

THE EFFECTS OF THE INTERNATIONAL COMMUNITY'S
PRESENCE ON THE DEFENCE SECTOR IN BOSNIA AND
HERZEGOVINA

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Sarajevo, May 2004

This research has been conducted within the framework of an internship at the Centre for Security Studies in Sarajevo as a part of obtaining a Master Degree in International Relations at the University of Groningen, the Netherlands.

The author received the guidance and assistance from the Centre for Security Studies, but all statements and conclusions in the research are the author's own, of which the Centre for Security Studies cannot be held responsible.

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List of abbreviations

ABiH	Armed forces of Bosnia and Herzegovina
AFBIH	Armed forces of the Federation of Bosnia and Herzegovina
ARS	Armed forces of Republika Srpska
BHMAC	Bosnia and Herzegovina Mine Action Center
BiH	Bosnia and Herzegovina
CFSP	Common Foreign and Security Policy
DPA	Dayton Peace Agreement
DRC	Defence Reform Commission
ERRF	European Rapid Reaction Force
ESDP	European Security and Defence Policy
EU	European Union
EUFOR	coming European Union Force in Bosnia and Herzegovina
EUROFOR	European Union Force in FYROM
EUPM	European Union Police Mission
FBIH	Federation of Bosnia and Herzegovina
FYROM	Former Yugoslav Republic Of Macedonia
GAO	United States General Accounting Office
HRSG	High Representative of the Secretary General of the United Nations
HVO	Croat Defence Council
ICG	International Crisis Group
ICTY	International Crime Tribunal for the former Yugoslavia
IFOR	Implementation Force
IPTF	International Police Task Force
JA	Yugoslav army
JMC	Joint Military Commission
KFOR	Kosovo Force
LOT	Liaison and Observation Teams
MONUC	Mission d'Observation des Nation Unies au Congo
MOST	Monitor Observation and Surveillance Teams
MPRI	Train and Equip Program
MTA	Military Technical Agreement in Kosovo
NATO	North Atlantic Treaty Organisation
OHR	Office of the High Representative
OSCE	Organisation for Security and Co-operation in Europe
PfP	Partnership for Peace
PIC	Peace Implementation Council
RS	Republika Srpska
SALW	Small Arms Light Weapons
Sap	Stabilisation and Association process
SCMM	Standing Committee for Military Matters
SFOR	Stabilisation Force
UCK	Kosovo Liberation Army
UN	United Nations
UNDP	United Nations Development Program
UNMAC	United Nations Mine Action Center
UNMIK	United Nations Mission In Kosovo
UNPROFOR	United Nations Protection Force
ZOS	Zone of Separation

Introduction

During the 1990s, peacekeeping operations have gained much importance. The number of peacekeeping operations all over the world has considerably increased. Compared to the peacekeeping operations during the Cold War, the new operations changed their aim: from pure peacekeeping or peace forcing operations, they became peace implementation and stabilisation operations. Much more attention was paid towards building up a country. Focus was laid on building sustainable peace.

The United Nations gained a bigger role as it became active in civilian peace building missions. After the dissolution of the Warsaw Pact, NATO changed itself from a defence alliance into a military peacekeeping force. When requested, the United Nations and the Organisation of Security and Co-operation in Europe could use the military forces of the NATO-countries. By the beginning of the 3rd millennium, the European Union gained importance as a military peacekeeping force as well.

One of the regions where the United Nations, NATO and European Union carried out several peacekeeping operations during the last decade was the Balkans. During the secession wars of Croatia and Bosnia and Herzegovina, the United Nations send the UNPROFOR to both counties. Its impossibility to handle the war atrocities and to protect different safe heavens, of which Srebrenica is the most well known, based on its mandate only to use force in order to protect itself, lead to a worldwide indignation.

The helplessness of the UNPROFOR was the turning point for UN peacekeeping missions. Most of the missions carried out after 1995 had a much rougher mandate, in which they were allowed not only to protect themselves, but also to use force when necessary. The first mission with the new mandate was IFOR, the successor of UNPROFOR in Bosnia and Herzegovina. The civilian UN-mission to Bosnia and Herzegovina was also the first mission which was directed towards building up the country, under guidance of the High Representative of the Secretary General of the United Nations. This new created function has a wide range of tasks from advising the government in reforms to dismiss non-co-operating authorities.

The concentration of the international community on building up a new society led to the neglecting of military reforms. It took until 2001 to start talks on reforming the structure of the defence sector. Since then, the military reform processes took shape only very slowly. The international community fulfils a big role in the reform processes. Not only with the presence of an international military force, but also in pressuring all local parties to finally carry out the reforms.

Although the role of the international community in Bosnia and Herzegovina has been analysed in several researches, the military sector has mostly been neglected so far. At the NATO-summit in Istanbul in June 2004 the membership of Bosnia and Herzegovina for the Partnership for Peace Program of the NATO will be decided. It is therefore interesting to take an exact look on the reforms in the military sector of Bosnia and Herzegovina, as well as the role the international community played in the design of these reforms.

Observing the important role the international community has played in Bosnia and Herzegovina throughout its post-war period and the lack of research about their role in the military sector, concentration is on the effects and the role of the international community's

presence on the hard security sector of Bosnia and Herzegovina. Not only the civilian peace keeping operation will be taken into account, but also the international military forces present in Bosnia and Herzegovina. To analyse the military sector in Bosnia and Herzegovina, first a short summary of relevant articles of the Dayton Peace Agreement will be given. Furthermore, an overview of the local military sector will be given. In these paragraphs, special attention will be paid to the role of civilian international organisations in the sector, as well as the reform process in the military sector. The third paragraph will concentrate on the international military forces in Bosnia and Herzegovina. Besides their role in stabilising the country, their successes and shortfalls will be analysed.

To put the peace keeping mission in a broader prospective, two other peacekeeping operations will be examined in the second chapter. Comparative to the organisations active in peacekeeping in Bosnia and Herzegovina, attention will be paid to the role of NATO and the European Union in the late conflicts in Kosovo and FYROM. The peacekeeping operation in Kosovo was conducted by KFOR under the command of NATO, and the civilian United Nations mission. In FYROM, NATO again played a military role, but was relieved by the European Union in the first military mission under the European Security and Defence Policy (ESDP). This military mission was again relieved by a police mission of the European Union.

The third chapter will concentrate on a comparative analysis between the peacekeeping operations in Bosnia and Herzegovina and the respective operations in Kosovo and FYROM. An analysis will be given on the differences between the peacekeeping missions in order to take lessons for the future. Finally, to conclude the research, recommendations will be given for the peacekeeping operation in Bosnia and Herzegovina, as well as recommendations for peacekeeping missions in general.

To conduct the research numerous interviews have been made. First interviews were conducted with all major international organisations like OHR, OSCE, and SFOR. On national level the Ministry of Defence kindly offered its help. In the Federation of Bosnia and Herzegovina an interview was conducted with the 1st Corps of the Army of the Federation of Bosnia and Herzegovina, whereas in Republika Sprska an interview was conducted with the Center for Strategic Studies. Not cited in the research, but of importance for background information, were the interviews with several political parties.

Chapter 1 – Military

The Dayton Peace Agreement (DPA) brought an end to three and a half year war in Bosnia and Herzegovina (BiH). Since Dayton is in essence a peace treaty, military plays an important role in the DPA. In this chapter the influence of the international community on the military forces in Bosnia and Herzegovina will be considered. First of all, a glance will be taken at the DPA and the role military forces play in it. Basically two kind of military forces were identified in the DPA: the Bosnian forces (i.e. the Bosniac, Croat and Serb armies) and the international forces. Following this division, the role of the international community in the hard security sector can be divided in two parts as well: their influence on the local military forces, as well as their presence as a peacekeeping force. This division will cover the second and third section of this chapter.

1.1. Military forces in the Dayton Peace Agreement

The Dayton Peace Agreement was an agreement to end a war, not to build up a country. This is mirrored in the different annexes of the DPA. We will focus here Annex 1-A and 1-B, as they set out the military guidelines for Bosnia and Herzegovina.¹ These guidelines were focused on establishing “as quickly as possible normal conditions of life in Bosnia and Herzegovina”.² Several measures were taken to bring peace in Bosnia and Herzegovina.

First of all, the three armies in Bosnia and Herzegovina had to withdraw behind the Zone of Separation. They had to disarm the armed civilian groups, as well as those soldiers who were not in the barracks. Another important measure to be taken by the armies was the withdrawal of all foreign forces from the territory of Bosnia and Herzegovina. This meant not only fighters from the Yugoslav army and the Croat army, but also Muslim paramilitaries from other countries. Furthermore, a Joint Military Commission was to be established to which all parties had to report positions and descriptions of physical or military hazards, weapons, forces etc.

Second, international peacekeeping forces were invited to guard the newly established peace, and enforce it when necessary. The mandate and role of the international peacekeeping force will be dealt more deeply later on. The third group of organisation named in the military agreement of the DPA were the civilian organisations, most notably the Organisation for Security and Cooperation in Europe (OSCE). It was their task to organise and facilitate talks between the parties about Confidence and Security Building Measures as well as Sub-Regional Arms Control. The role of the OSCE in these processes will be analysed in a separate paragraph as well.

Once peace was established, the DPA had written other military provisions, of which the most important was the establishment of a Standing Committee on Military Matters (SCMM) to coordinate the activities of armed forces in BiH. Each member of the Presidency had civilian command authority over the armed forces.

¹ See for details: *The General Framework Agreement (DPA) (Paris 1995)*, most notably Annex 1-A and 1-B. URL: <http://www.nato.int/ifor/gfa/gfa-home.htm>

² DPA, Annex 1A, article I.

1.2. Military forces of Bosnia and Herzegovina

The 1995 situation left Bosnia and Herzegovina with one country, two entities and three armies. According to the constitution, all competencies regarding defence and military matters had been attributed to the two entities. “All governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities.”³ In practice this meant that there were two official (three unofficial) forces in Bosnia and Herzegovina, each maintaining its own methods and standards. Even in the Army of the Federation (AFBiH), there was a strict separation between the Croat Defence Council (HVO) and the Bosniac army. The only two BiH-institutes were the Standing Committee on Military Matters and the Presidency as the civilian command authority.

Besides the heavily ethnic separated army structure, things were furthermore thwarted by the provision in the new Constitution of BiH that stated that “The Entities shall have the right to establish special parallel relationships with neighbouring states consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.”⁴ Both the entity of RS and the FBiH have made extensive use of this right in an attempt to improve their external security. But not only to secure their external security. Until recently, the force structure and defence posture of AFBiH and the Army of Republika Srpska (ARS) have been built around the possibility of a renewed war between the two.⁵

There was hardly no civilian control over the Bosnian military. Although the Presidency was officially the commanding authority and in official texts “the armed forces of BiH” were spoken about, the forces regarded themselves as completely separate. Parliamentary and civilian oversight of funding streams and budgetary sources of the armies was non-existent, as the US Institute of Peace stated in 2000.⁶ A fully functioning permanent Secretariat of the Standing Committee on Military Matters came into function only in 1999, after severe pressure from the Office of the High Representative.⁷ Further progress towards common security institutes were repeatedly blocked by Croat and Serb parties.

In 1995, the main objective of the international community was to establish peace and security throughout the region – beginning in Bosnia and Herzegovina itself. As it was said, the armies were built up around the possibility of a new war, and were therefore maintained to defend themselves from the other groups. This had its reflection on reforms of the military sector and the execution of the Dayton Peace Agreement. Those provisions, directly connected with the ending of the war, were fulfilled by all parties. The cease-fire was held and all three Bosnian militaries withdrew from the zone of separation to their respective territories. IFOR was able to collect heavy weapons into cantonment sites and troops were moved into barracks. Furthermore, force levels were reduced from estimated 400,000 during the war to a combined total of 150,000 in mid-1996.⁸

³ DPA, Annex 4, Constitution of Bosnia and Herzegovina.

⁴ Ibid.

⁵ Robert Barry, “Force structure and defence doctrine” in: Ministry of foreign affairs of Bosnia-Herzegovina and Special Representative of the OSCE Chairman in Office for Article II and IV ed., *Democratic Control: Seminar on the democratic control of security policy and the armed forces, Proceedings*, (Sarajevo 1999).

⁶ United States Institute of Peace, *Bosnia's next five years: Dayton and beyond* Special Report 62 (3 November 2000).

⁷ 14th Report by the High Representative for Implementation of the Peace Agreement to The Secretary-General of the United Nations, (16 July 1999).

⁸ Bonn International Center for Conversion, *Turning Soldiers into a work force. Demobilization and reintegration in post-Dayton Bosnia and Herzegovina*, Brief 27 (Bonn 2003), p. 9.

In 1996, Republika Srpska did not reduce its arms to the lowest amount needed for its security, as asked for in the framework of confidence building measures. The United States reacted in offering the Federation a Train and Equip Program (MPRI-program⁹) to provide a military balance, since the Bosnian Serbs did not comply with the arms control agreements. The second goal of the MPRI-program was to integrate the Bosniac and Croat armies into a unified AFBiH. According to the Federation Defence Law the full integration of both armies should have been finished by August 1999, but the integration has been limited so far since forces are separated from corps level downwards: two Bosniac and two Croat corps are ethnically based.

The MPRI-program was seen by the US-government as “a key element of establishing and sustaining a secure environment in Bosnia”.¹⁰ The start of the MPRI-program went together with different problems: both Bosniac and Croat political leaders did not comply fast enough with the preconditions set by the United States. Arms shipments were withheld until all foreign forces were withdrawn and military and intelligence relationships with Iran were ended. Besides, a defence law first had to pass the Federation assembly, before the program could start. This was finally the case in July 1996, after almost one year of negotiations. But it was not over yet. The newly appointed Minister of Defence of FBiH, had to resign because he was obstructing the integration process and his deputy had to leave the scene because of unacceptable ties to the Iranian government.

