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THE ISSUES RAISED BY BOSNIA,  
AND THE TRANSATLANTIC DEBATE

*Marie-Janine Calic, Nicole Gnesotto,  
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Edited by Sophia Clément*

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## **The issues raised by Bosnia, and the transatlantic debate**

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## **PREFACE**

This *Chaillot Paper* is innovative on more than one count. It is a multi-authored, multinational and centripetal analysis of a very specific issue, the complexity of which deserves a multifaceted, analytical approach of this type. For some, it may even constitute an exercise in political correctness.

Contrary to previous practice, the Institute has not subjected the considerations of the authors to the broader scrutiny of a seminar. Their assessments are open to further analysis and discussion, as the promise of the Dayton/Paris agreements and the hoped-for reconciliation of Bosnia unfold. Only time and international coordinated action may, eventually, tidy up the inevitable loose ends that persist in a situation as complex as that in Bosnia.

This paper, edited by Sophia Clément, sets the terms of reference, lays out the components, and, first and foremost, indicates the outstanding need for a more coherent functional relationship between the United States and the Europeans. Bosnia still constitutes not only the most obvious European open wound, which the Bosnian parties must heal themselves with the assistance of the international community, but also the most crucial test-case for the transatlantic relationship, which Europe and the United States need to address using different means, albeit side by side.

**Guido Lenzi**  
**Paris, May 1998**

# INTRODUCTION

*Sophia Clément*<sup>(1)</sup>

From December 1995 to December 1996, NATO's first out-of-area deployment, the 60,000-strong IFOR, was tasked with implementing the provisions of the Dayton peace agreement aimed at separating the warring parties in former Yugoslavia and maintaining the cease-fire. The second deployment, SFOR, composed of 35,000 troops, will, over a period of eighteen months, have had the aim of stabilizing what was achieved in the first phase. Whereas more than two years after the deployment of IFOR it has been decided by all of the allies to maintain a presence in Bosnia, the Yugoslav conflict raises two big questions concerning crisis management on the continent of Europe: the future of Bosnia and the preferred solutions for the resolution of conflicts in the region; and the redefinition of transatlantic relations in the framework of a new sharing of tasks.

## **Evaluation of the implementation of Dayton**

Implementation of the Dayton peace agreement can be considered a success as far as its military dimension is concerned (separation of the warring parties, transfer of heavy weapons) but is unsatisfactory on the civil side. Much progress has been made: the handing over of war criminals to the International Criminal Tribunal for the former Yugoslavia by Croatia and some Serbs in Bosnia; the setting up of many citizens' governments in Bosnia and the government of Miroslav Dodik in Republika Srpska (RS) that is in favour of implementing the Dayton accords; and the recent adoption of certain common symbols, including a common currency. These developments constitute a further step towards internal stability. Implementing the civil aspects of Dayton nevertheless remains a long, drawn-out process. The main socio-economic objectives (such as raising GDP and lowering unemployment) have been attained but the return of refugees and displaced persons, the arrest of war criminals, freedom of the media and the setting up of common institutions, as well as police forces and a legal system are far from satisfactory. The dynamic of partition is illustrated by the absence of any wish by the parties present to implement the civil part of the agreement, which is not yet offset by recent developments in favour of integration. Concrete developments have largely been made possible by external pressures due to the international presence on the ground. Unity is still fragile and partial, as seen in the strengthening of relations between the entities and neighbouring mother countries: the cooperation agreement signed by RS and the Federal Republic of Yugoslavia (FRY) in February 1997 and President Milosevic's procrastination, as a result of the West's policy on Kosovo, over the guarantee that the process of normalization in RS will be pursued; President Tudjman's declarations calling into question the border between Croatia and Bosnia-Herzegovina and the return of refugees; the partition of Mostar and the ethnic purification of Sarajevo, not to mention 'grey areas' such as Brcko, settlement of which has been postponed until the end of the year.<sup>(2)</sup> Nor is implementation of the military part of Dayton entirely satisfactory. Stocks of heavy weapons have been largely dismantled, having been reduced from 800 to 530 with a view to reaching a figure of 400 by the end of 1998.<sup>(3)</sup> By making it possible to achieve a balance of power through rearmament of the Federation, the Train and Equip programme has opened the way to a possible renewal

of armed hostilities on the part of the Bosnian Croats or Muslims, faced with a RS that is militarily and politically weakened, in the event of tension over disputed zones. Between the two extreme scenarios - the unlikely unification of a multiethnic Bosnia and negotiated partition leading to greater instability - the middle way seems, for the moment at least, to be a freezing of the present situation and the coexistence of two entities. Everything seems to indicate that the international community will have to come to terms with the ambivalence inherent in the Bosnian state, which is virtual as it has been divided into first two and then three entities and unified at the international level, in the framework of a stabilization process that takes account of the consolidation of established entities.

