened the hand of EU leaders over the countries in the region through pressuring local reformers to put their country irrevocably into the path to stability as well as proven to be the most important stimulus for domestic political reforms.

The EU's SAP strategy provides the European Commission a favourable ground for publishing 'Progress Reports' about every candidate country on issues such as implementation of the EU legislation and standards, participation in regional economic and political co-operation and collaboration with the International Criminal Tribunal for the former Yugoslavia (ICTY). If the European Commissioners feel convinced about the progress that has been achieved, candidate country is invited to conclude a SAA with the EU. Once the SAA is signed, it commits both sides to a contractual relationship which might lead to accession negotiations and finally to the EU membership. Among the Western Balkan countries, Croatia is on its way towards accession, the Republic of Macedonia was granted the status of a candidate country in December 2005, Albania and Montenegro signed the SAA in June 2006 and in October 2007 respectively, and Serbia signed the SAA on April 29, 2008. Bosnia-Herzegovina started negotiations over the SAA and Kosovo is expected to do the

same once the political situation calms down after its recent declaration of independence.

Another important component of 'soft' security strategy is the role of the ICTY in the persecution of war criminals, which puts pressure on the Western Balkan states to take responsibility for their past actions. As it is mentioned above, the co-operation with the ICTY is a precondition for any progresses in the negotiations of the SAA. Despite the EU accession negotiations started swiftly with Croatia in October 2005, there are significant ambiguities about judicial and economic reforms, bringing war criminals to justice, treatment of ethnic minorities and fight against corruption still seem to be lagging behind. Therefore, accession negotiations with Croatia were slowed down after 'War Crimes Report' of Carla del Ponte (Chief UN War Crimes Prosecutor) issued at The Hague indicating that co-operation was not full.[20]

In the same vain, not until the assassination of the Serbian Prime Minister Zoran Djindjic on March 12, 2003, Belgrade took significant steps to co-operate with the ICTY. Following Djindjic's assassination, who was one of the three war criminals of 'Vukovar Three' and responsible from systematic ethnic cleansings, the remaining two, Miroslav Radić and Veselin Sljivancanin, were arrested by the Serbian authorities. In addition, Serbian State Security Chief Jovica Stanisić, who was the architect of the Serbian nationalist policy of ethnic cleansing, his deputy Franko Simatović, who was the founder of the slayer Red Berets, and Radovan Karadzić were also arrested and transferred to the ICTY at The Hague. Since there is no common understanding between the EU member states, the war criminals case of Serbia is complicated and confusing. Some EU members – notably Austria, Slovenia and Italy – advocate Belgrade's speedy advancement to the candidate status, because they believe that this would persuade Serbia to show some flexibility over the Kosovo's independence declaration. Other EU members – notably the UK and the Netherlands – seem to be ready to apply veto to candidacy status as they prefer a stronger conditionality in the EU's relationship with Serbia.

Balancing peace and justice in the Western Balkans is undeniably a challenging and delicate task for the EU's CFSP in a post-conflict situation. The policy makers in all Western Balkan countries are still overwhelmingly supporting membership in the EU as it is the best way for the stabilisation of the region in the long-term. However, if political elites in the Western Balkans began to consider the EU accession as no longer a 'political weapon', then the policies and instruments of

the CFSP will drift apart. Thus, the transformative power of the CFSP will not only vanish, but also the total influence of the EU in the Western Balkans will seriously diminish. Overall, failure of the CFSP in the Western Balkans will be a blow to the EU and such a scenario would demonstrate that the EU's 'soft' security strategy cannot meet the challenges of *realpolitik.*

The lessons learnt in Bosnia-Herzegovina and Kosovo prompted the EU's CFSP to apply its 'soft' security strategies more timely and effectively in the case of political tensions that arose between Macedonians and Albanians in the Republic of Macedonia in 2003. The EU's successful application of the CFSP with its 'soft' security strategies in the Republic of Macedonia was distinct in at least two different ways: (1) it was a timely reaction which was truly a 'preventive engagement', including the application of early warning measures, diplomatic/political and economic instruments as well as the military components, such as peacekeeping, crisis prevention and management techniques serving to this goal; (2) it reflected a close transatlantic co-operation between the EU's CFSP, NATO and the OSCE. Cameron argued that the ESS's focus on 'preventive engagement' strategy on December 12, 2003, was due to the EU's interventions in the Western Balkans.[21]

In response to the bloodshed in the Western Balkans and following a major shift in the British foreign policy towards endowing the EU with a defence capability, the EU heads of states and governments decided at the European Council's Cologne Summit in June 1999 to create a ESDP. The main intention behind the creation of the ESDP is to equip the EU's CFSP with effective security decision-making mechanisms and to develop credible military and civilian capabilities in order to fulfil the 'soft' security strategies (the so-called 'Petersberg Tasks').