By November 1996 weapon delivery finally started. This first weapon deliveries – together with the assistance from Saudi Arabia, Malaysia, the United Arab Emirates and Turkey – did not significantly modernize the AFBiH since the arms had been in use for a long time. More interest was given to the training of soldiers, which started in August 1996. According to United States General Accounting Office (GAO) the program was offered to Republika Srpska as well, but the participation in the integrated Ministry of Defence was too much of a hurdle.¹¹ Even a bigger hurdle might have been the alleged help of a MPRI-program in the training of Croat soldiers preparing for “Operation Storm” during the Croatian war in 1995.¹²

The structure of the Armies of RS and FBiH (two armies on paper, but three in practice) laid heavily on foreign aid. The MPRI-program provided mainly the Bosniac Army with weapons and training, so it became confident that it could win a war against the Bosnian Serb Army. The other side of the AFBiH, the HVO, had close contacts with Croatia.¹³ The country helped concerning arms and training. The third army, that of RS, remained close with the Yugoslavian Army (JA). Officers of the ARS were trained and paid by the JA.¹⁴ Thus, in

⁹ The government of the United States is not directly involved in this program, but delegated the execution of the program to the Military Professional Resources Inc. (MPRI). The Train and Equip program is locally known as the MPRI-program.

¹⁰ United States General Accounting Office, *Bosnia Peace Operation: Progress Toward Achieving the Dayton Agreement's Goals* NSIAD-97-132, (5 May 1997).

¹¹ Ibid.

¹² The MPRI Company officially denied to have had any influence in Operation Storm, but critics are not convinced. See: Esther Schrader, “US Companies hired to train foreign armies” *Los Angeles Times* (14 April 2002) and; Col. George Jutras, “What about the U.S. role in Croatian atrocities?” *Letter to the Washington Times* (22 April 2003).

¹³ United States Institute for Peace, *Bosnia's next five years: Dayton and Beyond*.

¹⁴ This is still common practice, although ties have been loosened because of the downsizing of the Bosnian armed forces. Author's interview with prof. dr. Slavko Žmarić, director of the Center for Strategic Studies in Banja Luka and assistant to the Minister of Defence of the Republika Srpska for scientific-research work, d.d. 16 March 2004.

pursuing the military security aspect, the AFBiH formed a new armed forces' military doctrine by copying the military doctrine of the United States. In the meantime, the ARS continued to base its military doctrine on that of the JA. Following this division, the AFBiH is now on its way to NATO standards (mainly in training), where the ARS is running behind.¹⁵

Military co-operation between the different armies has been difficult throughout the years. Not only between AFBiH and ARS, but also within the AFBiH: just one example was in 2001, when Croat soldiers left their barracks on instigation of their political leaders, to create a separate Croat structure, a "third entity", within Bosnia and Herzegovina. The international community reacted strongly, issuing that the Croat leaders were violating the Dayton agreement.¹⁶ The spy-scandal in 2002, when SFOR found out that the intelligence services of RS were spying on international officials in both Republika Srpska and the Federation, was another severe violation of the DPA. Paddy Ashdown called it "the gravest violation of the Dayton deal since the end of the war".¹⁷

Together with the ORAO-scandal,¹⁸ the spy-scandal caused a massive change in Bosnian defence politics. The international community urged for defence reforms and the High Representative, Paddy Ashdown, installed a Defence Reform Commission under the leadership of James Locher. This so-called Locher-Commission finished its report in September 2003, after which reforms started – including the establishment of a State level Ministry of Defence in 2004.¹⁹

Recent developments in BiH, however, show that policy, if not the attitude, is changing. Examples are the reduction of both AFBiH and ARS forces and the establishing of a state level Ministry of Defence. A significant step towards a greater level of confidence between the two entities is reached in this way. Another indicator that points to the changing security environment is the continuing decrease in the presence of international forces in Bosnia. "Peace in BiH has been consolidated to a point where we [NATO] can safely reduce our troop presence."²⁰

¹⁵ Author's interview with Brigadier Selmo Cikotic of the 1st Corps of the Army of the Federation of Bosnia and Herzegovina, based in Sarajevo, d.d. 22 March 2004.

¹⁶ Florian Bieber, "Bosnia & Herzegovina" *Nations in Transit* (Freedom House; Boedapest 2002) 108 – 125.

¹⁷ SHAPE news update "Balkans" (31 March 2003) URL: <http://www.nato.int/shape/news/2003/03/n030331.htm>

¹⁸ The factory "Orao", based in Bijeljina, Republika Srpska, violated the UN Embargo on the export of military equipment to Iraq by the illegal export of arms. Because of these two scandals, the Serb member of the Bosnian Presidency, Mirko Šaravić, resigned on 2 april 2003.

¹⁹ See: Defence Reform Commission, *The path to Partnership for Peace. Report of the Defence Reform Commission* (Sarajevo 25 September 2003).

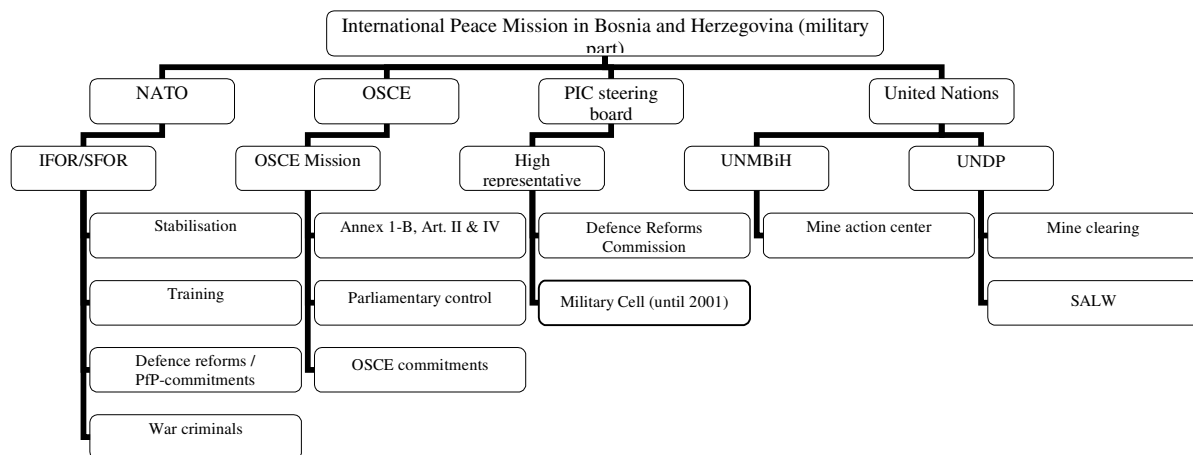
²⁰ Speech by NATO Secretary General, Jaap de Hoop Scheffer at the Munich Security Conference (7 February 2004).

1.2.1. International organisations involved in the defence sector

The road to peace consolidation was long and the commitment of the international community was high. Besides the civilian organisations whose role will be explained below, the Implementation Force (IFOR) and later on Stabilisation Force (SFOR) played an important role in stabilising the country and reforming the security sector. The role of IFOR and SFOR, and the coming takeover by EUFOR, will be dealt in a separate section. Here we will only focus on the main civilian organisations influencing the Bosnian military forces: OHR, OSCE and the United Nations.

The presence of the OHR and the OSCE in BiH is based on the DPA, but with widely ranging tasks. Based on Annex 1-B, the OSCE was asked to help the parties in taking confidence- and security-building measures and measures for sub-regional arms control.²¹ The Peace Implementation Council appointed a High Representative (Annex 10), who would be responsible for the civilian implementation of the DPA. As such, the establishing of political and constitutional institutions by the Office of the High Representative (OHR) has its effects on the military sector as well.

Schematically, the international community in the military sector of BiH is as follows:



Organisation for Security and Cooperation in Europe (OSCE)

The OSCE was assigned by Dayton to assist with negotiation and implementation of confidence building measures and arms control. It has no implementation office, but is only giving assistance to fulfil any obligations international organisations set to the defence sector of BiH. Based on the DPA the OSCE has three tasks. First, to assist in holding fair elections and establishing a permanent election commission. Second, the OSCE should monitor the human rights situation, and issues relating to the return of refugees. Its third task, and the most interesting regarding the security sector, was facilitating the adoption of an “Agreement on CSBM in Bosnia and Herzegovina” as well as an “Agreement on Sub-Regional Arms

²¹ Other tasks than in the military agreements are left out. For more information on the OSCE-mission in BiH, see: URL: http://www.oscebih.org/oscebih_eng.asp

Control". Because of the particular importance of these two Agreements, we will deal with them in a later paragraph.

The 1992 membership of the OSCE put BiH under the obligation of the Vienna document, the Code of Conduct of the OSCE, democratic control of military forces and the obligation to send a periodical report on military activities to the OSCE. The latter has been a problem since there was no state institution to report on military matters, which meant that entity reports were sent to the OSCE. Since the Partnership for Peace covers all OSCE commitments, the OSCE has had a major role in reforming Bosnian armed forces to get it ready for PfP-membership in June 2004.

Office of the High Representative

The Office of the High Representative is a new institution, called into existence by the Dayton Agreement. Its task is to build up those civilian institutions necessary to create a functioning country. In 1997, at the Bonn-conference of the Peace Implementation Council, the OHR was given extended powers to make binding decisions and remove obstructionist officials.²² The so-called Bonn-powers gave OHR the possibility to be engaged in military security and to play a supporting role towards SFOR. The now High Representative Lord Paddy Ashdown set himself to establish a state-level civil command and control over armed forces, as well as "embedding defence and intelligence sector reforms so as to facilitate BiH integration into Euro-Atlantic structures".²³ In the last few years OHR has focussed on the establishment of stable institutions instead of removing obstructing officers from offices.

United Nations

In agreement with Dayton, the United Nations Security Council established a United Nations civilian office in Bosnia and Herzegovina (UNMIBH). One of its tasks was to coordinate the de-mining process through the United Nations Mine Action Center. The center coordinated donor's mine awareness and mine clearance activities and to encourage the Bosnian government to assume full responsibility for mine clearance. UNMIBH ended in December 2002 after the successful completion of its mandate. The UNMAC was transformed to the BHMAC. Four percent of the country is contaminated with mines. Of this area, so far only ten percent has been cleared.²⁴

Relations within the international community concerning the defence sector are good. Since 2001, the head of the OSCE Security Department is also the military adviser of the HRSG. He is to co-ordinate the efforts of the international community to the security reform. With the beginning of the defence reforms in 2001 also the military cell of the OHR has been transferred to the OSCE.²⁵ The Bonn-powers of 1997 gave the OHR some influence on the military sector, where it has a supporting role towards SFOR since then. The OHR changed its focus in the last years from taking away obstructing politicians towards establishing stable institutions, in this way helping the defence reforms.

Although in an ideal situation the international community would completely withdraw from the military sector and the defence reforms, this is not likely to happen soon. Still a lot of

²² *Bosnia and Herzegovina 1998: Self-Sustaining Structures*, Bonn Peace Implementation Conference (10 December 1997) Annex, Article XI.

²³ OHR Mission Implementation Plan 2004, (23 March 2004). URL: http://www.ohr.int/ohr-info/ohr-mip/default.asp?content_id=32077

²⁴ See: URL: <http://www.bhmac.org/>

²⁵ Author's interview with Mrs. Siw Skjold Lexau, Political advisor of the Political Department of the OHR and Author's interview with Mrs. Elmira Bayrasli, Spokesperson and Director of Press & Public Information of the OSCE and Mr. Francis Carlier of the Department of Security Co-operation of the OSCE, d.d. 18 March 2004.

changes will be made this year in the presence of the international community in the defence reforms. The OHR would like to end its role in the defence reforms, with the Defence Reform Commission taking over and continuing as an implementation institution.²⁶ With the takeover of SFOR by EUFOR, EUFOR will take over SFOR's role of compliance control of the GFAP. NATO HQ Sarajevo will take over the second SFOR role and will give technical assistance to the Ministry of Defence and the ABiH in order to help them to implement the defence reforms and to help BiH in order to further implement PfP and NATO-standards.²⁷ The OSCE will not change its role, but will continue to help BiH in changing its legislation and advising the Ministry of Defence on its staffing.²⁸

1.2.2. Reforms in the military sector

In 1994, the Partnership for Peace programme (PfP) was founded by NATO in order to enhance peace and stability throughout Europe. It was a direct reaction to the end of the Cold War and the desire of Central and Eastern European countries to join NATO. Although the PfP is generally seen by European transition countries as the first step towards membership of NATO, it actually only offers countries to develop individual programmes of practical co-operation with NATO.

Bosnia and Herzegovina has expressed its wish to join NATO by sending a Letter of Intention to the then NATO-Secretary General Lord Robertson in 2001. He placed fourteen conditions for the BiH membership of the PfP. These are to be divided into political and military conditions. The political conditions focus on the securing a state level parliamentary control of the armed forces, the establishment of a state Ministry of Defence and the support of the political leadership in BiH for the agreement concerning refugees and displaced persons. The military plans focus more on the existence of political security in BiH and a common doctrine and command standards for training and equipping armed forces.

The BiH application for PfP-membership and the conditions set by NATO were the start of a large program to reform the defence sector of BiH. The international community played an inevitable role in the reform process – as a donor for expensive reforms, as advisor to those commissions and institutions charged with the execution of reforms and as a constant pressure to keep BiH on its path to PfP.

The defence reforms in BiH started with the reduction of both the ARS and the AFBiH,²⁹ though it was not easy to get both entities that far. Force-reduction had already started in 1998, when both entities committed themselves to a demobilisation of thirty percent in 1999 and 2001. But still, an army of 20.000 soldiers was too big for BiH, laying a heavy burden on the country's economy. Under severe pressure from the international community, RS and the FBiH finally agreed to reduce their armed forces to 12,000 (8,000 AFBiH and 4,000 ARS) by 1 April 2004. Both entities offered 6,000 KM to those soldiers who left the army voluntarily, others were axed. Where the different corps of the armies try to select their new personnel as fair as possible, the government tried to help the axed soldiers to get new jobs through

²⁶ Interview with Mrs. Siw Skjold Lexau of the OHR.