Equally, without calling into question the positive aspects of the Dayton agreement, it nevertheless contains certain ambiguities. As for its actual substance, basically the agreement promotes the recomposition of a multiethnic society through the return of refugees and displaced persons while at the same time installing implicit partition by recognizing two distinct entities and the right of each entity to develop bilateral links with neighbouring States. If this 'constructive ambiguity' was the necessary condition for success, there nevertheless results from it a set of conditions (respect for the unity of Bosnia and the creation of common institutions) related to implementation at the federal level that are necessary if a drift towards partition is to be avoided. The absence of a definition of the tasks of military forces and the interaction between the civil and military has equally created confusion over the division of labour in areas such as the return of refugees or the arrest of war criminals.

However, implementation lies at the heart of the problem. The SFOR presence in the zone separating the entities has in a certain sense helped consolidate partition. The absence of *political will* on the part of the international community has permitted the continued existence of grey areas like Brcko, settlement of which, postponed to the end of 1998, is none the less allowed for in the peace agreement. The initial divergences between Europeans on the definition of common interests on their immediate periphery have led to a renationalization of foreign and security policies, and permitted unilateral actions. Whatever the reasons given, these differences have compromised a transitional, stage-by-stage management of the conflict and exacerbated divergences within existing collective security systems. In the same way, the absence of consensus among Europeans and Americans has led to a difference of approach to the guaranteeing of stability, through either partition or reintegration, which has had an impact on the choice of policies: the Europeans have in general opted for stability through disarmament and arms control at the regional level, whereas the Americans have preferred to seek a regional balance of power through rearmament and the Train and Equip programme. As a result there has been a distinction in the choice of means, such as the type of forces in place; the hazy link between civil and military in terms of separation, complementarity or subordination; and the transatlantic division of labour, that is to say the sharing of responsibilities, the risks to and distribution of forces within and outside the theatre of operations. Initially, these divergences led to the failure of successive peace plans put forward by the Europeans, who were themselves already divided. Later, they contributed to reinforcing the disappointing performance of the Europeans present compared with that of the United States, even though the latter appeared later in the conflict, by marginalizing the European presence as a collective security framework. Among Europeans, initiatives taken have highlighted the difficulty of arriving at a common

position, failures in the decision-making process and bureaucratic cumbersomeness. At the economic level, the Europeans have contributed most towards the reconstruction of Bosnia but have also produced results that are less visible than those achieved by the United States.<sup>(4)</sup> At the institutional level, the weakness of the CFSP lies at the centre of the Union's structural inability to decide on common action and then put it into effect. At the operational level, the Europeans were the first to be present in Yugoslavia (within UNPROFOR, IFOR, SFOR and in Mostar) and in Albania. But this presence, although important in itself, has not been large enough, nor has it had the expected visibility. It has been to the detriment of Europe's self-assertion, American actions being pre-eminent.

### **The issues in the transatlantic debate**

Renewed instability in the Balkans, the reduced American presence, the permanence of transatlantic differences and above all Europe's wish to be a full political actor on the international stage imply assuming greater responsibility in the field of security and defence on the continent of Europe, all the more so since the conflict in Bosnia is likely to be seen as a testbed for the ESDI within NATO. The Americans think that for the Europeans Bosnia is an occasion to take over the operation completely and to demonstrate their operational capability as well as the viability of the ESDI. According to them, the absence of Europe would signify its political and military incapacity in crisis management. The Europeans for their part have reservations over the way in which the Dayton accords were negotiated without prior consultation, and divergences concerning their implementation, the terms of transatlantic burden-sharing and lastly the complexity of the Bosnian case as a possible first European-led operation. Some of them remain dubious over the terms of the transatlantic relationship at the operational and decision-making level as long as the true meaning of an ESDI within the Alliance has not been clearly defined. The obstacles - and the issues at stake - in the redefinition of the relationship between Europe and the United States consequently go beyond just the question of Bosnia. They concern the transatlantic relationship and the management of crises in Europe in the longer term.