Prospects for EU's ESDP in the Western Balkans

The unfolding of violent conflicts and crisis in the Western Balkans were closely related to the conceptual, institutional and operational build-up of the ESDP. This process has been triggered by the experience of ineffectiveness and powerless European crisis management during the wars in the Western Balkans due to, on the one hand, the security limitations shown in Srebrenica in 1995 because of the gap between expectations from and capabilities of the UN peacekeeping forces and, on the other hand, the European ground forces were ready to undertake more risks than the US aircrafts operating in the safer aerial environment at Kosovo in 1998 but failed

because of the lack of 'autonomous' military capabilities and decision-making structures.[22] The efforts of the EU to develop civilian crisis management capabilities in parallel to its military toolkit through the ESDP began at the European Council Summit held in Helsinki in December 1999 and gained substance at the European Council Summit held in Feira in June 2000. In these Summits, steps were taken to improve the credibility of civilian and military instruments through materialising them in the EU Civilian Headline Goal 2008 and EU Military Headline Goal 2010, which are forming the framework for a European Rapid Reaction Force with a view to fulfilling the 'soft' security strategies of the EU (the so-called 'Petersberg Tasks').

As a major element of the EU's CFSP, ESDP is developed to support the two main foreign policy instruments: diplomatic/political and economic instruments. The ESDP is an additional military-diplomatic instrument developed by the EU within the framework of the CFSP not for *fighting wars*, but for deployment of forces between the conflicting parties for *military-diplomatic operations*.[23] These military-diplomatic instruments of the ESDP include Petersberg Tasks, SSR (nation/state-building process) and civilian capabilities as civil protection, rule of law, civilian administration experts including judges, prosecutors, police, and other experts.[24]

If one compares the doctrinal concept of Civil-Military Co-operation (CIMIC) in the NATO context and Civil-Military Co-ordination (CMCO) in the EU's ESDP, it will be discovered that while NATO's CIMIC activities are more military-centred (military supremacy in law enforcement), the EU's CMCO activities are more civilian-centred (civilian supremacy in law enforcement).[25] The CMCO experts are used to implement civilian-centred projects under the European Commission's CARDS program (Community Assistance for Reconstruction, Development and Stability in the Balkans).[26] The document of the European Council on CMCO points out that civilian crisis management may be deployed in a 'non-benign' environment which in turn implies the need to integrate civilian and military methods.[27] The EU's CMCO activities are also covering the relationships between different actors like the UN, NATO, OSCE, IMF and WB. On the political level, two structures – Committee for the Civilian Aspects of Crisis Management and Crisis Response Co-ordination Teams – are serving as a bridge between the European Commission and member states in a given crisis situation. More important than these two structures, a new institution in the CMCO context is the Civil-Military Cell, which was set up in the ESDP's Military Staff in the end of 2005.

Through its engagement in the Western Balkans, the EU has found the chance of deploying jointly military and civilian assets through the ESDP and demonstrating its willingness to contribute to the transformation of post-conflict societies. Bosnia-Herzegovina has not only been a crucial 'test ground' for the first-ever ESDP mission, but since then has also become the 'model' for deploying military and civilian elements under a single mandate and chain of command in order to cover the full spectrum of tasks in the conflict cycle from conflict prevention to post-conflict reconstruction. The Western Balkans has clearly remained the focus of the ESDP ever since the ESDP entered its 'operational' phase when the EU launched its first Police Mission (EUPM) in Bosnia-Herzegovina after it took over the mission from the UN (UN Mission in Bosnia-Herzegovina) on January 1, 2003; first military mission Operation Concordia in Macedonia after it took over the mission on March 31, 2003, from the NATO Operation Allied Harmony and Concordia's follow-up civilian crisis management operation "Proxima"; and, the first EU *autonomous* military operation "Artemis" in the Democratic Republic of Congo (DRC), which lasted from 15 June till 1 September 2003.