²⁷ Author's interview with Major Peter Teeuw, SFOR Staff at the SFOR Headquarters in Sarajevo, d.d. 13 April 2004.

²⁸ Interview with Mrs. Elmira Bayrasli and Mr. Francis Carlier of the OSCE.

²⁹ See for numbers of reduction: URL: http://www.oscebih.org/security_cooperation/downsizing.asp?d=4

employment programs. Those programmes did not work effectively, as a lot of former soldiers are still unemployed.³⁰

The second reform was the establishment of democratic control of the armed forces. The OSCE plays an important role in this reform, as does the Geneva Centre for democratic control of armed forces.³¹ According to the OSCE, local politicians have to learn why parliamentary control is so important. In Geneva, local experts get training. The parliament received information on defence, the democratic idea of defence and defence in other countries. At the same time, neighbouring countries are critically involved in this process. The success of the functioning of parliamentary control has its influence on neighbouring countries and therefore contributes to regional stabilisation. Although parliamentary control is functioning, the civilian control reform has not been completely finished yet. Just an example is the Law on Import and Export of Arms, which involves the Ministry of Foreign Affairs and the Ministry of Foreign Trade and Economic Relations in the decision making process, that is not functioning properly yet.³²

During 2001 and 2002, although BiH had applied for PfP, parties of all sides were reluctant to create those institutions necessary for the membership of PfP. The ORAO-scandal functioned as a catalyst for defence reforms. The OHR amended entity defence laws to make sure that a similar scandal could not happen again. Furthermore, the High Representative established the Defence Reform Commission (DRC), which was tasked with proposing reforms for the ABiH so that BiH could come closer to PfP-membership. The ideas proposed by the DRC were not new themselves, what was new was the willingness of the parties and governments to co-operate in the proposed reforms. A single, state-level ministry of defence should be created, including a minister of defence, a joint chief of staff and a collective command authority vested in the BiH presidency.

From the moment the DRC finished its report in September 2003 reforms were taken quickly in order to reach the PfP-deadline of 30 April 2004. State legislation was adopted, although amendments on entity-level took more time, most notably in the FBiH. Also by the end of 2003, the Security Committee of the Parliamentary Assembly was established and even its inaugural session was held.³³ A problem was countered in the appointment of a new State Minister of Defence, which took more than a month longer than expected. Part of the staff of the Ministry of Defence is coming from the SCMM, which Secretariat has been taken over by the Ministry of Defence.³⁴

Differences between the two armies are seen mostly on the political level: Where the FBiH is expressing a great will to create common institutions, RS is more reluctant. Reason is that the current division on state-level (1:1) benefits RS, since the division within the FBiH is a 2:1 (B:C) ratio. In new institutions with a new division, RS would get much less in comparison to now. The army's budget for RS, for example, is very beneficial compared to the FBiH. But then, when it finally comes to executing the decided reforms, the political structure of RS and the FBiH make that decisions are carried out far more quickly in RS than in the FBiH, due to the parallel structures in the FBiH.³⁵

³⁰ Interview with Brigadier Cikotic of the FBiH Army.

³¹ Interview with Mrs. Elmira Bayrasli and Mr. Francis Carlier of the OSCE.

³² Ibid.

³³ "BiH Monitor - Progress towards fulfilling the conditions for PfP membership" URL: <http://www.css.ba/>

³⁴ Author's interview with Mr. Agan of the Ministry of Defence of Bosnia and Herzegovina, d.d. 2 April 2004.

³⁵ Interview with Mrs. Siw Skjold Lexau of the OHR.

Future tasks of the Bosnian armed forces

In December 2003, the Bosnian presidency and parliament adopted a Bosnian military doctrine, singling out three core objectives for the new Bosnian military:³⁶

- Protection of the territorial integrity and sovereignty and the protection of the independence of Bosnia and Herzegovina;
- Protection of the people in case of natural hazards;
- Contribution to international peace missions.

The protection of the territorial integrity, sovereignty and independence of BiH asks for a well-trained and professional army. At the moment it is still doubtful if the military of BiH has enough loyalty towards the state of Bosnia and Herzegovina. The fact that only three years ago Croat soldiers left their barracks in order to support Croat autonomy in Bosnia and Herzegovina is just one example.

In order to protect the people in the case of natural hazards, the Bosnian army will have to restructure. Traditionally, armies are focussed on protecting their own country only. Their training and military equipment is equipped to defend the country from outside invaders. In BiH, the armies were, until recently, trained and equipped towards a renewed war between the country's ethnicities. To protect and help people in the case of natural hazards, special units trained for this task should be formed. One can think of small units with rescue dogs, but also a bigger unit with military hospital personnel.

Concerning international peace missions, Bosnia and Herzegovina is on its way. Military observers have been sent to the UN-mission in Ethiopia and Eritrea, and to the mission in Congo. In September 2004, a multi-ethnic unit of 36 de-mining officers will leave for Iraq to help the country clearing its mine fields.³⁷ Serving the international community with this offer, it is doubtful if the Bosnian government is serving its own country. The OSCE even called it a ridiculous plan.³⁸ Not only it costs a peace mission lots of money – money that could be used better to reform the Bosnian armed forces – also there are still a lot of mines left in Bosnia and Herzegovina itself. It is ironical that the Bosnian government is sending de-mining officers to a foreign country to clear mines and give people a safer environment, when in BiH itself mines still cause victims every single year.

Challenges left for the BiH military

With the establishment of a state level Ministry of Defence a major obstacle for membership of the PfP has been taken away. As we have seen, this might not be enough for BiH to join the PfP. One obstacle remains, maybe the biggest of all: co-operation with the International Crime Tribunal for the former Yugoslavia (ICTY) in The Hague. This is clearly expressed by the last Peace Implementation Council (PIC) meeting in April, where the PIC stated that 'the Steering Board also noted the importance of this [*full cooperation with the ICTY*] in connection with BiH's application to take part in PfP'.³⁹ In order to force RS to co-operate with the ICTY and keep the deadline of 30 April of this year, the OHR lately froze the budget of the SDS, RS leading national party. According to an OHR-official the freezing of party-budgets normally works quite effective, but it is unsure if it will work now.⁴⁰ Critics say that the OHR is pushing RS too much, which will work contrary on future reforms.

³⁶ Minister Nikola Radovanovic at a Round Table Conference in Sarajevo, 13 April 2004.

³⁷ Interview with Mr. Agan of the Ministry of Defence of Bosnia and Herzegovina.

³⁸ Interview with Mrs. Elmira Bayrasli and Mr. Francis Carlier of the OSCE.

³⁹ PIC SB Political Directors, *Communiqué by the PIC Steering Board* (Sarajevo 1 april 2004).

⁴⁰ Interview with Mrs. Siw Skjold Lexau of the OHR.

Still, some considerable challenges are left.⁴¹ First of all, in the long term the state level Ministry of Defence should have functioning authority over the entities. At the same time, the position of SCMM should be taken into account. The SCMM was some kind of state level organisation for military before the Ministry of Defence was established. With the establishment of the Ministry of Defence, the SCMM-Secretariat has been transferred to the new Ministry, but over a new role of the SCMM as a Committee itself has not been decided yet. Instead of the executive role it had until now, a role that has been taken over by the Ministry of Defence, should shift to a more advisory role.

The second major challenge is that BiH has to get an army compatible to the threats to the country: a small army that they can afford. Joint, multi-ethnic units have to be created. So far, the Army of BiH only has a Joint Guard for official ceremonies, and a joint de-mining team that will be sent to Iraq in September of this year. Hence, it follows that the next challenge is to make the armies of the two entities compatible, as there are major differences in training, organisation and, most important, equipment. The willingness of the AFBiH to give their surplus of 'newer' tanks to the VRS which enables the real old tanks of the VRS to be destroyed in the framework of the army-reduction agreement to the ARS is in this case a hopeful signal.⁴²

But the most urgent task for the Bosnian military is to create a sincere attitude towards the state of Bosnia and Herzegovina and the military profession. Only then Bosnian armed forces will be able to do their job properly: deterring and defending the state, keeping peace and supporting the government in times of crisis, uncertainty and contingency.

1.3. The role of the OSCE in Annex 1-B, Article II and IV

To establish a sustainable peace in the region, the DPA asks in Annex 1-B for Confidence- and Security-Building Measures in BiH itself and for Sub-Regional Arms Control for BiH and its neighbours Croatia and Serbia and Montenegro.⁴³ In carrying out these measures, the OSCE was given an important role to lead negotiations towards these measures as well as in helping the parties to act up to the agreement.

Within the OSCE the post of Personal Representative of the Chairman-in-office (PR) for Article II and IV was created. It was his job to chair the meetings of the respective commissions, for Article II the Joint Consultative Commission (JCC) and for Article IV the Sub-Regional Consultative Commission (SRCC). In addition he and his office monitored the progress being made by the respective parties. Besides the parties of Article II (BiH, FBiH and RS) in Article IV also Serbia and Montenegro and Croatia took part. All meetings of the commissions were furthermore monitored by the Contact Group of the United States, the United Kingdom, Russia, France, Germany and Italy.

Although the two articles are very different, they influence each other. Therefore, both articles will be analysed separately with a bridge in between.

⁴¹ Interview with Mrs. Siw Skjold Lexau of the OHR.

⁴² Interview with Major Peter Teeuw, SFOR.

⁴³ In 2001, the states of Serbia and Montenegro decided to loosen their bond in the Former Yugoslavia. To affirm their new federation, they changed the name of the state into Serbia and Montenegro. To avoid confusion, its present name of Serbia and Montenegro is used for the period since 1991 as well as the period prior to 2001.

1.3.1. Confidence- and Security-Building Measures in BiH

Confidence- and Security-Building Measures (CSBM) is an act of conflict prevention which, in brief, allows each participant to verify the military capacities of the others. In this way confidence and co-operation is created between the signatories. Due to the DPA the three organisational levels in BiH, namely BiH itself, the Federation and Republika Srpska, were obliged to start negotiations on CSBM within seven days after the signing of the agreement. These negotiations were held under the auspices of the OSCE and the outcomes of the negotiations should be corresponding with the 1994 Vienna Document on CSBM of the OSCE.⁴⁴ They ended in the “Agreement on CSBMs in Bosnia and Herzegovina”, signed in January 1996. Although the Vienna-Agreement⁴⁵ was largely based on the Vienna-Documents, it also contained obligations that went beyond.

The role of the OSCE in the process of implementing the Vienna-Agreement included verifying information that was provided by the parties, facilitating arms control inspections and last but not least courses and training programs about major topics of the agreement. Most of their tasks were accomplished in close co-operation with IFOR and later on SFOR. Where the OSCE was providing political advice, IFOR/SFOR had a more practical role. The co-operation between OSCE and NATO as leading organisation within IFOR/SFOR, has got closer through the support of SFOR in the OSCE role of assisting the Parties in the implementation of CSBM and SRAC Agreements.

The negotiations of Article II were ended quickly under the pressure of the international community and reached the deadline set in the DPA. The real work had to start afterwards. The installation of the Joint Consultative Commission was the first step in implementing the mentioned measures. The JCC deals with compliance issues and may propose, consider and decide on amendments to the agreement by consensus of the parties.

The parties more than once showed reluctance to fulfil their duties concerning the Vienna-Agreement. At the PIC meeting in Madrid, December 1998, the PIC complained about the lack of co-operation from the parties concerning the ‘progress towards improving the level of co-operation and confidence between the Entity Armed Forces (and within the Federation army).’⁴⁶ In an interview with the author, General Zappulla, the Personal Representative of the OSCE Chairman-in-office, told that until 2001 no substantial decisions were made.⁴⁷

According to an US Administration official in BASIC Reports, the Vienna Agreement was ‘unrealistically optimistic’ regarding the provisions for military co-operation between the FBiH and RS.⁴⁸ Nine years later we can indeed say that ‘joint military training and exercises’ have hardly been organised. The first joint military exercise ‘Disaster relief 2004’ was held

⁴⁴ See: DPA Annex 1B, Article II, and: OSCE Vienna Document of the Negotiations on Confidence- and Security-Building Measures (1994).

⁴⁵ The Vienna Document refers to the OSCE-Documents on CSBM of 1994. The Vienna Agreement refers to the Agreement on CSBM for Bosnia and Herzegovina of 1996.

⁴⁶ Peace Implementation Council, *Madrid Declaration* (16 December 1998).

⁴⁷ Author’s interview with General Claudio Zappulla, Personal Representative of the OSCE Chairman-in-office for Dayton Annex 1-B, Article II and IV, d.d. 29 April 2004.

⁴⁸ British American security information council, *BASIC Reports* nr. 50 (21 February 1996), pp. 4 – 6.

only in April 2004, when the armies of the FBiH and RS were joined under the State Ministry of Defence.⁴⁹

In the Vienna-Agreement, fourteen measures were taken to enhance mutual confidence. One of the most important measures was the first one, exchange of information. This measure ranged from the exchange of data relating to weapon and equipment systems to the demonstration of new weapon and equipment systems. Goal was to give the different parties the possibility to have a look in each other's kitchen what would reduce the tensions between the parties. According to this article the parties exchanged information on their military forces annually.

The most successful part of Article two was the inspection regime.⁵⁰ The inspections are conducted by a team comprised of people designated by the entities and the PR. The implementation of the inspections went without major problems. Still, some problems have arisen according to the Verification Yearbook of the OSCE.⁵¹ Problems arise in the lack of access of the JCC's amendments to the inspection procedures for the OSCE inspectors. Furthermore, changes to the annual inspection schedule are mostly given by short-notice, so that OSCE countries with small verification missions not always have the possibility to nominate inspectors. Third, there OSCE inspectors have insufficient time for inspection preparation because they join the entities inspection teams only one day before or at the day of the inspection itself. Also, information forthcoming of the Exchange of Information (first measure) is not available to the OSCE inspectors before they meet up with the inspection team. All these problems exist under Article IV as well.