The withdrawal of the United States is no longer an option being considered, the Americans having recognized the necessity for them to maintain a presence in Bosnia, but there remains the question of the transatlantic sharing of tasks and responsibilities. This requires a re-evaluation of interests and common objectives in Bosnia, and in South-East Europe in general, as well as the division of labour between Europeans and Americans on an equitable basis. The re-evaluation of Western strategy in Bosnia, in other words evaluation of the consequences of failure for the development of Western security and defence structures, implies an evaluation of the issues at stake that goes beyond Bosnia alone: is it a question of saving NATO, defending American leadership, NATO's southern flank, the viability of the Partnership for Peace, or, even more importantly, must one see in this the basis of the new transatlantic relationship, in other words the future of European security and defence capabilities?

### **From SFOR to SFOR**

The possible options for a new SFOR responsible for implementing the third phase - termed consolidation - that have been discussed until now are in many ways similar. There will be no marked change in the size of the force, with a *de facto* renewal of the

present SFOR (except for a slight reduction in the size of the American contingent from 8,000 to 6,500 between now and June in response to the American Congress's concerns), until the parliamentary elections in September, when it will fall from 35,000 to around 30,000 as a sign of progress made in the implementation of the Dayton agreement. No date will be fixed for the end of the mission, but it will be associated with a progressive reduction as part of a six-monthly review of the strength of the force depending on developments on the ground. Nor is any substantial modification of the force's mandate expected (which consists in preventing a resurgence of conflict and supporting implementation of the civil tasks), which is due to be renewed by the UN in June. A choice has thus been made of a combination of means, with the strengthening of the deterrent force ('option C') and maintenance of a force equivalent to SFOR ('option D') that should help prevent a renewal of hostilities so as to allow implementation of the civil part of the third phase - consolidation. The task will thus be to support all of the civil organizations: the Office of the High Representative (OHR) for reconstruction and civil aspects; the UN High Commission for Refugees (UNHCR) for the return of refugees and displaced persons; OSCE for the holding of elections and reform of the media; the UN's International Police Task Force (IPTF) for the training and rebuilding of local forces of law and order, yet without undertaking the tasks of the civil police, which must be gradually transferred to the local authorities; the International Criminal Tribunal for the former Yugoslavia (ICTY) for the arrest of war criminals; and other humanitarian and non-governmental organizations. Unity of command and rules of engagement will also be comparable to those of the present force.<sup>(5)</sup>

Changes are, however, envisaged. On the civil side, the prerogatives of the High Representative, Carlos Westendorp, following the meeting of the Peace Implementation Council (PIC) in Bonn in December 1997, have been considerably increased. Also strengthened is the civil-military link, through the establishment of better interaction and coordination between the two by means of greater political supervision;<sup>(6)</sup> on the military side, the creation of a military police unit has been proposed. Reinforcement of the IPTF by additional police forces (officers or non-commissioned officers from the Gendarmerie in the case of France, for instance) has been preferred to the American proposal to form a militarized police force within the IPTF, which was rejected by many European countries. The problem was the same as for UNPROFOR, i.e. it would have put UN soldiers at greater risk in the event of an escalation of the conflict, and it would have required a specific mandate for maintaining order, and the militarized police force would have taken over from the local police. On the other hand, without prejudice to the development of a paramilitary force within NATO, the creation of a specialized unit within SFOR with the object of assisting the IPTF in accordance with the terms agreed in 1996 is still a possibility.<sup>(7)</sup> There would therefore be no change to the provisions of Dayton (Annexes 1B and 11 respectively for the military (SFOR) and police (IPTF) forces) so long as, in the new missions, no new direct civil police mission is created, and the IPTF mission (advice, training and restructuring of the local police) is unchanged.

### **Aim of the paper**

The aim of this paper is to analyse definitions regarding the future shape of Bosnia (integration or partition), the practical implementation of Dayton, the different scenarios for an international presence in Bosnia (progressive withdrawal, short-term



or long-term presence, a deterrent or reconstruction force), as well as transatlantic relations (competition or cooperation). The four authors, of different nationalities and presented in alphabetical order, have been invited to follow the same framework of analysis, reviewing the problems mentioned above while endeavouring to set out the specific positions of their respective countries: Germany, France, the United Kingdom and the United States. Using a common framework of analysis should allow a comparison of the approach to developments in the European security agenda taken by the most important actors, in particular the European partners, to be made.

The *redefinition of objectives* (partition or integration) and tasks (military and civil) is necessary in order to re-evaluate the nature (structure and mandate) of the international presence and depends on the evaluation made of the situation in Bosnia. What is the most appropriate way for the international community to make up for the inability to link the stabilization process and the implementation process: what redefinition of interests and objectives does it imply and what re-evaluation, if there are grounds for this, of the civil and military provisions of Dayton?