Since then, as it is mentioned in the ESS on December 12, 2003, the EU has broadened and refined its international security and defence engagements, both functionally and geographically. In view of this, the Western Balkans is still a crucial 'test ground' for the ESDP in particular and for the enlarged security role of the EU in general. However, missions of the ESDP has been subsequently extended beyond the EU's geographical reach to Africa for the reason of partly to serve post-colonial interests of some member states and partly to act under moral obligations (e.g. Artemis, EUSEC and EUFOR in DRC, EUPOL in Kinshasa, EU Support for African Union Mission in Sudan (AMIS)), to the Middle East for symbolic reasons (e.g. EUJUST LEX for Iraq, EUPOL COPPS and EU Border Assistance Mission (BAM) at Rafah in the Palestinian Territories) and to the South and South-East Asia for humanitarian and 'image-driven' reasons (e.g. the Aceh Monitoring Missions (AMM) in Indonesia, EU humanitarian mission after the earthquake in Pakistan, the EUPOL Police Mission in Afghanistan).[28]

The Kosovo imbroglio, which is another hot topic in the Balkans, is a good example to that of military and defence matters where NATO is specialised and responsible for the prevention of destabilisation of the Balkans as a whole. Since NATO's military intervention to the bloody conflicts in Kosovo in 1999, the EU is

trying to control the problems there through the CFSP's two – diplomatic/political and economic – foreign policy instruments. However, Kosovo's declaration of independence on February 17, 2008, has shown once again that the EU does not have a 'real' CFSP representing a single view, but has an extensive network of somewhat confusing foreign relations. The EU member states foreign policies clearly diverged from each other over the recognition of a newly emerging independent and sovereign state of Kosovo. While the UK, France and Italy immediately recognised Kosovo's declaration of independence, Spain, Greece, Slovakia, Romania and South Cyprus condemned such a move.[29] Despite to this controversy among the EU member states, the EU approved within the framework of the ESDP a police and justice mission (EULEX) to Kosovo almost two weeks before Kosovo's declaration of independence on February 4, 2008.[30] EULEX consists of 2,000 police, rule of law and civilian administration experts (including prosecutors, correctional staff and judges) and will assist the breakaway of Kosovo from Serbia until it reaches full independence.

In spite of all contingencies in the beginning of 2000, the EU replaced in 2008 the faltering UNMIK with an ESDP mission. The EULEX civilian mission of the ESDP in Kosovo is the largest and most expensive EU civil-military mission to be carried out so far. The conflicts in both Bosnia-Herzegovina and Kosovo have demonstrated that the strategic logic of NATO and EU engagement with their institutional as well as organisational commitment in the Western Balkans is vital.[31] The EU, which signed with Serbia the SAA on April 29, 2008, could even be instrumental in handling Serbia by offering early candidate status and membership for convincing the Serb leaders to accept Kosovo's independence. With the resignation of hard-liner Serbian Prime Minister Vojislav Koštinica after the declaration of Kosovo's independence, Serbia under the moderate President Tadić and his party still prioritise integration into the EU. Tadić's Democratic Party is in line with the idea that "Serbia has no alternative but to join the EU as soon as possible and says that it will be better placed to oppose Kosovo independence from within the EU."[32] Therefore, the Western Balkan countries' desire to join into the EU and NATO should be considered as a positive development for the stability and prosperity of the region.

In order to reach mutually sustainable and robust institutions in the Western Balkan countries, the EU's CFSP with its ESDP mechanism should be consistent, reliable, committed, swift and effective in its crisis prevention and management tasks. However, among countless challenges faced by the ESDP, five main difficulties can

be summarised as follows: *Firstly*, there are serious ambiguities about what ESDP is for, on where and when it will be used. Therefore, high expectations from the ESDP without a sufficient clarification to its geographical reach, objectives, budgetary needs and political coherence continue diluting the operational capability and effectiveness as well as causing to a low level of public support. As a result of the ambiguities related to objectives of the ESDP, its missions are sometimes overlapping or competing with each other. For example, there was overlap between the EUPM and EUFOR missions in Bosnia-Herzegovina, which caused to tensions as the fight against organised crime led to competition between these two agencies.