The reforms now going on in the military sector of Bosnia and Herzegovina have implications for the CSBM-implementation as well. The establishment of a State Ministry of Defence in the beginning of 2004 will make the need of a regime inspection concerning the arms control within Bosnia and Herzegovina needless. What will be left are the voluntary activities of the parties to strengthen mutual confidence.

1.3.2. Measures for Sub-Regional Arms Control

An agreement on SRAC was reached with many difficulties. The main problem was the reluctance of Croatia and Serbia and Montenegro to reduce their armaments. The reason was that the bordering states of the former Yugoslavia refused to participate in the DPA under Article V, which calls for a regional arms control agreement "with the goal of establishing a regional balance in and around the former Yugoslavia".⁵²

In June 1996, the "Agreement on Sub-Regional Arms Control" was signed in Florence. The Agreement was, just like the Agreement of Article II, based on the 1992 Vienna Document. Ceilings for battle tanks, armoured combat vehicles, artillery pieces, combat aircrafts and attack helicopters were established by the parties. It came into effect on 1 November 1997 and is of unlimited duration.

⁴⁹ "FBiH and RS soldiers put the ferry over Bosna River"; Press release on the OSCE website, URL: <http://www.oscebih.org/public/default.asp?d=6&article=show&id=727>

⁵⁰ Interview with General Claudio Zappulla of the OSCE.

⁵¹ Dieter Rothbacher, "Verification of the Dayton arms control agreements", *OSCE Verification Yearbook* (Vienna 2001), pp. 173 – 184.

⁵² *BASIC Reports* nr. 50, pp. 4 – 6.

It was important that the Agreement established force levels for all parties according to a ratio of 5:2:2 (Serbia and Montenegro:Croatia:Bosnia and Herzegovina). In BiH itself, levels are established according to a ratio of 2:1 (FBiH:RS). In practice these ceilings meant that Croatia and Serbia and Montenegro had to reduce their holdings only minimalist, RS had to reduce their holdings substantially whereas the FBiH was allowed to purchase more to reach its ceilings. The MPRI-Program of the American government started in the line with these ceilings.

During the implementation of the Agreement several problems occurred. Serbia and Montenegro suspended the implementation of the SRAC-Agreement several times due to international politics. The NATO bombing campaign in 1999 is just one example. In reaction the OSCE suspended the weapon inspections in all countries signatory to the Agreement since no inspections could be made within the territory of Serbia and Montenegro.⁵³

A problem for the implementation of both Agreements was the status of Bosnia and Herzegovina: until last year its military integrity used to be largely fiction. Although there officially were the “Armed forces of Bosnia and Herzegovina”, the reality on the ground showed that the entities were behaving like states. The state Bosnia and Herzegovina itself did not have military forces, a verification organ or procedures for inspections. In this way it was prevented playing an active role in the implementation of CSBM and arms control measures.⁵⁴

A special problem proved to be the Contact Group. Some countries in the Contact Group had a big influence on the parties in both Article II and IV. Decisions made in the JCC of Article II were opposed by the same party in the SRCC of Article IV. Due to the unofficial support of some parties of the Contact Group, it was difficult to reach decisions in both Article II and IV. The problem was solved when every decision was first discussed in the Contact Group and afterwards in the respective commissions.⁵⁵

1.4. International military forces in Bosnia and Herzegovina

The DPA invited the UN Security Council “to adopt a resolution by which it will authorise Member States or regional organisations and arrangements to establish a multinational military Implementation Force (hereinafter “IFOR”).”⁵⁶ Now, in 2004, IFOR has long been replaced by a Stabilisation Force (SFOR), which in its turn is going to be replaced at the end of this year by a European Union Force (EUFOR). The deployment of IFOR in 1995 was a landmark in United Nations peacekeeping missions. It was its biggest and most demanding peace mission since the existing of the United Nations.⁵⁷

⁵³ Wade Boese, “Belgrade Suspend s implementation of sub-regional arms accord”, *Arms Control Today*, (Arms Control Association; Washington D.C. April/May 1999).

⁵⁴ Rothbacher, “Verification of the Dayton arms control agreements”, pp. 173 – 184.

⁵⁵ Interview with General Claudio Zappulla of the OSCE.

⁵⁶ DPA, Annex I-A, Article I, 1-a.

⁵⁷ Marie-Janine Calic, “Probleme der internationalen Friedessicherung in Bosnien-Herzegowina” *Südosteuropa Mitteilungen* Jg 38, nr. 3 (1998), pp. 215 – 230.

1.4.1. IFOR 1995 – 1996

The DPA requested for an international peacekeeping force to put an end to the hostilities of all armed forces in BiH. With a one-year UN-mandate, IFOR, under Operation Joint Endeavour, should oversee the implementation of the military aspects of the DPA. The main way to end the hostilities was the separating of the armed forces of the two entities FBiH and RS. This was done by creating an inter-entity borderline which consisted of ten kilometres from the demarcation line to both sides. Furthermore, territory was transferred between the two entities and both entities forces and heavy weapons were moved into approved storage sites.

Based on UN Security Council Resolution 1031, a multinational military Peace Implementation Force composed of units of NATO and non-NATO states was established under the command of NATO. The mandate of IFOR was a split towards the UNPROFOR mandate, stating that ‘the parties [...] shall be equally subject to such enforcement action by IFOR as may be necessary to ensure implementation of that Annex and the protection of IFOR’,⁵⁸ where UNPROFOR had only been allowed to defend itself.⁵⁹ On 20 December 1995 was the transfer of authority from the commander of UNPROFOR to IFOR. 60,000 soldiers from thirty countries were joined in IFOR to keep peace and to implement the DPA in BiH. Besides the ensuring of freedom of movement in BiH and the establishment of a Joint Military Commission it was IFOR’s main mission to oversee that the parties of the DPA fulfilled their obligations.

Apart from some minor incidents, IFOR was able to carry out its tasks without much resistance. Freedom of movement was achieved by establishing IFOR-control posts on all traffic routes in BiH. Patrols within the ZOS were carried out regularly, so that none of the parties was allowed nearer to the former line of confrontation than two kilometres. The patrols also made sure that all heavy weapons were withdrawn from the ZOS to a distance of at least ten kilometres. Both the Federation and Republika Srpska handed over the control of areas that, based on the DPA, belonged to the other party.

A Joint Military Commission (JMC) was established under the supervision of IFOR as early as 21 December 1995. It consisted of senior commanders from the ARS and the AFBiH (two persons, one Bosniac and one Croat) and was chaired by the IFOR/SFOR commander. The goal of the JMC was to map out all existing minefields and the numbers of weapons and soldiers by the parties to establish transparency between the parties, as well as to serve as a central body for all parties to bring any military complaints, questions or problems and to oversee the demilitarisation of the former antagonists. According to Annex 1-A, the parties were obliged to keep the JMC updated on their military activities.

The only major problem IFOR encountered was the clearing Bosnia of mines. Although it was very clearly set that IFOR was not responsible for clearing mines, it played a large role in giving assistance to the armies to clean mines. It also helped UNMAC to write a database with known mine sites. Still, unknown mines cause casualties until today.⁶⁰ The main reason

⁵⁸ UN Security Council 3607th Meeting Resolution S/RES/1031, (15 December 1995).

⁵⁹ Carl Schulze, ‘IFOR: Allied forces in Bosnia’ *Europa militaria* no. 22 (Windrow & Greene Ltd.; London 1996).

⁶⁰ In 2003, 54 people got injured by mines. See: Bosnia and Herzegovina Mine Action Centre, *Summary on demining report and other countermine activities for the year of 2003* (Sarajevo 2004).

is the lack of documentation considering the location and number of mines laid. Both entities have been unwilling to give those information to the JMC until the late 1990s.

1.4.2. SFOR 1997 – 2004

In December 1996, the Security Council of the UN issued a new resolution (Res. 1088 (1996)), in which the Implementation Force was replaced by a Stabilisation Force (SFOR). Since it was IFOR's task to implement Annex 1 -A and Annex 1-B of the DPA, it was SFOR's task to stabilise the achievements of IFOR. SFOR's military mandate was twofold. It was to implement the military aspects of the DPA as the legal successor of IFOR and on the other hand SFOR had to deter renewed hostilities and stabilise and consolidate peace.⁶¹

Where IFOR was deployed with 60,000 soldiers, SFOR was brought down right from the beginning to 35,000. With about half the size of IFOR, the mission of SFOR was therefore more limited, although it retained the same unity of command, as well as the authority to enforce the DPA. In continuation with the operation of IFOR, SFOR managed to stabilise the country by the end of 1997. Due to standard patrols of SFOR in the ZOS and regular controls of weapon sites no big violations of the military Annexes of the DPA occurred.

Furthermore, the SFOR-mandate was extended by support for civilian measures such as elections, the return of refugees and the monitoring of the clearing of minefields and obstacles.⁶² As the starting point, these general missions led into concrete tasks as time went by, so that SFOR had to manage diverse civilian aspects of the DPA. These civilian aspects were supposed to stabilise civilian security and confidence-building, and to further implement democratic structures and institutions.

Therefore, the freedom of movement was an important step to ensure the peoples own security by assisting the IPTF in confiscating weapons and identity cards of noncompliant police, patrolling with IPTF's unarmed police in sensitive geographic areas such as the area of Brcko and finally by removing 38 of 151 illegal checkpoints (March 1998).⁶³ Furthermore, a necessary measure to guarantee civilian security was to monitor the return of the people to their pre-war homes. As the United States General Accounting Office pointed out, 'SFOR's security presence has been the most important confidence-building measure thus far for these returnees.'⁶⁴ In addition to the monitor of the returnees, the assistance of the OSCE in its effort to reduce the amount of small and heavy arms was a major step towards the securitisation of the civilian people in BiH. Therefore, training centres and military storages especially from the Bosnian Serbs had to be inspected and the transport of the weapons to the reduction sites had to be guaranteed. Also, SFOR helped to build up a de-mining capacity in BiH, thus trained and equipped military staff from all three militaries in BiH and surveyed their performance.

One of the major problems for BiH was that the persons responsible for the war crimes had to be over handed to the tribunal in The Hague to clear the country's historic legacy. Thus, the first step was to detain the persons indicted for war crimes and therefore encourage other

⁶¹ DPA, Annex 1-A.

⁶² DPA, Annex 1-A, article VI.

⁶³ United States General Accounting Office, *Bosnia peace operation. Mission, Structure, and Transition Strategy of NATO's Stabilization Force*, NSIAD-99-19, (8 October 1998).

⁶⁴ Ibid.

people responsible for the atrocities during the war to surrender: ‘[...] more arrests by the SFOR of persons indicted by The Hague Tribunal would improve the political and security situations, while making it clear that individuals, not nations, bear responsibility for wartime atrocities.’⁶⁵

To further build up democratic structures and institutions, SFOR supported the High Representative to remove the Bosnian Serb hard-liners, who violated the Dayton Agreement by getting control of five radio and TV stations. After the restore of these media transmitters, SFOR continued to inspect and monitor the media stations, patrolling the tower sites and thus ensuring that these networks are based on democratic structures. SFOR also supported the OSCE in executing democratic elections in BiH, which included the preparation and the monitoring of municipal elections and other referendums. SFOR provided logistic support, built confidence for those participating in the election active or passive and monitored the implementation of the results. Additionally, SFOR supported the establishment of institutions which link the three major ethnic groups primarily by providing the logistic support and security. SFOR worked closely with the High Representative to open the regional civilian airports in BiH by ensuring that all airport facilities met the technical standard to make the airport available to civilian traffic.

SFOR worked closely with the International Police Task Force (IPTF) through surveillance, communications and transportation, and by providing security for its activities. SFOR’s law enforcement support team continues to provide technical assistance to the IPTF and supports the implementation of the IPTF checkpoint policy.⁶⁶ In this regard the co-operation with the ICTY contributes stability as well. SFOR provided security and logistic support to ICTY investigative teams, as well as surveillance and ground patrolling of alleged mass grave sites. Since NATO authorised SFOR to arrest indicted war criminals in 1996, SFOR has arrested 37 indicted persons and transferred them to The Hague.⁶⁷

Shortfalls

The execution of the SFOR-mandate was highlighted by shortfalls and successes. The first shortfall of SFOR was the reluctance with which it started to support the DPA’s civil provisions, sticking to its military mission. Although DPA authorised SFOR to assist civilian implementation, it was not obliged to do so. In the beginning support for civilian operations was provided only indirectly, because of the common understanding within the SFOR troops that the simple presence of NATO’s military facilities is enough to ensure the implementation of civilian aspects of the DPA.

As a result of the late implementation of the civilian aspects of the DPA, also the support of the returnees was in the beginning not very enthusiastic, which was the second shortfall of SFOR. ‘Prior to 1999, SFOR refused to assume a significant measure of responsibility for protecting returnees.’⁶⁸ Not only for the people, but also for many SFOR personnel, this task was supposed to be fulfilled by local police authorities, but as they were only recently engaged in this task, SFOR had to act in the period before to secure the returnees. From that moment the coordination between SFOR and international organisations which are responsible for minority returns worked quite well and on 9 May 2001 the UNHCR reported

⁶⁵ International Crisis Group, *No early exit: NATO’s continuing challenge in Bosnia Balkans*, Report No. 110, (22 May 2001), iii.

⁶⁶ NATO Handbook, (NATO; Brussels 2001), p. 119.

⁶⁷ NATO Handbook, p. 123.

⁶⁸ ICG Balkans Report No. 110, p. 6.