The *sharing of responsibilities* between the two sides of the Atlantic and coordination of international organizations need to be defined. This involves the re-evaluation of interests and common objectives, firstly by Europeans and secondly at the transatlantic level. The re-evaluation of the Europeans' role implies the requirement to define their responsibilities and tasks, that is, to analyse the level of involvement and visibility desired as well as the forces and mechanisms available. At the transatlantic level, it is a question of defining the conditions for equitable, effective burden-sharing and the tasks allotted to each. This becomes all the more important since NATO's new strategic concept, which is based on cooperative security, is in the process of being worked out. The conditions attached to the European and American presence that is most appropriate for a follow-up to SFOR also need to be analysed: the various possible military options (forces stationed within or outside the theatre, the size of force present, redeployment); and the chain of command (European-led, WEU, NATO-led CJTF). Since Europe, as an actor in its own right in the field of security and defence, could decide, in the more or less near future, to give substance to what until now has been mostly rhetoric, and given American pressure in favour of greater European participation, the viability of a European-led operation (possibly with some American involvement) in the long term is also examined.

Lastly, the definition of an exit strategy (the means to accomplish the mission), the time limit (by when it has to be done) and following which criteria (in order to avoid a new Cyprus-type scenario) are examined. In other words, the type of international presence, that is, the force's mandate (follow-up, build-down, exit strategy), the duration and time limit set for the mission and the force's structure are considered. The nature of military stabilization (deployment in zones of conflict), force size (which depends on the range of problems and identification of key issues), the composition of national contingents and the functional make-up of forces (civil or military police tasks) are examined.

The authors responses vary in both substance and form. Having examined the central role of civil aspects in the success of Dayton and the problems raised by the separation of the civil and military in the absence of clear mandates for SFOR and the IPTF, Marie-Janine Calic looks at detailed arrangements for a greater European

presence within SFOR. She emphasizes the advantages of the IFOR/SFOR crisis management model, which has already proved effective at several levels and made it possible to overcome German reluctance to participate.

For Nicole Gnesotto, far from indicating American disengagement, the presence of an SFOR after SFOR should now be seen as proof of NATO's success in post-Cold War crisis management, which the Europeans seem to be adapting to because of 'the sluggishness inherent in transatlantic relations and the resistance to the very idea of readjustment of the Alliance.' There is even a danger that this reform will be postponed in favour of an *ad hoc* CJTF based on the SFOR model, as the Americans would wish, to the detriment of a real reform of the ESDI. Dayton can work on two conditions: a long-term presence and a necessary convergence of the civil and military.

Jane Sharp describes the evolution of the British position on partition towards a long-term presence to help reintegration, and in particular the effective implementation of all civil aspects. She proposes the establishment of a protectorate as the only guarantee of stability in the long term. As for burden-sharing, she considers that the Europeans have the necessary operational capability and now need the political will to use it.

Finally, Susan Woodward closely examines the evolution of the American position on Bosnia. In the light of the success of the Dayton agreement for the Alliance, the United States has for long tried to impose its own views, as for instance the sharing of civil and military tasks and the primacy of military over civil aspects. Despite profound divisions within the American administration concerning the type and duration of the US presence in Bosnia, and beyond its wish to see the Europeans assuming their own defence, the time has not yet come when the United States will accept a shift of its political leadership in the direction of Europe.

# POST-SFOR: TOWARDS EUROPEANIZATION OF THE BOSNIA PEACE OPERATION?

*Marie-Janine Calic*<sup>(8)</sup>

More than two years after the signing of the Dayton peace agreement, concerns about the 'unfinished peace' in the Balkans are growing. While most of the military tasks seem to have been successfully completed, many civilian objectives are still delayed. This confirms a general lesson from post-conflict situations: rebuilding war-torn societies and disintegrated states is far more complex, demanding and costly than was bringing an end to hostilities.

The transformation of a fragile cease-fire into a lasting political settlement in Bosnia and Herzegovina exposes the international community to particular strains and challenges, and requires well-defined policies and effective coordination. This paper addresses the following subjects: first, the need for a post-SFOR in order to make peace in Bosnia and Herzegovina self-sustainable; second, the tasks to be addressed by a post-SFOR in the future; third, post-SFOR in transatlantic relations and the definition of common European interests and objectives as a basis for a follow-on operation; and lastly, options for the Europeanization of the peace operation in terms of mandate, composition, and structure of this force.