Secondly, a decline of national demand for defence equipment, which is associated with the collapse of the Soviet Union, forced all European countries to cut their national defence budgets and expenditures considerably. However, instead of cutting their defence budgets, EU countries have to reorient their expenditures from the national territorial defence to the ESDP's expeditionary forces. Therefore, in order to increase the capability of the ESDP, the EU should take a step forward in regulating the defence industries co-operative efforts through a joint procurement and European armaments budget together with binding rules, authorisations and export controls so that standardisation and interoperability among the European forces, as well as between the European and US forces in NATO, will provide sustainability, flexibility, mobility and effective fire power to crisis management operations.

Thirdly, there is a growing gap between the recent multiplication of ESDP missions with multiple tasks in diverse regions and structural limitations of CFSP. CFSP seriously suffers numerous political and structural problems such as complex decision-making procedures and scarce resources with a limited budget and civilian administration experts including judges, prosecutors, police, and other rule of law experts. CFSP procedures are cumbersome and not practical for the decision-making process to back-up ESDP missions. While the nature of crisis management requires early alert, rapid assessment and prompt response, the ESDP is limited with the CFSP's cumbersome legal and financial procedures. If they are not strengthened in parallel fashion, then the weakness of CFSP will undermine the effectiveness of ESDP.

Fourthly, the rapid multiplication of ESDP missions, responsibilities and tasks require a lucid framework and guidelines in order to ensure coherence in the CFSP. However, a clearly defined list of values to support democracy, the rule of law,

respect for human rights and basic freedoms in the CFSP does not in the same fashion refer to how they will be protected and implemented outside the EU. It is important to develop some European security culture with a well articulated framework and guidelines. The ESS has been issued in December 2003 as a key document to develop European security culture, framework and guidelines on the possible global threats, geographical priorities and the nature of actions. The Balkans has been given in the ESS as a priority region for ESDP operations. While the ESS is a key document to justify EU security missions, it also has to be accompanied by an ongoing regular process of evaluation and review as the global security environment characterised by a constant proliferation of new security threats. Additionally, creation of a Council of Defence Ministers, which will be responsible for military co-operation within the EU by seeking convergence in the field of defence, and carrying out a review of the armed forces of member states with a possible Euro-Strategic Defence Review, is another important channel for defining ESDP missions, responsibilities and tasks with a lucid framework and guidelines.

Lastly, an informal joint study of the French and German foreign ministries concluded that the First and Second Pillar of the EU should be merged for developing a proactive European foreign policy (*communitarisation*) and recommended that the office of Javier Solana (High Representative of the CFSP and the Secretary-General of *the Council*) should move from an intergovernmental to a supranational configuration by becoming the Vice-President of *the Commission* as well. Furthermore, the Policy Unit of the High Representative should operate in close co-operation with the CFSP and ESDP planning teams in the Commission in order to form the embryo of the European Foreign Ministry and to make the High Representative of the CFSP able to speak with single voice on matters of defence. The demand for a European Foreign Ministry could be best illustrated with the disarray of CFSP, which arose in 2003 and 2008 with the EU's split over Iraq and Kosovo respectively.

Conclusion

The EU's credibility as an international actor depends largely on its success in the Western Balkans. However, the fates of Bosnia-Herzegovina, Kosovo and the other war-torn states of the Western Balkans pose a serious threat to the EU's unity and capacities in the CFSP. The numerous challenges faced by the ESDP, including

geographical reach, objectives, budgetary needs, political coherence, sustainability, transport, communication, armaments procurement, complex decision-making, strategic defence review, structural problems and collaboration with third countries and international organisations, raises lots of doubts about its current and future operational success. Even so, the costs of ESDP remaining engaged in the Western Balkans are definitely lower than to deal with the dire consequences of ethnic wars in the case of withdrawal.

No one could suggest that problems and so the responsibilities of ESDP in the Western Balkans came to an end. At the same time, the pattern currently emerging in the Western Balkans shows that fade of the EU and the world's attention to new security challenges are not in the horizon. Over the next decade, the EU and NATO forces are likely to be forced to tackle additional military, economic and humanitarian interventions and international attention will gradually drift from the Western Balkans to the Middle East, Africa, Caucasus and Central Asia. If the EU's CFSP with its ESDP fails to ensure lasting stability in the Western Balkans, then it will be less convincing in its efforts to intervene in the Middle East or elsewhere.