“an increase of hundred per cent in minority returns in the first three months of 2001, compared to the corresponding period of 2000.”⁶⁹

The third shortfall of the SFOR so far is detention of the persons responsible for the atrocities during the war. Since local Bosnian authorities largely failed to hand over individuals indicted for war crimes to the ICTY in The Hague, SFOR has adopted activity in this field as well, although half-heartedly. As late as 2001, the International Crisis Group called for stepping up arrests of inductees by SFOR, as long as local authorities did not improve their co-operation with the ICTY.⁷⁰ Although quite a number of inductees could be arrested so far, until today SFOR did not succeed in arresting the two most-wanted inductees, namely Radovan Karadzic and Ratko Mladic. Recently activities to catch both fugitives were stirred up, but the searches in Pale and the surroundings were unsuccessful.

Furthermore, some local activities executed by SFOR clearly failed their intention. As in the French-led SFOR division only a few Italian Carabinieri were sent to build up a so-called green box (a protected area around a building) around the Hercegovacka Banka which was inspected by banking specialists to review several documents, protestors succeeded in frustrating the specialists to access the bank in 2001. “Participants in OHR’s operation, both expatriates and Bosnians, expressed bitterness over SFOR’s failure, despite its previous assurances, to extend adequate security cover to civilians from the start of the operation.”⁷¹

Successes

But SFOR was successful in other areas. One of the tasks in which SFOR proved to be very successful was confidence-building measures and deterrence. It continued to oversee and execute the IFOR-mandate. The presence of SFOR troops during local elections and the monitoring of the minority returns built confidence for the people in BiH. The frequent inspections of Bosnian Serbs military assets, radio stations and public institutions furthermore deterred criminals and violators from each ethnic group.

Throughout the years SFOR conducted several operations directed towards arms control. In March 1998, it started Operation “Harvest” to gather illegal unregistered weapons and ordnance from private houses and caches. Eighty percent of all weapons gathered in the framework of Operation “Harvest” was gathered by SFOR – the other twenty percent was gathered by the local authorities. Although SFOR will continue to gather illegal weapons, it is also their aim to leave more and more of the work to the local police.⁷² Arms control at a different level was done by Operation “Armidillo”. It was started in 2003 and was aimed at assisting the entities in reducing their stocks of surplus ammunition. This was done in the framework of the arms reduction both entities agreed upon.

The expressed wish of the BiH Presidency to join the PfP caused a new task for SFOR. Since BiH started reforms SFOR is giving full assistance so BiH can reach the conditions set by former NATO Secretary-General Lord Robertson. The transformation of the Bosnian armed forces to a more professional force is continuing while SFOR is keeping on technical support for the troops. According to an SFOR-official, BiH fulfilled, with the help of SFOR, all

⁶⁹ United Nations Refugee Agency, Press release: “UNHCR records 100% increase in minority returns in 2001” (9 May 2001). URL: <http://www.unhcr.ba/press/2001pr/090501.htm>

⁷⁰ ICG Balkans Report No. 110, p. 9.

⁷¹ Ibid. p. 4.

⁷² SFOR Fact sheet, *Operation “Harvest”* (2004). URL: <http://www.nato.int/sfor/factsheet/harvest/t040202a.htm>

conditions set except for Defence Reform.⁷³ The co-operation with the ICTY is not a Defence Reform benchmark and it would be strange if this is going to be the only thing that stops BiH from joining PfP. SFOR will continue giving technical support to the BiH army, in this way professionalizing it towards NATO-standards.

The changing role of SFOR in BiH is mirrored in its new way of conducting operations. Since 2004, SFOR formed Monitor Observation and Surveillance Teams (MOST) and Liaison and Observation Teams (LOT). These teams are positioned in the most important cities for SFOR, where the teams have constant contact with local authorities and the people. Through these contacts SFOR will know what happens where, and therefore will have the possibility to send troops in the direction of the teams for limited time. One of the main benefits of this new approach is that the number of SFOR troops in the country can now be reduced.⁷⁴

The overall success of SFOR is mirrored in the decrease of SFOR troops. From 32,000 in 1997 to 12,000 in April 2004, troops are to be downsized to 7,000 in June this year. NATO Secretary-General Jaap de Hoop Scheffer announced the end of the SFOR-mandate by December 2004 at the NATO Conference in Munich last January.⁷⁵ Although NATO-countries will reach a decision about this topic at the Istanbul-summit in June, this seems only a formality.

1.4.3. The future: EUFOR

Considering the take over of several missions of international organisations by EU forces, the hand over of the SFOR to a European force seems a logic consequence. From 2003, when the European Security and Defence Policy (ESDP) was declared fully operational, the EU conducted the EUPM in BiH, Concordia and EUROPOL Proxima in the Former Yugoslav Republic of Macedonia. These operations continue to show the willingness of the EU to gain control over the engagement of the international community in the Balkans. While the EUPM is still operating in BiH, the first EU military operation, with support by NATO assets in FYROM (Concordia), was taken over by the EU police mission EUROPOL Proxima on 15 December 2003.⁷⁶

On 4 October 2003, the EU-Ministers of Defence concluded at an informal meeting in Rome that the EU was ready to take over the SFOR troops if NATO should decide to end their mission in BiH in 2004. Although officially not decided yet, NATO Secretary-General Jaap de Hoop Scheffer announced the end of the SFOR-mission on several occasions.⁷⁷ The official decision and definite scope of the new EUFOR and NATO-mission will be known only after 28 June when NATO has its annual summit in Istanbul. The so far known discussions between NATO and the European Union lead to a structure in which the European Union will take over the reduced 7,000 SFOR troops, where NATO will keep a Headquarter with three hundred men personnel in BiH. Furthermore, in February 2004, the

⁷³ Interview with Major Peter Teeuw, SFOR.

⁷⁴ Ibid.

⁷⁵ Speech by NATO Secretary General, Jaap de Hoop Scheffer at the Munich Security Conference, (7 February 2004).

⁷⁶ See website of the European Union: URL: http://europa.eu.int/pol/cfsp/overview_en.htm

⁷⁷ See the Speech at the International Institute for Strategic Studies, (London 12 February 2004), and the Remarks at the European Parliament Committee on foreign affairs, human rights, common security and defence policy, (Brussels 24 February 2004). All speeches can be found on the NATO website: URL: <http://www.nato.int/docu/speech/sp2004.htm>

BiH presidency offered the United States a military headquarter in Tuzla, where the Americans already have their base.⁷⁸

Though the EU and NATO have experience with EU taking over a NATO-mission (as in FYROM), the agreement on the new EU-mandate was not taken without obstacles. In the report of EU High Representative Javier Solana to the EU-Ministers of Foreign Affairs, two fundamental tasks were given to the new EUFOR: “to guarantee the secure environment necessary for the core objectives of the OHR’s Mission Implementation Plan and the EU’s Stabilisation and Association Process and contribute to them” and “a particular focus on the common fight against organised crime”.⁷⁹ NATO, under the leadership of the USA, asked for a NATO-mandate besides the new EUFOR. This mandate should concern responsibility for finding alleged war criminals indicted by the ICTY, responsibility for counter-terrorism, responsibility for the reform of the Bosnian army, border control and organised crime.⁸⁰

NATO’s standpoint was supported by HRSG Paddy Ashdown, who announced in several interviews that the European Union has a credibility problem in BiH. Although Ashdown welcomed the engagement of the European Union Defence Ministers, he also asked for a shared mandate with the US. “Europe should take over the mandate, but not have a monopoly. [Bosnians] regard Europeans as the people who sat there and did nothing for four years while they were slaughtered.”⁸¹ This opinion is shared by Brigadier Cikotic, Head of the First Corps of the Bosnian Federation Army: “We cannot rely on the European Union and the mentality of its political and military leaders.”⁸² A recent survey by the Centre for Security Studies in Sarajevo shows that Bosnians are not really that concerned about the replacement of SFOR by the EU troops. 74 percent of the citizens support the hand over, 71 percent in the Federation and 78 percent in the RS.⁸³

According to several Bosnian and international newspapers in April 2004, the USA and the European Union finally agreed on their respective mandates. Where the European Union is going to focus on fighting organised crime, border patrol and guaranteeing a secure environment for civil implementation of Dayton, the OHR Mission Implementation Plan and the EU’s Stabilisation and Association program, NATO will continue to search for war criminals. Furthermore, it will be active in counter-terrorism and will help the Bosnian armed forces with further reforms in the framework of PfP and NATO-membership.⁸⁴

⁷⁸ “Predsjedništvo BiH raspravljalo o prisustvu međunarodnih snaga”, *Dnevni avaz*, (13 February 2004), p. 2.

⁷⁹ *Summary of the Report by Javier Solana, EU High Representative for CFSP, on a possible EU deployment in BiH presented to the EU Council of Foreign Ministers*, (23 February 2004). URL: http://www.ohr.int/other-doc/eu-stmnt/default.asp?content_id=31930

⁸⁰ Judy Dempsey, “Europe: US and EU in dispute on control of Bosnia force”, *Financial Times*, (9 March 2004).

⁸¹ *Süddeutsche Zeitung*, “Interview with Paddy Ashdown”, (7 October 2003).

⁸² Interview with Brigadier Cikotic of the FBiH Army.

⁸³ “Results of the survey on the perceptions of citizens on the security situation in Bosnia and Herzegovina”, URL: <http://www.css.ba/>

⁸⁴ Andreas Schnauder, “Verteidigungspolitik: NATO will Bosnien -Mandat nicht aufgeben”, *Die Presse*, (6 April 2004).

Chapter 2 – Comparative cases

The 1990s was a decade of change. After the Fall of Communism, countries and international organisations had to reshape their future. The Euro-Atlantic partnership was not self-evident anymore. The dissolution of the Warsaw Pact in 1990 initiated a debate regarding the future of NATO. This debate concluded in 1995, with the NATO bombing which ended the war in the former Yugoslavia. NATO, through this action, became a defence mechanism willing to act as a military part of the peace operations of the United Nations.

The reshaping of a second institution, the European Community, took more time. This was due to the fact that the European Community changed into the European Union, which not only contained military policy, but also economic, social and financial policy. In regards to the security policy a major achievement was reached in 1999, when the European Security and Defence Policy (ESDP) was formed. In the framework of the ESDP, the EU took over the command of the International Police Task Force (IPTF) from the United Nations in Bosnia and Herzegovina, and will take over the command of SFOR from NATO.

Several missions of NATO and the European Union are comparable with the peacekeeping operation in BiH. To put the mission in BiH in a broader perspective, special emphasis will be given to important military operations under NATO and EU command. Those missions to be analysed are the NATO-mission to Kosovo and the EU-mission Concordia to FYR Macedonia (FYROM).

2.1. UN/NATO Peacekeeping mission in Kosovo

Since its autonomy had been abolished in 1989, the province of Kosovo in Serbia destabilised. The majority of ethnic Albanians in the province set up their alternative underground government system as opposed to the Serbian government who governed the area centralistic from Belgrade. From 1997 onwards, the Yugoslav Army (mainly composed of Serbians), fought a guerrilla war with the UCK, the Albanian “Kosovo Liberation Army”. The UCK fought for an independent Kosovo and was considered a guerrilla group by the Serbian government. The situation escalated in the late 1998, when the Yugoslav Army speeded up its activities. Around 2000 people were killed and 25 per cent of the population had been displaced by spring 1999.⁸⁵

To end the atrocities, and with a Russian veto in the UN Security Council, NATO took action unilaterally. After a heavy bombing campaign of 78 days, the Yugoslav government agreed on a complete withdraw from Kosovo, as well as allowing NATO and the United Nations to take over the government of Kosovo. UN-Resolution 1244 called upon “[...] Member States and relevant international organisations to establish the international security presence in Kosovo [...]”.⁸⁶ At the same time, Resolution 1244 installed a High Representative who had the task “to control the implementation of the international civil presence” and “coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner”.

⁸⁵ Organisation for Security and Co-operation in Europe, *Kosovo / Kosova: as seen, as told. The human rights findings of the OSCE Kosovo Verification Mission*, (OSCE Office for Democratic Institutions and Human Rights 1999).

⁸⁶ UN Security Council 4011th Meeting Resolution S/RES/1244, (10 June 1999).

2.1.1. International military mission

The core of the international peacekeeping operation for Kosovo (KFOR) was formed by NATO. The Operation was called ‘Joint Guardian’ and consisted of some 46,000 military personnel from 39 countries. Through a special agreement, the so-called ‘Helsinki-Agreement’⁸⁷ between the Secretary of Defence of the United States and the Minister of Defence of the Russian Federation, Russia is participating in KFOR as well. Throughout the whole participation of Russia, the Russian contingent has been under the political and military control of the Russian Command.

The main responsibilities of Operation ‘Joint Guardian’ were to deter renewed hostilities against Kosovo by Yugoslav and Serb military, police and paramilitary forces, to demilitarise the Kosovo Liberation Army, to establish a secure environment, ensuring public safety and order and ensuring the protection and freedom of movement and last but not least to support the international civil presence.

Besides the UN-Resolution, a second document was of major importance: the Military Technical Agreement (MTA), signed by NATO and the Yugoslav army on 9 June 1999. In the light of this agreement, KFOR’s first task, that of deterring renewed hostilities against Kosovo by Yugoslav and Serb forces, was relatively easy if one compares it to the other tasks. Corresponding to the MTA, all Yugoslav and Serb forces withdrew from Kosovo and a five-kilometre buffer zone at the border of the province by 20 June 1999.

KFOR’s second task, demilitarising the UCK, took more time. According to NATO-information, ‘3,800 small arms and a further 8,500 weapons have been voluntarily handed in by former [UCK] fighters’.⁸⁸ Although the program to disband the UCK was officially completed on 20 September 1999, the events at the border of FYROM in 2001, showed that the UCK is still in the possession of a large amount of weapons. To fill the security gap, KFOR helped to build the Kosovo Protection Corps (KPC) which acts as a local civil emergency force. The KPC soon proved to be a failure, as a confident UN-report wrote that it was involved in criminal activities, including torture and murder, against parts of the population of Kosovo.⁸⁹ In May 2003, the United Nations and KFOR started an investigation for links between Kosovo Protection Corps members and banned extremist organisations.⁹⁰

Over the years KFOR tried to collect weapons from the people of Kosovo, but it was not successful.⁹¹ An anti-arms campaign allowed people to turn in their illegal and unregistered weapons without penalty. Since the end of the amnesty program on 30 September 2003, the penalty for illegal arms is eight years of prison. The UNDP estimates that there are between 330,000 and 460,000 illegal weapons in Kosovo, of which most are Kalashnikovs.⁹² They are a highly destabilising factor in reaching a secure environment in Kosovo.