## **The need for a post-SFOR**

The international peace operation has helped Bosnia to take important first steps towards the Dayton agreement's goals. Major accomplishments comprise the demobilization of armed forces and destruction of heavy weapons, and the holding of national, entity and local elections, as well as economic revival. However, many civilian objectives have been delayed, such as the functioning of the political institutions, freedom of movement, and the removal of parallel power structures in both Bosnian entities. Above all, the leaders of the former conflicting parties are still reluctant to cooperate on a productive basis.<sup>(9)</sup> Urgent tasks to be completed include implementation of the municipal elections, the amendment of property laws, the establishment of a Permanent Election Commission, the creation of an open, non-partisan media environment, restructuring of the police force in the Republika Srpska, making the common institutions operational, and the capture of indicted war criminals. Peace in Bosnia is still extremely fragile, and the following four objectives that should be achieved by June 1998, according to the SFOR operation plan approved by NATO in mid-December 1996, will probably not be met:

- political leaders must demonstrate a commitment to continue negotiations as the means to resolve political and military differences;
- civil structures must be sufficiently mature to assume responsibility for ensuring compliance with the Dayton agreement;
- leaders must adhere on a sustained basis to the military requirements of the Dayton agreement;

- conditions must be established for the safe continuation of on-going nation-building activities.

Therefore, prominent critics of the international engagement in the Balkans have argued that the Dayton peace process is bound to fail and that Bosnia will never function as a state again. Because one cannot keep troops in Bosnia forever, and that war will erupt again when the international troops leave, they submit, one should now organize the peaceful partition of this state.<sup>(10)</sup>

The partitionists, however, overlook the likely negative effects of what they suggest. First, partitioning Bosnia means redrawing borders by force, which would necessarily imply 'ethnic cleansing'. This would send the dangerous message to nationalists everywhere that the international community rewards aggression. Second, it would be no recipe for maintaining peace either, but could trigger a new, violent war. There is no clear-cut or uncontested line within Bosnia that could mark the future borders between the three constituent peoples - the Bosnians, Serbs and Croats. Discussions on partition would thus necessarily cause disputes over borders and produce a new wave of 'ethnic cleansing' that could entail moving several hundred thousand refugees to West European countries. Third, partition would not bring stability to the region. A land-locked Bosnian state would hardly be viable, and would produce strong feelings of revenge and revisionism. Violence could spill over into neighbouring countries and subsequently involve Kosovo, the Former Yugoslav Republic of Macedonia, Albania, Bulgaria, and even Greece and Turkey. Thus, partition would pose serious challenges to the Dayton process by putting all external actors at risk and damaging the prestige and credibility of international institutions. In a nutshell, Europe has a deep and abiding interest in making every effort to support the Dayton process as the foundation for the political and economic development of Bosnia and Herzegovina, and the region at large.

In view of the manifold risks of failure, European and American diplomats and policy-makers continue to maintain that in a scenario of reintegration, multi-ethnic Bosnia can be revitalized. They hope that substantial progress towards achieving the operation's objectives will be feasible if Bosnia gets long-term international military and civil assistance. In this sense, the Peace Implementation Council (PIC), at its December 1997 meeting, announced firm political resolve and decided that reconstruction aid remained conditional upon compliance with the peace agreement and subsequent obligations. In addition, the High Representative has been authorized to make binding decisions on issues where agreement cannot be reached between the local authorities, such as on citizenship, passport laws and a common flag.

Some analysts even propose the establishment of an international protectorate to make Dayton work better. However, national governments are not willing to accept this option, arguing that no state has ever functioned against the will of the ruling élite and the people. Indeed, the level of international involvement in Bosnia's internal matters is already so high that many Bosnians seem to assume that their country's problems should be solved exclusively by the international community rather than by themselves. Ultimately, peace in Bosnia has to be built on cooperation with the local political authorities, even though this may in many instances create serious difficulties

and setbacks. But a renewed commitment by key groups to the reintegration of Bosnia and Herzegovina is indispensable.

### **Tasks to be addressed**

While consensus has been reached on the planning of a follow-on force in order to provide an environment adequately secure for the continued consolidation of the peace, the specific tasks of this force still need to be defined.

Under UN Security Council Resolution 1088 of 12 December 1996, SFOR was given the task of implementing all the provisions of Annexe 1A of the Dayton peace agreement. The primary mission was to deter or prevent a resumption of hostilities or new threats to peace; other missions were to consolidate IFOR's achievements and promote a secure environment, and to provide selective, targeted support to other agencies. Building on general compliance with the requirements of the Dayton agreement, it was intended to shift the focus from stabilization to deterrence within the eighteen-month mandate. Unlike many NATO officials, who believe that the new peacekeeping force should restrict itself primarily to deterrence functions, this paper argues that the mandate of a follow-on force should be multifunctional.