NOTES

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[1] Nugent, N., *The Government and Politics of the European Union*, (UK: Durham University Press, 2006), p.385.

[2] UNDP, *Human Development Report 2002: Deepening Democracy in a Fragmented World*, (UK: Oxford University Press, 2002), pp.85-100. Also, go to web page: <http://hdr.undp.org/reports/global/2002/en/> (Visited on: 04.09.2005); Siret Hürsoy, "Challenges for UN Member States in the New Era", in Zhengbai, S. (ed.), *Cooperation and Coordination in and on Peace Operations*, (Beijing: Peacekeeping Affairs Office of Ministry of National Defence, 2005), pp.131-144.

[3] Paul Latawski, "Central Europe and European Security", in Park, W. & Rees, W. (ed.), *Rethinking Security in Post-Cold War Europe*, (New York: Addison Wesley Longman Limited, 1998), pp.82-95.

[4] See Stability Pact for South Eastern Europe. Available at: <www.stabilitypact.org> (Visited on: 22.04.2008)

[5] The Stabilisation and Association Process: The Western Balkans. Available at: <http://europa.eu/scadplus/leg/on/s05055.htm> (Visited on: 22.04.2008)

[6] Siret Hürsoy & Nesrin Ada, "Security Sector Reform in Peace Operations", in Hürsoy, S. & Ada, N. (eds.), *Challenges to Peace Operations in the 21st Century*, (Izmir: Izmir University of Economics Press, 2007), pp.73-87; *Concluding Report 1997-2002*, "Planning for Effective Disarmament, Demobilisation and Reintegration" in *Challenges of Peace Operations: Into the 21st Century*, (Stockholm: Elanders Gotab, 2002), pp.171-192

[7] Ohrid Framework Agreement (13.08.2001), available at: <http://faq.macedonia.org/politics/framework_agreement.pdf#search='Ohrid%20Framework%20Agreement'> (Visited on: 21.04.2008)

[8] Stability Pact for South Eastern Europe Trade Working Group. Available at: <www.stabilitypact.org/wt2/TradeWG.asp> (Visited on: 22.04.2008)

[9] Instrument for Pre-Accession Assistance (IPA). Available at: <http://europa.eu/scadplus/leg/en/lvb/e50020.htm> (Visited on: 22.04.2008)

[10] "A Secure Europe in a Better World", *European Security Strategy*, (Brussels, December 12, 2003).

[11] Hill, C., "The Capability-Expectations Gap, or Conceptualising Europe's International Role", *Journal of Common Market Studies*, (Vol.31, No.3, September 1993), pp.322-324.

[12] Hill, C., pp.323-324.

[13] Duff, A., *Reforming the EU*, (UK: Federal Trust, 1997), p.78; 'Common positions' (Art.J.2) are an effective continuation of the EPC practice. Although they are not legally binding (CFSP and JHA are not subject to the European Court of Justice (ECJ)), they are designed to enable the EU to speak with one voice. 'Joint actions' (Art.J.3) are under the liability of the Council and designed to develop the EU into a single (purposive) actor. Once a unanimous approval obtained in the Council (Art.J.3(2)), 'Joint actions' could be implemented by qualified majority voting (QMV). See Art.J.4(3) of the TEU.

[14] Hill, C., p.309; Ben Soetendorp, "The Evolution of the EC/EU as a Single Foreign Policy Actor" in Carlsnaes, W. & Smith, S., *European Foreign Policy*, (London: Sage Publications, 1994), p.104.

[15] In the early days of the Yugoslav crisis, foreign minister of Luxembourg, Jacques Poos, argued that, "This is the hour of Europe. […] If one problem can be solved by the Europeans, it is the Yugoslav problem." See, Smith, C. J., "Conflict in the Balkans and the Possibility of a EU CFSP", *International Relations*, (Vol.13, No.2, August 1996), p.7.

[16] Hill, C. & Wallace, W., 'Introduction: Actors and Actions' in Hill, C. (ed.), *The Actors in Europe's Foreign Policy*, (UK: Routledge, 1996), p.6.

[17] Smith, K. E., "The Instruments of EU Foreign Policy", *EUI Working Papers*, (Italy: European

University Institute, RSC No.97/68, December 1997), p.3.