⁸⁷ URL: <http://www.nato.int/kfor/kfor/documents/helsinki.htm>

⁸⁸ URL: <http://www.nato.int/docu/facts/2000/kosovo.htm>

⁸⁹ John Sweeney and Jens Holsoe, ‘Revealed: UN-backed unit’ s reign of terror. Kosovo ‘disaster response service’ stands accused of murder and torture’, *The Observer*, (12 March 2000).

⁹⁰ URL: <http://www.balkanpeace.org/hed/archive/may03/hed5809.shtml>

⁹¹ ‘UN urges Kosovo citizens to disarm’, *Join Together online*, (30 September 2003). URL: <http://www.jointogether.org/gv/news/summaries/reader/0,2061,56021,00.html>

⁹² Anna Khakee and Nicolas Florquin, *Kosovo and the Gun: A Baseline Assessment of Small Arms and Light Weapons in Kosovo*, (United Nations Development Programme; June 2003).

The events in March 2004 showed that the establishment of a secure environment, public safety, protection and freedom of movement by KFOR had failed. Following unfounded rumours that three young Albanian children were drowned by Serbs, riots broke out; nearly thirty people were killed and hundreds wounded.⁹³ Even KFOR and the UN-police were attacked. A few years ago, the former commander of KFOR, General Klaus Reinhardt, said that the problem of KFOR is that they “came to protect the Albanian minority from the Serb majority in Yugoslavia, but actually had to protect the Serb minority from the Albanian majority in Kosovo”.⁹⁴ This statement still did not lose its truth.

Shortfalls

The continuing ethnic violence in Kosovo, directed mainly towards non-Albanian residents of the area, with the sad milestone of March 2004, show that although KFOR is generally able to keep security, it cannot in special situations, like that of protecting minorities. This should first of all be a task of the Kosovo Protection Corps and the Kosovo Police Corps, but since they do not care about minorities, this task should be fulfilled by KFOR. The fact that KFOR did not have the capability to prevent violence against minorities and that it even was attacked itself during the March 2004-riots, is the major shortfall of this UN-peacekeeping mission.

Other shortfalls follow from the lack of security. Freedom of movement has been established only for the Albanian majority, not for Serb, Roma and other minorities. They continue to live in enclaves which they cannot leave without heavy protection from international forces. Public safety cannot be guaranteed in all circumstances. Attempts of KFOR to disarm civilians, i.e. to collect illegal weapons, proved to be highly unsuccessful. Although some weapons have been collected, there still is an equal amount in the hands of civilians.

Successes

Successes were reached in two different areas. First of all it reached success in the deterring of renewed hostilities against Kosovo by Yugoslav and Serb forces. After the MTA and the fulfilment of the agreement, the Yugoslav and Serb government officially never expressed the wish to fight for Kosovo anymore. Even during the riots in March 2004, Premier Kostunica reassured the world that Serbia would not violate the MTA. An offer to send Serb forces under KFOR-command to Kosovo to protect the Serb minority was declined by several international parties.

The second success of KFOR is not so much about the tasks of KFOR in Kosovo itself, as well as about the co-operation within KFOR. Based on the Helsinki-agreement, NATO and Russia conducted the peace operation together. Concerning the difficulties in the relationship of NATO and the Russian Federation after the dissolution of the Warsaw Pact, the co-operation in Kosovo was seen as a way of building regional stability not only at the Balkans, but in the whole Europe as well.⁹⁵

⁹³ UNMIK News Coverage, “Lack of evidence stalls probe into drowning of 3 Kosovo children, UN mission says”, (28 April 2004).

⁹⁴ Transatlantic Internet/Multimedia Seminar Southeastern Europe (TIMSSE), Munich 2002.

⁹⁵ Kelvin Ong, *The UN, Europe, and Crisis Management*, (International Peace Academy; October 2000).

2.2. EU Peacekeeping mission in FYROM

2.2.1. The development of a European Security and Defence Policy

The Treaty of Maastricht of 1992 changed the European Community from an economic Community into a political Union. The Common Foreign and Security Policy (CFSP), which was formed in the Treaty of Maastricht, gave the European Union the possibility to coordinate security questions. The crisis in the Balkans in the early 1990s and the impossibility of the European Union to act in a proper, military way, led to a crisis between the European nations as well. The fact that the European Union did not have military means to end a conflict and the fact that there was, first since the Second World War, a conflict in Europe itself, made the European Union indecisive about how to end the conflict. When the United States ended the war in BiH in Dayton in 1995, it was clear that the European Union still needed its neighbour to play a military role.

To give the European Union military means also so that it could play a peacekeeping or peace forcing role in the future as well, the British Prime Minister Tony Blair and the French President Jacques Chirac decided on the building of a structure of military means within the European Union: „[...] the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises.”⁹⁶ At the same time, the British-French summit stressed the need for continuing co-operation with NATO: „In strengthening the solidarity between the member states of the European Union, in order that Europe can make its voice heard in world affairs, while acting in conformity with our respective obligations in NATO, we are contributing to the vitality of a modernised Atlantic Alliance which is the foundation of the collective defence of its members.”⁹⁷

With the Treaty of Helsinki (1999) the European Security and Defence Policy was established and institutionalised. Within the ESDP, the European Union opted all the time for a close relationship with NATO. On 16 December 2002, the ‘Berlin Plus’-Agreement was signed, which gives the EU the possibility to use NATO means when it is acting in a peace keeping operation. Since NATO does not have its own army, those means are mainly planning capacities and consultation of NATO-experts.⁹⁸

The member states decided to create a European Rapid Reaction Force (ERRF) of 50,000 – 60,000 soldiers, which is effective within sixty days and for a period of at least one year. The ERRF is functioning from 2003 onwards. Also from 2003 onwards, the European Union has its own police force for peace keeping operations. This force consists of 5,000 policemen, of which 1,000 are effective within thirty days. All European forces are at the disposal of the UN and OSCE, if these organisations ask for them. Besides the European Union Police Mission in BiH, the European Union conducted more operations within the framework of the ESDP. The operations Concordia (military) and EUROPOL Proxima (police) in FYROM will be considered in depth. But the first military mission under the ESDP without NATO was Artemis in the Democratic Republic of Congo.

Since 1999 there has been a civil war in Congo between militias of the ethnic groups Hema and Lendu. The conflict concentrates around the ownership rights of land and the sources

⁹⁶ British-French summit in St. Malo, 3 – 4 December 1998.

⁹⁷ Ibid.

⁹⁸ URL: http://www.nato.int/shape/news/2003/shape_eu/se030822a.htm.

within the country. Neighbour countries Rwanda and Uganda formed alliances with the parties to get their share of the diamonds, coffee and oil. Since the beginning of the war around 3 million people died. The UN-led peace mission MONUC-1 could not handle the situation and General-Secretary Kofi Annan asked the EU to send its forces to the province Ituri for a transition period between MONUC-1 and 2, in which peace and order should be established.

Based on UN-resolution 1484 the European Council decided on 12 June 2003 to send their forces to Congo under Operation “Artemis”. The task of the European Union was to stabilise the region Ituri, safeguard the airport in Bunia and to protect the civilian population. The vital interests of France in the region lead to the fact that France had the leading role in the Operation, what was mirrored in the ratio of European soldiers: 1000 from France, 350 from Germany, 65 from Sweden and 6 from Belgium. If it had been necessary, France had been able to send more soldiers in a short time. Operation “Artemis”, in which South -Africa (6 soldiers) Canada (transport aircrafts) and Brazil (transport aircrafts) also took part, ended on 1 September 2003, when MONUC-2 took over the command from the French.

2.2.2. Concordia

The war in Kosovo in 1999 changed the situation in FYROM dramatically. **Had it been relatively stable after the separation of Yugoslavia without a war, hundred thousands of people seeking refuge in FYROM and the tension between ethnicities made the country unstable.** The FYROM government, as well as the international community did not have the means for such a flood of refugees. Incidents between independence-seeking ethnic Albanian minority and Slavic Macedonian majority were getting more common. In 2001, the situation escalated when the army of FYROM and Albanian UCK-units fought each other at the border with Kosovo in the Albanian-populated areas in North-West-FYROM. Under pressure of the international community the FYROM government and the Albanian leaders signed the Framework Agreement (known as the Ohrid-Agreement) in 2001 to stabilise the country.

The Ohrid-Agreement asked NATO to send troops to help the stabilisation of the country. In doing so, NATO conducted three operations. The first was Operation ‘Essential Harvest’ (August 2001 – September 2001). Together with its successor Operation “Amber Fox” (September 2001- December 2002), this mission had the task to collect and destroy weapons of extremists. Furthermore, its job was to protect the international observers who oversaw the implementation of the Ohrid-Agreement. During these Operations, NATO worked closely together with the European Union and the OSCE, which was a lesson they had learned during the SFOR-mission.

The third operation by NATO was Operation “Allied Harmony” (December 2002 – March 2003), which had two aims.⁹⁹ First, NATO had operational tasks as it carried out liaison and monitoring operations. Through the maintained links with the authorities, population and international organisations it demonstrated its continuing presence and commitment to promote stability. Second, Operation “Allied Harmony” played an advisory role towards the FYROM government. It assisted the government in how to take ownership of security throughout the country and especially those areas where separatist fights had been going on. Where the Operations “Essential Harvest” and “Amber Fox” had only been implementation

⁹⁹ URL: <http://www.nato.int/fyrom/home.htm#ah>

missions, Operation “Allied Harmony” was more a stabilising mission. Through those different missions NATO contributed to the efforts of the international community aimed at stabilising the country and the region.

Operation “Allied Harmony” ended in March 2003 as the operational part was taken over by forces of the European Union. NATO stayed in FYROM, keeping its advisory role towards the government. This was done at the explicit request of the FYROM government, which asked the European Union to take responsibility for the continuation of Operation “Allied Harmony”. Goal of “Concordia”, as the European mission was known, was to contribute to a stable and safe climate so that the government of FYROM could work on the implementation of the Ohrid-agreement. According to the European Union, their engagement in FYROM should be seen in the light of the approach of FYROM towards the European Union in the framework of the Stabilisation- and Association-process.¹⁰⁰

“Concordia” was the first military operation of the European Union in which it could use NATO assets based on the Berlin-Plus agreement.¹⁰¹ In doing this, EU could launch its first EU military crisis management operation only three months after the finalising of the Berlin-Plus Agreement. As a small mission with only 400 men personnel from 26 countries, it was an ideal first military operation for the European Union. In this way it provided a good environment in which the working of the Berlin-Plus Agreement could be tested. The European Union used NATO assets mainly for planning and intelligence, since itself had the material.¹⁰²

Starting on 31 March 2003, the responsibility of “Concordia” at the level of the Headquarter was taken by France. In this way France acted as a “framework”-nation, as it had done in Congo before. Only from 1 October 2003, the EUROFOR (European Forces) took over the responsibility from France, having a full “European” Headquarter with none of the EU - countries in a special position. On 4 July, the European Union was asked by the president of FYROM for prolongation of its mission from 30 September to 15 December 2003.¹⁰³

The mission was a new tangible proof of the development of the ESDP and the support the European Union gives to the international community to create a safe and secure environment. “Concordia” was ended on 15 December 2003, when a European police mission took over. The threat of stability in FYROM was no longer an armed conflict, but criminality.

¹⁰⁰ URL: <http://www.delmkd.cec.eu.int/en/concordia/mission.htm>

¹⁰¹ Catriona Mace, “Putting ‘Berlin Plus’ into Practice: Taking Over from NATO in FYROM”, *European Security Review*, no. 16, (February 2003).

¹⁰² For more information, see: URL: <http://www.delmkd.cec.eu.int/en/concordia/equipment.htm>.

¹⁰³ Dov Lynch and Antonio Misseroli, *ESDP operations*, (European Union Institute for Security Studies; Brussels). URL: <http://www.iss-eu.org/esdp/09-dvl-am.pdf>

Chapter 3 – Evaluation

The international peacekeeping mission to Bosnia and Herzegovina has been the longest UN and NATO missions ever with regard to their efforts in building up a country and not only forcing the parties to stay away from each other. The efforts of the international community in Bosnia and Herzegovina were described in depth to single out strengths and weaknesses of the mission. Furthermore, two other missions were described, in Kosovo and FYROM, which had a different background but basically the same goal: to create a sustainable peace within a multi-ethnic society.

As crystallised in chapter two, the outcomes of the missions in Kosovo and FYROM have been very different from that in Bosnia and Herzegovina: in Kosovo society is a long way from sustainable peace, whereas in FYROM a sustainable peace was reached just within two years. The differences in the outcome and the similarities in the structure make the cases of Kosovo and FYROM an interesting analysis material for Bosnia and Herzegovina.

In this chapter, conclusions will be drawn on the mission of Bosnia and Herzegovina first, before turning the eye to Kosovo and FYROM to give a comparative analysis to single out the strengths and weaknesses of all missions. In the last paragraph the military sector in Bosnia and Herzegovina will be compared with the peace missions in Kosovo and FYROM to be able to draw conclusions on international peace keeping operations now and in the future.

3.1. Bosnia and Herzegovina

The end of the war in 1995 left Bosnia and Herzegovina with the interesting structure of one state, two entities and three armies – although two officially, the internal division in the FBiH made three in practice. Through the Dayton Peace Agreement the international community became present in four organisations: the civilian OHR, OSCE and UNMIBH and the military IFOR and later on SFOR. All organisations played their role in the rebuilding of the devastated country.