Challenges to peace and stability in Bosnia currently lie at different levels. First, the non-implementation of basic provisions of the Peace agreement represents a serious danger. The longer civil implementation is delayed, the greater will be the risk that the whole Dayton process will break down and result in a new war. All parties to the conflict have learned the lesson that military gains on the ground count far more than negotiations and promises by international actors, and there are serious indications that the three Bosnian peoples are still considering the war option: the level of military expenditure by the Federation and by the Republika Srpska, as a percentage of GDP, is still intolerably high. In parallel with this, all parties to the conflict have shown reluctance to make the common military institutions work, for instance the Standing Committee for Military Matters. The Muslim-led government appears to be intensifying a secret programme to arm and train its military, which may bring it close to the point where it has the ability to mount a successful offensive against the Republika Srpska. In addition, the large influx of weapons under the US military assistance programme for the Federation forces (Train and Equip) encourages military aspirations. As of April 1997, fourteen countries had pledged at least \$376 million in cash, equipment, training and technical support for the programme of aid to the Federation military.<sup>(11)</sup> In view of the slow implementation of the Dayton accord, one cannot expect that the Muslims will restrict themselves to self-defence forever. Bosnian Serbs, on the other hand, have started to reorganize and streamline their armed forces in order to achieve a unified military structure with the Yugoslav Army.

At the second level, the situation in the region at large is causing increasing concern of escalating tensions. For instance, in Eastern Slavonia there remains the risk of a mass exodus by Serbs towards the Republika Srpska now that the Croatian Government has assumed full responsibility and Croatian displaced persons are starting to return there. Even more dangerous, the escalating ethnic tension in Kosovo could spill over into the predominantly Muslim-populated region of Sandjak, and from there to Bosnia. Neighbouring Croatia and the FRY, on the other hand, have not entirely given up their territorial aspirations and continue to obstruct the peace process

by a broad interpretation of the 'special parallel relationship' with the Bosnian entities allowed by the Dayton agreement.

In view of this wide spectrum of risks, the post-SFOR force should be multifunctional. First, because an international military force is still the only relevant deterrent to major hostilities, the post-SFOR mandate should continue to focus on local military deterrent tasks, including the monitoring of training and movement activities by the Parties' armies, patrolling the Zone of Separation (ZOS), and inspection of heavy weapons sites. In addition, monitoring of the subregional arms control mechanisms should be envisaged, especially with regard to the effects of the 'Train and Equip' programme for the Federation army. In addition, it should provide regional tactical deterrence.

Second, post-SFOR should concentrate on stabilization tasks and promote a secure environment. In this context, the 'public security gap' deserves particular attention, since law and order enforcement is difficult in isolation from the other elements of the 'triad', namely the legal and penal system. Due to the high degree of separation of roles between the military and the civilian parts of the Bosnian peace operation, there is no real authority which could provide for the safe return of refugees, the apprehension of war criminals, the peaceful implementation of local elections, or the prevention of human rights violations. While the SFOR does not feel mandated to do so, the UN-led International Police Task force (IPTF) is neither allowed nor equipped to perform enforcement. The IPTF has a mandate to monitor, advise, inspect and train the local police force as well as the local courts in Bosnia, and it is thus not a police force in the sense that it is to conduct executive law enforcement tasks.<sup>(12)</sup> This is of particular concern because the local legal and security institutions in Bosnia do not function in an appropriate way: there is no unified legal system in Bosnia; there are still three separate legal systems that resist compliance with basic rights and freedoms set out in the European Convention and the Bosnian Constitution. There is a tendency to politicization of the judiciary in Bosnian courts. The same is true for local police forces that are mainly composed of one ethnic group under direct control of the ruling political parties. The OSCE ombudsman, in a recent report, 'determined that the police is the greatest violator of human rights. The police not only does not protect the citizens' physical well-being and property, but it actively participates in criminal activities.'<sup>(13)</sup> As democratic and restructured police forces are essential if the peace process is to succeed, stronger support for the IPTF by the post-SFOR force seems to be inevitable in order to accelerate the process of reforming and restructuring the police forces in both entities.

Third, selective support to civil implementation and close civil-military cooperation will become crucial in the coming months. Despite the prevailing policy of avoiding 'mission creep', IFOR/SFOR has already opened up to an extended number of tasks related to the support of civil implementation. After the PIC's meetings at Sintra and Bonn in, respectively, May and December 1997, SFOR has assumed a more robust role in supporting the High Representative, by suspending media networks that incite violence and by disarming and retraining Pale's paramilitary force. It has, moreover, chosen political sides by running a public information campaign to support President Biljana Plavsic against the radicals in Pale.