[18] Conflict resolution, military peacekeeping, humanitarian interventions, and crisis prevention and management are new forms of 'soft' security strategy and widely known as 'Petersberg Tasks'. The Amsterdam Treaty incorporated 'Petersberg Tasks' into the EU in 1997. For a detailed analysis of 'hard' and 'soft' security see Hürsoy, S., *The New Security Concept and German-French Approaches to the European 'Pillar of Defence', 1990-2000*, (Germany: Marburg, Tectum Verlag, 2002), pp.66-72.

[19] Geoffrey Edward, "The Potential and Limits of the CFSP: The Yugoslav Example" in Regelsberger, E., Tervarent, P. S., and Wessels, W., *Foreign Policy of the EU: From EPC to CFSP and Beyond*, (UK: Lynne Reinner Publishers, 1997), p.189.

[20] Address by Carla del Ponte, Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY), to the Security Council, (The Hague: December 15, 2005). Available at: <http://www.un.org/icty/latest-e/index.htm> (Visited on: 25.04.2008). Statement by Carla del Ponte, Prosecutor of the ICTY, to the Security Council, (The Hague: December 10, 2007). Available at: <www.un.org/icty/pressreal/2007/pr1202e-annex.htm> (Visited on: 25.04.2008).

[21] Cameron, F., *The EU and International Organisations: Patterns in Crisis Management*, (Brussels: European Policy Centre Issue Paper No.41, October 24, 2005), p.10.

[22] The Srebrenica massacre in July 1995 in Bosnia-Herzegovina under the command of a Serbian General Ratko Miladić resulted in over 8,000 people killed in front of 400 armed Dutch blue-beret peacekeepers in a UN-protected 'safe zone'. Rees, W. & Monar, J., "Force for Europe", *The World Today*, (June 2000), pp.14-16.

[23] Military-diplomatic operations are also known as 'soft' military strategy, e.g. the initial state disintegration – like the ones in former Yugoslavia (i.e. Bosnia, Kosovo) and Albania – that have to be prevented before escalating into full-scale armed conflicts. Hürsoy, S., *The New Security Concept and German-French Approaches to the European 'Pillar of Defence', 1990-2000*, pp.54, 69.

[24] At the 2000 Feira European Council meeting, the EU set an immediate goal to develop a roster of 5,000 civilian police officers; a roster of 200 rule of law and civilian administration experts; and a pool of 100 civil protection experts for search and rescue, refugee camp construction, communication systems deployment and logistical support, supported by 2,000 people who can be despatched rapidly as part of a civilian protection intervention team. *Presidency Report on Strengthening the Common European Security and Defence Policy*, (Feira European Council Declaration, 19–20 June 2000); European Commission, "Communication on a Concept for European Community Support for Security Sector Reform", COM 253 final, (Brussels: European Commission, 2006).

[25] Hürsoy, S., "Challenges for UN Member States in the New Era" in Shi Zhengbai, *Cooperation and Coordination in and on Peace Operations*, (China: Beijing, Peacekeeping Affairs Office of Ministry of National Defence, 2005), pp.131-144.

[26] The CARDS Programme (2000-2006). Available at: <http://europa.eu/scadplus/leg/en/lvb/r18002.htm> (Visited on: 23.04.2008).

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[29] BBC News, "EU Offers Serbia deal on Kosovo". Available at: <http://news.bbc.co.uk/s/hi/europe/7143817.stm> (Visited on: 13.04.2008).

[30] The Rule of Law Mission in Kosovo, Political and Security Committee Decision EULEX/1/2008, *Official Journal of the European Union (2008/125/CFSP)*, (Brussels: February 7, 2008).

[31] EU and NATO Concerted Approach for the Western Balkans, *11605/3 (Presse 218)*, (Brussels: July 29, 2003).

[32] Opinion polls conducted after 17 February 2008 showed that almost 64% of Serbian citizens still favoured joining the EU. However, more than 71% are opposed the EU membership if it is made conditional on Serbia recognising independence of Kosovo. BBC

News, "Serbian reformers claim victory". Available at: <http://newsvote.bbc.co.uk/mpapps/pagetools/print/news.bbc.co.uk/2/hi/europe/ 7394339.stm>; BBC News, "Profile: Boris Tadić". Available at: <http://news.bbc.co.uk/2/hi/europe/7225661.stm> (All visited on: 19.04.2008).