In the military sector, the role of the OHR was the smallest, although there was a military cell existing within the OHR. The head of this cell acted as the military advisor of the HRSG. Not playing an active role in the defence sector, the OHR was mainly engaged in building up common institutions, economy and governing the country. Its engagement in the defence sector came only in 2001, when the BiH Presidency asked for the membership in NATO's PfP. OHR then started its involvement in defence reforms, reaching the top in 2003 when the High Representative Paddy Ashdown installed the Defence Reform Commission. According to an OHR-official, the OHR will pull out again as soon as possible, leaving further reforms to the Defence Reform Commission, the OSCE and NATO.

The second civil organisation is the United Nations, which had its own mission in BiH until 2002. Since it was the main task of the UNMIBH to reform the police sector, it only played a marginal role in the defence sector. The UN co-ordinated the de-mining process of BiH through the United Nations Mine Action Center, now BHMIC. Furthermore, the United Nations Development Program (UNDP) plays a role in the mine clearing and the control of Small Arms and Light Weapons as well.

The third organisation, the OSCE, played a big role in the Bosnian military sector. With the start of defence reforms in the Bosnian army in order to be a member of PfP, OSCE has given its full commitment to these reforms. The OSCE-conditions are covered by the PfP-conditions. The role of the international community in Confidence- and Security-Building Measures and Sub-Regional Arms control was mainly a role of the OSCE. With its Personal Representative for Article II and IV the OSCE was able to conduct negotiations between the parties. Although both Agreements were signed quickly, the implementation of the Agreements caused problems.

Within the CSBM-Agreement the main problem was the influence of some members of the Contact group on decisions made within the Joint Consultant Commission. Also the reluctance of the parties to improve the level of co-operation between the Armed Forces and the optimistic provisions concerning joint military training and exercises prevented smooth implementation of the CSBM-Agreement. The implementation of the SRAC-Agreement countered problems at an international level, as parties suspended the implementation because of international politics more than once. A problem occurring in both agreements was the fact that Bosnia and Herzegovina did not have joint military forces, nor a verification organ or procedures for inspections.

The reforms of the state structure in the Bosnian military started only slowly. It took until 2002 before the parties started to negotiate seriously about reforms – and then only after severe international pressure. Although the major reforms have been executed and after three months of negotiating Bosnia and Herzegovina finally has its State level Minister of Defence, it is still unsure if and when BiH will join PfP. The June 2004 Istanbul Summit is still the deadline regarding the PfP, but co-operation with the ICTY might prove to be the bottleneck.

Even if BiH joins PfP in June this year, considerable challenges are left for the country. Its wish to transform the army into modern trained and well-equipped units goes hand in hand with the new goals that are set: protecting the sovereignty of the state, protecting the people in the case of natural hazards and deploying international peace missions. These goals ask for a complete restructuring of the BiH armed forces. Considering the difficult process prior to this round of reforms, it is highly doubtful if the BiH army will reach these objectives on its own. Continuing presence of the international community, mainly OSCE, NATO and EU, is a must for the coming years.

The first international force to be deployed in BiH after the war was IFOR, with a strong mandate to implement the Dayton Peace Agreement. The deployment of IFOR has generally been a success. The success was confirmed when SFOR took over from IFOR as a stabilisation force after just one year.

Just like IFOR, SFOR was able to complete its military tasks relatively quick. By the end of 1997, the country was stabilised and SFOR started to extend its presence in Bosnia and Herzegovina towards supporting civil international organisations. Again, one can generally speak of a successful mission – especially in the last two years.

Shortfalls of SFOR were only encountered in the reluctance with which it started to support the civil international organisations. Help towards returning refugees started only after 2000. The failure of the French-led SFOR-division to protect international banking specialist in reviewing documents of the Hercegovacka Banka in Mostar was amazing.

Successes overshadowed the shortfalls. The presence of SFOR built safety that was not only a physical, but also a psychological feeling for the residents of the countries. Due to the Operations "HARVEST" and "ARMIDILLO" the amount of illegal, unregistered weapons was decreased. The role of SFOR in the defence reforms of Bosnia and Herzegovina has generally been commended as highly laudable.

With the coming takeover by EUFOR, not that much will change for the people of Bosnia and Herzegovina. EUFOR will generally go on conducting the tasks of SFOR, but will have a different badge on their right arm. The main difference will be the shift of the task of searching war criminals from the international troops towards NATO, which will stay in Bosnia and Herzegovina with a new Headquarter. Since SFOR is compounded for 80 per cent of forces from EU-countries, there will not be a significant change in manning and material either.

Although the presence of the international community in the military sector of Bosnia and Herzegovina had some shortfalls, one can conclude that these are outnumbered by the successes of the international mission. Still, a question can be imposed that might be difficult to answer, but worth considering for a next peacekeeping mission of the international community. This is the question of the spending of the international community in Bosnia and Herzegovina.

Looking at the past period of international donor commitments (1996 – 2002), one can see that approximately five US\$ billions have been spent in Bosnia and Herzegovina.¹⁰⁴ At the same time, costs of the military IFOR/SFOR Operation have been much higher. The USA contributed about 15 per cent to the peace keeping operation in Bosnia and Herzegovina,¹⁰⁵ spending approximately ten US\$ billions in the period 1996 – 2002.¹⁰⁶ Even when we consider a small error in this calculation, this means that the whole international community spends about 13.7 times more (68.5 US\$ billions¹⁰⁷) to the military mission as to rebuild the country itself.

After eight years of reconstruction in Bosnia and Herzegovina the country is still economically devastated. It is indicated that stabilisation has occurred and the state of Bosnia and Herzegovina is getting more power to organise itself at the state level. But at the same time the question remains, will this stabilisation remain if the economical situation does not get better? Although the presence of the international community with a military mission is highly valued, it is worth asking if had it not been better to spend more money in the economical recovery than in the military presence. There is a disproportion of the donor assistance, the military costs of the IFOR/SFOR-operation and the desired results of the international community.

¹⁰⁴ United Nations Development Programme ed., *Međunarodna pomoć Bosni i Hercegovini, 1996 – 2002. god. Ogljedna analiza: ko, šta, gdje*, (Sarajevo 2004), p. 39.

¹⁰⁵ John R. Lampe, "Bosnia and Kosovo..Afghanistan and Iraq..Connecting the dots constructively", Meeting Report 282, but also: Steven R. Bowman, "Bosnia: U.S. Military Operations", *CRS Issue Brief for Congress*, (Congressional Research Service; Washington D.C. updated 8 July 2003), p. 1.

¹⁰⁶ Bowman, "Bosnia: U.S. Military Operations", p. 5.

¹⁰⁷ Author's own calculation.

3.2. Kosovo and FYROM

The military missions in Kosovo and FYROM have one important thing in common: both are in their own way completely new missions. In Kosovo, the role of the Russian Federation based on the Helsinki-Agreement was different from foregoing peace missions. In FYROM, it was the military role of the European Union that was new. Based on the “Berlin-Plus”-Agreement with NATO, the EU could develop a Rapid Reaction Force to take part in peacekeeping missions.

The most important task of the military missions in both Kosovo and FYROM was first and foremost to demilitarise the fighting parties. In Kosovo KFOR started with the demilitarisation of the UCK and later on tried to collect weapons from the people of Kosovo. Where it was clear right from the beginning that the latter program was unsuccessful, KFOR thought to have been successful in the demilitarisation of the UCK. This proved to be wrong in 2001 when UCK-fighters started a guerrilla at the border of FYROM. In FYROM later on, Operations “Essential Harvest” and “Amber Fox” were successful in collecting and destroying weapons of extremists.

Both missions had to establish a secure and safe environment. In Kosovo in this way a multi-ethnic society could be build, whereas in FYROM Operation “Allied Harmony” and later on “Concordia” established a stable and safe climate so that FYROM could implement the Ohrid-Agreement. The NATO, and later on EU mission in FYROM has proven to be a success. Albanian extremists and the government of FYROM share a commitment towards sustainable and multi-ethnic peace. Therefore the stabilising mission “Concordia” of the EU could be finished in December 2003, being taken over by a police mission of the European Union.

Unfortunately, KFOR did not manage to establish a secure and safe environment in Kosovo. Ethnic minorities are living in enclaves and more Serbs and Romas are leaving Kosovo every day. After five years of peace keeping, new riots broke out in March 2004. Not only was KFOR unable to come between the fighting of Serb and Albanian masses, it was itself attacked as well. Its other tasks, supporting the international civil presence in the area and ensuring public safety and order, protection and freedom of movement, are therefore having a difficult time.

Concerning this mission in Kosovo, two things have to be noted. First, that the historical situation in Kosovo has been different from that in Bosnia and Herzegovina and FYROM. Conflicts in both latter cases were erupting from economic problems and the call for democratisation (Bosnia and Herzegovina) and destabilisation caused by a massive refugee flood (FYROM). Although the situation might not have been ideal in these multi-ethnic countries, one can say that the outbreak of the conflict did not followed on longer historical difficulties and smaller conflicts. This was the case with Kosovo, where Albanians and Serbs had been clashing for decades.¹⁰⁸

Second, it is doubtful if NATO had a solution for Kosovo after the war when they started their bombing campaign. This campaign was based on deep indignation about the means with which the Serb army and paramilitary forces fought against the UCK. But with the NATO-bombing campaign two principles of the UN-Charter collided: the ‘will of the people’ (article

¹⁰⁸ For a good and impartial (as far as possible) overview on Serb-Albanian problems in Kosovo, see: Noel Malcolm, *Kosovo. A short history* (Londen, Basingstoke and Oxford 1998).

1.2 of the UN–charter: right of self-determination) and the sovereign right of Yugoslavia (article 2 of the UN–charter: sovereignty of states). This collision and the uncertainty of the international community how to solve the problem is mirrored in the reluctance of the international community to talk about a permanent solution for the status of Kosovo.

3.3. Comparative analysis of the peace missions

The three peacekeeping missions which have been discussed in the foregoing chapters have much in common, most notably the geographical area they were conducted in. All three missions were based on a peace agreement that marked the end of a local or international conflict. But differences have been there as well. Where the DPA asked the international forces to implement the Agreement itself, in the Ohrid-Agreement the international forces were asked to secure a safe and stable environment so that the government of FYROM could implement the Agreement. In the third case, that of Kosovo, NATO had been a party in the conflict itself. In being the winning party, it could impose the goals with which it started the war as the goals to be reached in the Agreement. These different starting points had their effect not only on the definition of the mission, but also, as we will see, on the shortfalls and successes.

Mission definition & structure

The IFOR- and SFOR-mission in Bosnia and Herzegovina differs from both other missions not only in definition, but also in structure. IFOR came to BiH to keep an eye on the implementation of the military part of the DPA, after a war of four years with hundred thousands killed and fled. After that the conflict had settled down, SFOR came as a stabilisation force at the end of 1996. Gradually its role changed. Where it first still had been an implementation force, it gradually started to support the international community in its efforts to implement the civilian part of the DPA and eventually assisted the ABiH in carrying out reforms.

In Kosovo, the period prior to the actual NATO-bombing, the war itself and the immediate aftermath caused hundred thousands of victims as well. Here, the role of KFOR was to implement the peace agreement and support the civilian international community again, just like in BiH. However, differently from the IFOR- and SFOR-mission, KFOR never got beyond the implementation of the peace agreement. Probably the most important reason for the problems of KFOR in fulfilling its duty has been the question of the status of Kosovo. NATO forced Serbia out of the area, but refused to give the Albanians independence. It therefore created a situation in which both parties – Serbia and Montenegro and the Albanians – refused taking measures to normalise the area voluntarily.

The situation in FYROM differs even more from the two other cases. It had been a relatively stable country during the 1990s, when Albanian refugees from the Kosovo-conflict sought refuge in FYROM in 1999. Underlying ethnic tension between Slav and Albanian Macedonians erupted in 2001. Due to massive international commitment to keep the conflict small and to find a fast solution, the conflict could be ended before it really turned into a war. The number of casualties has been significantly lower compared to the two other cases. Both parties were hopeful of a multi-ethnic FYROM in the future. The international military missions in FYROM were therefore much more concentrated securing a stable environment than on establishing or implementing the Ohrid-Agreement. The military missions in FYROM ended only two years after starting, when a EU-police mission took over.

After nine years of NATO-command in BiH, the international forces in the country now face a change of organisational command. In this light, the case of FYROM is very interesting. In 2003, the European Union took over military command from NATO in FYROM, with that the base was laid for the change of command in BiH in December 2004. The case of KFOR is interesting because it has a similar structure to SFOR, but the outcomes five years after the war have been very different.

Comparison with the case of Kosovo: similar command but a different outcome

The different backgrounds of the conflicts and the unwillingness of the parties in Kosovo to search for a sustainable peace is part of the reason why the outcome in Kosovo is so different from that in BiH, but it is not fair to blame it for everything. Directly after the war there was not much willingness to co-operate in BiH either. First and foremost, the changing role of the neighbouring countries of BiH, Croatia and Serbia and Montenegro, forced the different groups of BiH to commit themselves to a future within BiH. Although even with this commitment the reluctance of acting together was big, at least there was no dispute about the existence of the state of BiH.

The role of Croatia and Serbia and Montenegro changed due to confidence building measures and regional arms control, both programs conducted by the OSCE. Agreements between those two countries and BiH played a big role in decreasing the tension between the countries. The fact that there are still people who think both Croatia and Serbia and Montenegro will seize Bosnia and Herzegovina if they get the chance, does not change the fact that the possibility for a new war has been severely diminished.

Contrary to the developments in Bosnia and Herzegovina, there are no confidence building measures nor regional arms control programs in Kosovo. Efforts of KFOR to collect arms and demilitarise guerrilla fighters have proven to be unsuccessful. It looks like the mandate of KFOR is not strong enough, or KFOR is missing the support of the High Representative of the Secretary General in Kosovo in the way the HRSG is giving its support to the policy of SFOR in BiH, where it was decided that SFOR has the last word in appointing military officers in the ABiH. With the power of the HRSG to remove authorities from office, severe violations of the Dayton Peace Agreement take place only rarely.