## **Post-SFOR in transatlantic relations**

Despite recent setbacks, and in view of the wide range of national interests the United States has defined in the Balkans, the Clinton administration has reached consensus on the need to keep American troops in Bosnia after their current mission ends next June. But foreign policy-makers still need to bring Congress along. In their view, a follow-on force needs to fulfil three major objectives:<sup>(14)</sup>

- deter the outbreak of renewed fighting;
- show US commitment to the peace process to NATO allies, and
- substantially reduce the US component in order to argue plausibly to domestic audiences that the United States has essentially withdrawn from Bosnia.

Currently, several options for a military follow-on force are being discussed that would involve American troops. The general view is that the United States could not retain operational command of a NATO-led post-SFOR that did not include American troops on the ground. The most probable result is a combination of an 'over-the-horizon' force and an in-country force, which would make it possible to reduce the force to about 25,000 personnel overall, while keeping open the option of structuring the US contribution in various ways. It is, at the same time, intended to increase the number of IPTF personnel substantially. This would allow the United States to focus primarily on deterrence, while leaving other security-related tasks to other - mainly European - actors, albeit under US control.

After all, the Europeans seem to be caught in a dilemma. On the one hand, there is the need to keep the United States on board should SFOR be replaced by a different type of international peacekeeping force. American political pressure has been a decisive factor in bringing about the peace agreement, and it will probably still remain an indispensable factor in convincing the former parties to the conflict to stick to implementation. Moreover, NATO and US resources will still be required to support any post-SFOR force in order to share burdens and risks. US participation is thus a *sine qua non* for many European decision-makers who insist on their 'one out, all out' decision. The greater the number of US troops that remain in Bosnia, the more European concerns and military effectiveness will be addressed, but the less US domestic considerations will be satisfied. What needs to be developed, therefore, is a strategy that harmonizes both American and European interests with the objective needs on the ground.

On the other hand, some experts argue that, from a European long-term perspective, Bosnia needs to be defined as a regional and European problem requiring some solution with or without US forces on the ground,<sup>(15)</sup> because it is Europe that would be most negatively affected by the consequences. It has been emphasized, therefore, that Europe should develop the political will to use existing mechanisms (ESDI) and take more responsibility by establishing a European-led (perhaps WEU-led) Bosnian operation.<sup>(16)</sup> This would not only help the Bosnian peace process, but would also contribute to the strengthening of the credibility of European security institutions, and would at the same time improve the consistency, quality, impact, and visibility of the European effort. However, only a minority seem to believe that it would be wise to

establish a purely European post-SFOR (EFOR) as early as mid-1998, or that such a force would be likely to succeed.

Realistically, a EU-WEU operation can function only on the premise of a coherent European political structure. The existing IFOR/SFOR model, on the other hand, represents a fairly flexible and efficient institutional framework for a division of labour between various national governments and international organizations in conflict prevention and post-conflict peace building. Moreover, it has demonstrated its military effectiveness. Last but not least, it has shown a number of advantages in terms of American-European cooperation as well as in terms of developing the European security system as such.

This is particularly evident from a German point of view: first, the IFOR/SFOR arrangement allowed Germany to overcome psychological and constitutional constraints regarding participation in out-of-area operations. For historical reasons, German military forces had previously been allowed to act in only two circumstances: self-defence and participation in allied missions within NATO territory. But the Yugoslav war and the active involvement of NATO troops in the post-Dayton peacekeeping operation proved to be a catalyst in legitimizing out-of-area deployments of the Bundeswehr. Germany's participation in the stabilization force has thus been interpreted as being vital for the so-called national 'normalization' process. Given the highly symbolic nature that participation in IFOR/SFOR has assumed in the German foreign policy debate, many policy-makers are in favour of preserving this model. Second, this model has reconciled divergent, namely pro-American and pro-French, foreign political objectives. Through the deployment of US troops in Bosnia, it has, on the one hand, addressed Germany's strategic interest in a strong and visible American commitment to European security matters. It has, on the other hand, been conducive to strengthening the German-French core through the establishment of the German-French brigade in Bosnia. Generally, French agreement to participate in IFOR under US command has been interpreted as a big step forward for the new European security architecture. Third, the Bosnian peace operation figures as a first test of the West's partnership with Russia and Central and East European countries, to which Germany is particularly committed. German policy-makers have consistently argued that Russia should be given a role in the post-Cold War security architecture. In summary, from the German point of view there are many reasons to believe that the IFOR/SFOR model is, for the time being, more efficient in serving simultaneously military and institutional interests than a pure EU-WEU model.