In concluding one can say that the comparison of the international mission to BiH with the international mission to Kosovo especially shows what measures in BiH did have a positive effect on peace in and stabilisation of the country. Most notably the clear commitment of the international community towards BiH as one country, the programs of confidence building measures and regional arms control as well as the mutual support of the HRSG and SFOR has proven to be stabilising factors. Since late 1997 SFOR became more and more involved in the civil sector, which increased the development of other sectors. In Kosovo, KFOR stayed with its security mandate, thus leaving out any engagement in the civil sector. This has been another positive effect on peace in BiH, whereas stabilisation in Kosovo could not be reached permanently. The reforms now going on in BiH to bring the country in the PfP and eventually into NATO are another aspect contributing towards a stabile Bosnia and Herzegovina, but those reforms could not have been negotiated without the mentioned factors.

The case of FYROM: how will the EU take over from NATO?

The case of FYROM is not so much interesting in defining which measures of the international missions have a positive effect on peacekeeping and peace building, as well as

for the structure of the military mission itself. The different background and time of the conflict in FYROM, compared to that in BiH, made that the international peacekeeping force was needed for just two years to establish their main features, where it took the force in BiH nine years already, and they still have not finished their mission.

Besides the duration of the international military mission in FYROM, its difference with BiH and Kosovo laid mainly in the fact that it was an operation that first was carried out only by NATO. Contrary to IFOR/SFOR and KFOR the mission did not get a neutral name, but was simply called NATO-Operation. The first two Operations, that of "Essential Harvest" and "Amber Fox", are comparable to IFOR in the way that they implemented the Ohrid - Agreement in collecting and destroying weapons of extremists. The last NATO-Operation can be compared with SFOR as it was a stabilising mission to assist the government in taking ownership of the security of the country.

FYROM is important for the international military mission in BiH because the European Union is going to take over command from NATO in BiH in December 2004. The same scenario happened in FYROM already in March 2003. Whereas in 2003 the European Union relied on France in providing the framework for the headquarters until October, it will now be able to do it as a Union itself completely. Just like in the case of FYROM, the European Union will again rely on NATO in the case of planning and intelligence, based on the Berlin-Plus Agreement.

In both cases, NATO stays in the country with its own Headquarter. Besides giving assistance to defence reforms and counter-terrorism, in BiH NATO hopes to finish the job SFOR is still working on, namely arresting alleged war criminals. The international military scenario in FYROM now has long passed. In December 2003, the EUROFOR was taken over by a police mission of the European Union. NATO stayed and this is a scenario that we might see in the foreseeable future in Bosnia and Herzegovina as well. The continuing decrease of SFOR and its changing way of acting with the MOST and LOT is a first step towards the disappearance of foreign forces in Bosnia and Herzegovina as a whole.

One concluding remark remains. Throughout the years and especially after the interventions in both Kosovo and FYROM the question has been posed again and again what would have happened if the international community, and especially NATO, had interfered in the beginning of the conflict in Bosnia and Herzegovina. It is not possible to answer this question with any certainty, but regarding the swift action of the international community in Kosovo and FYROM and their aftermath it is very well possible that the war in Bosnia and Herzegovina would have been over earlier. But the different premises in 1992, 1999 and 2001 made different outcomes possible as well.

In 1992, both NATO and the European Union were not ready for an international intervention – due to the fall of Communism, the dissolution of the Warsaw Pact and the reunification of Germany both NATO and the European Union had to reconsider their own positions first. Now, in 2004, NATO clearly stated that help in international peacekeeping missions is one of the organisation's main objectives. The European Union formed a Rapid Reaction Force to support the United Nations and the OSCE.

Maybe the most important lesson from the international peacekeeping missions in Bosnia and Herzegovina, Kosovo and FYROM is that international intervention made a difference between short time war and peace in all cases. However, to make a difference in long time

war and peace the military intervention should happen within the first year after the outbreak of the war. This is a win-win situation for all sides. The case of FYROM showed that swift interference of the international community can stop a war before it really begins, therefore minimising the casualties. It also showed that international military presence was needed only for a few years. In the case of Bosnia and Herzegovina nine years after the war the end of international military presence is still not in sight. Therefore, the international community would severely save in the costs of a peace keeping operation by interfering quickly.

Chapter 4 – Concluding remarks

Since the end of the Cold War, peacekeeping operations changed and got a new dimension. Peacekeeping today is not so much about peace forcing after a conflict, but about conflict prevention – to prevent a conflict from flaring up again. International civilian organisations like the United Nations and OSCE joined together with military organisations like NATO to conduct a new kind of peacekeeping operations in which they work closely together. The international mission in Bosnia and Herzegovina is the longest lasting operation of this kind.

4.1. Concluding remarks on Bosnia and Herzegovina

The international community set up an enormous operation in Bosnia and Herzegovina to prevent the conflict from flaring up again. Three phases can be recognised in the international involvement in Bosnia and Herzegovina. The first phase was until 1997, when the civilian international organisations had limited power to create changes in the politics of the countries. Only SFOR had a tough mandate, but it remained strongly devoted to its military tasks, more or less ignoring a second part of its mandate, namely supporting the international civilian community.

Jacques Paul Klein, Principal Deputy High Representative in Bosnia and Herzegovina from July 1997 till July 1999, commented the situation in the international community as following: “The Dayton Accords mandated an unprecedented number of organizations to work under the weak overall coordination authority of the High Representative. By ignoring the tenet of ‘unity of command’ each of the five principal organizations had its own mandate, budget, and governing body. The result was niche mandate implementation, duplication, and lack of strategic planning.”¹⁰⁹

The situation improved with the start of the second phase in 1997, when the Office of the High Representative was given the “Bonn-powers” by the Peace Implementation Council. Moreover, SFOR was getting more engaged in supporting the civilian organisations, in this way providing a basis for further reforms and developments. The international community in Bosnia and Herzegovina was now getting stronger, having more possibilities to carry out reforms that would improve the stability of the country.

A third phase was entered in the beginning of the 3rd millennium, when the international community re-organised itself and more co-ordination between the different organisations took place. This was not only the case in the defence sector, but also in the education sector for example, where the OSCE got a co-ordinating role. In the defence sector, the military cell of the OHR was transferred to the OSCE in 2001, whereas the military advisor to the HRSG became head of the OSCE Security Co-operation department as well. The lack of strategic planning in the international community until 2001 is one of the main reasons for the difficulties Bosnia and Herzegovina is still coping with.

Although the improvement of co-ordination in the international community was the sign to start with structural reforms in the defence sector, progress in these reforms was seen only in the last two years – after several scandals and severe international pressure. Still, the progress

¹⁰⁹ Jacques Paul Klein, ‘Challenges of change: the nature of peace operations in the 21st century and continuing need for reform’, *Perceptions Journal of international affairs*, Special issue on peace operations, (December 2003 – 2004).

that has been made is impressive and if it was not for the fourteenth PfP-benchmark (support to the ICTY) Bosnia and Herzegovina's membership of PfP in June 2004 would have been secure.

An important factor for the development of the Defence sector in BiH has been the CSBM. Even though only the inspection regime worked, the CSBM had a major part in lowering down the tensions between the parties. The reforms of the security sector are now so far progressed that one can even ask if Article II of Annex 1-B is still necessary in Bosnia and Herzegovina.

The role of SFOR and IFOR has to be highlighted as well. During the first years after the war, IFOR and SFOR concentrated mainly on the military aspects of the Dayton Peace Agreement. It was only in late 1997 that they started to support the international civil organisations as well. One of the main problems of the SFOR-mandate was that even then there was no clear idea on when SFOR would come into action. This was clearly exemplified by the long discussion about the question if SFOR was allowed to arrest alleged war criminals. Finally it was decided that it would arrest, but only if they fell to them by accident. Only recently SFOR decided to undertake action by itself in leading search operations to find war criminals, most notably the (unsuccessful) actions to arrest Radovan Karadzic.

4.2. Concluding remarks on Kosovo and FYROM

The cases of Kosovo and FYROM have proven to be two very interesting ones, not just because of the facts that happened, but because of its impact on different international organisations. Kosovo has been very important for NATO, whereas FYROM was the turning point for the European Union.

During the 1990s, NATO made a big change. From an organisation focussed on self-defence, it offered the United Nations to be at their disposal in peace operations, whenever the United Nations needed a military peace mission. At the end of the past decade NATO even went a step further, declaring the situation in Kosovo a unique case, and as such a reason to start a bombing campaign against Serbia without the approval of the United Nations Security Council. This decision and the following bombing campaign have caused lots of discussions.

In the aftermath, a Russian contingent based in Bosnia and Herzegovina surprised NATO by taking control of the airport of Pristina. NATO has made it clear that although it could start a war on its own, the Russian Federation would not allow NATO to dictate its own peace to the parties. The Kosovo-conflict became in this way the turning point for the relation between NATO and the Russian Federation. After the Founding Act on Mutual Relations, Co-operation and Security between NATO and the Russian Federation in Paris 1997, both parties now agreed on military co-operation in the Helsinki-Agreement.

The main conclusion on the military mission in Kosovo is that KFOR was not able to establish an overall secure and safe environment. Demilitarisation of the fighting parties did take place, as did collection of illegal weapons, but the events in FYROM in 2001, and in Kosovo in March 2004, showed that both actions were not a big success. The historical legacy of Kosovo and the question about its status hinder an effective solution for the problem.

One question about the recent events in Kosovo remains. The UNMIK and NATO were taken by surprise by the actions in March 2004. Although analysts characterised the riots as it could have happened anytime, one can ask oneself why NATO, with the best intelligence service in the world, was not able to detect the upcoming riots, nor to defend the international community properly. Recently UNMIK stated that it is unsatisfied with the intelligence gathering of KFOR. In this light a question towards the situation in Bosnia and Herzegovina can be asked as well. Why is it not possible for NATO to catch Radovan Karadzic in the recent operations, or does Karadzic just have better spies than NATO? It might be time for NATO to consider these questions, and to consider its intelligence service in general.

The case of FYROM has been a turning point for the European Union. After that it had decided on own defence policy, which was announced with the Treaty of Helsinki in 1999, matters had to be clarified with NATO, i.e. the United States. This country was not so charmed from the European initiative, fearing its unique position in the securing of European security. The Berlin-Plus Agreement of 2002 strengthened the co-operation between the European Union and NATO in the way that the EU could fall back upon NATO assets in conducting an operation.

The Operation "Concordia" in FYROM was the first EU -operation carried out under the Berlin-Plus Agreement, and in this way a precedent for the coming takeover of SFOR by the European Union. The swift conduct of the Operation "Concordia" and the success with which it was ended raises expectations for Bosnia and Herzegovina, even if circumstances differ. The rumours in newspapers about conflicts between the United States and the European Union about the division of labour between the new EUFOR and NATO do the new mission no good, but a limited mandate for both EUFOR and NATO has benefits not only for both organisations, but for Bosnia and Herzegovina as well. With EUFOR and NATO focussing on limited tasks we can assume these tasks will be carried out properly and in a shortest time as possible.

The conclusion on the mission in FYROM is almost the opposite of that in Kosovo. Due to swift intervention of the international community the beginning war in FYROM could be stopped before it had really started. The clear commitment of all parties towards a multi-ethnic FYROM further de-escalated the situation. Based on the Ohrid-Agreement peace could be established quickly and although the situation is not perfect yet, the parties are making good progress towards mutual understanding. This was reflected in the short period of foreign military intervention, which started in 2001 and was ended with the Concordia-operation in 2003.

4.3. Lessons to be learned

The most important lesson for future peace keeping missions and international interventions is that, although costs are high at the time of intervention, a swift intervention in a local conflict will save costs on a long time basis. The international community should think of establishing CSBM, as well as SRAC in post-conflict situations. The positive effects reached in Bosnia and Herzegovina and in the region as well can be an example for future missions.

Related to the differences between the Kosovo-mission and the BiH-mission, one has to realise that all questions that could lead to a renewed war sooner or later, should be cleared

within the shortest time possible. Whereas in BiH the international community committed itself clearly from the beginning to Bosnia and Herzegovina as one state, in Kosovo the debate about its status **has not prospect** towards a quick resolution. This is one of the reasons why no big step towards stabilisation and multi-ethnic society could be made in Kosovo, while in BiH good progress is being made.

The establishment of a commission containing representatives of all parties, as well as representatives of the military and civilian international missions worked out well in Bosnia and Herzegovina. In future peace missions this commission should have the task to collect military information considering the military strength of the parties (personnel, weapons etc.); to collect information regarding mine fields and unexploded ordinance; and act as a 'tribunal' where the parties can complain if they think other parties are not co-operating. Further tasks of this commission depend of the specific situation of the country in which a peace mission is deployed.

The Kosovo-conflict showed that international military organisations should be very careful not to become a party in a conflict. If it happens, they should be careful not to take too expressly side in the aftermath of the conflict – the drafting of the Peace Agreement, as well as the implementation of it and the stabilisation of the country afterwards. Also, one can only go into a conflict if one already has a goal about how to stabilise the country afterwards.

A final lesson is that within the rebuilding of the country priority should be given towards economic reconstruction, as poverty and economic problems are often the cause for the renewal of a conflict. The fact is that nine years after the war Bosnia and Herzegovina is still severely economically damaged which forces young and old to take care of its own survival – and not of building up institutions towards a multi-ethnic society.

This research showed that the international community has a big impact on the defence sector of Bosnia and Herzegovina, but at the same time it showed that obstinacy of the local parties where able to keep the reform process in their grasp until 2001. In future peace missions the international community will have to carefully consider in which way it will operate – as a closed front against national obstructionists in order to carry out reforms, or operate as each organisation for itself, giving local parties the possibility to firm their grasp in obstructionist policies and frustrating the reform process. In Bosnia and Herzegovina this turn has been made late, but not too late yet. The recent defence reforms carry hope for the future.

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