### **From SFOR to EFOR?**

Nevertheless, some European countries might favour the Europeanization of the Bosnian peace operation in the long run, based on a gradual reduction of strength and change of the national composition of the post-SFOR force. In such a phased transition, the United States would be allowed to reduce the number of its ground forces step by step, with a parallel increase in the European share if necessary. This would allow the transformation of the US-led post-SFOR gradually into an EFOR over time. The newly created stabilization force would have to perform military functions (deterrence, monitoring, patrolling, inspections) and, together with other international organizations, assist the local authorities to establish law and order. The



tasks, size and composition of this force would be flexible and adapt to progress made on the ground.

There are three elements on which the future peace operation could be built:

- a military ground force to provide for military deterrence and support civil implementation;
- a reaction force outside the theatre to act as a regional tactical deterrent, and
- upgraded police assistance to the parties in Bosnia and Herzegovina.

The shift in strategy suggested here would function in three phases. Of course, alternative scenarios of transition from SFOR to EFOR are conceivable.

### **Phase 1 - Reduced ground force (post-SFOR) plus reaction force outside the theatre plus police assistance**

Assuming that in June 1998 the situation is not ripe for restricting the military component's tasks to deterrence, the follow-on ground force would still need to perform divergent functions: to deter or prevent a resumption of hostilities, to stabilize the secure environment, to promote cooperative arrangements between the three parties and to provide support to civilian organizations. To fulfil these tasks, US deployment would still be necessary and could be structured in various ways, and over time gradually reduced.

To back up the ground troops, an 'over-the-horizon' rapid reaction force could be based either in Hungary, Italy or in the Adriatic in order to provide a rapid response capability in the event of an escalation in fighting in the mission area. It should be composed of the same nations that provide troops to the ground force.

At the same time, upgraded international assistance should be given to the local police, including support, monitoring, advice, reporting and training, for the Bosnian authorities themselves to do the policing in the transition period without being replaced by an external police force. As the UN has substantial experience in this field, one might suggest that the current IPTF mission be extended, though with more personnel. In theory, there are other possibilities, such as a police force led by WEU, OSCE, or NATO.

Provided that the Bosnian authorities fulfil their commitment to move the peace process forward, the military presence on the ground could be gradually scaled down, and the character and functions of international involvement also changed. Ideally, at the end of this phase the ground force would resemble a robust police force more than a purely military force, and could by then be mostly or even entirely European.

### **Phase 2 - Military observer mission plus reaction force outside the theatre plus police assistance**

Given the fact that the Bosnian leaders are adhering on a sustained basis to the military requirements of the Dayton agreement, the stabilization force could be

replaced by a military observer mission to monitor compliance by the three parties. The rapid reaction force could be kept available outside the theatre to act as a deterrent.

It is at this stage, at the earliest, that the Europeanization of the mission in Bosnia might be completed. ECMM, an experienced organization with a well established infrastructure on the ground, could be restructured to assume the monitoring function. The 'over-the-horizon' rapid reaction force could function in the framework of a CJTF and could be purely European, but would still have to rely on at least US intelligence and air support.

It can be expected that even if the military risks diminished, international police assistance would still be needed. In the framework of a general Europeanization of the Bosnian operation, a WEU-led international police element that would assist the local police in the functions described above might be possible.

### **Phase 3 - Integrated civilian structure plus police assistance**

Provided that substantial progress is made towards the Dayton objectives, a unified and strengthened civilian structure would be sufficient to assist the parties. The High Representative would continue to act as an arbitrator, issuing binding regulations and orders on issues where the local leaders cannot reach agreement. The authority of the High Representative could even be expanded beyond its current functions, especially with respect to the coordination and control of the major civilian organizations, as well as supervision and enforcement of the parties' compliance with the civil provisions. The local police could at that stage be in a state that permits a reduction in the number of international police (IPTF or WEU).

### **Conclusion**

The question of whether the international presence in Bosnia is gradually making a positive difference is still an open one. Will the international commitment be strong enough to prevent the disintegration of the Republika Srpska and dissolve illegal government structures in the Federation? Will it succeed in dispelling the frustration felt among the Bosnian population because people generally have been unable to return to their prewar homes?<sup>(17)</sup>

There are enough indications to conclude that the Dayton agreement has not really drawn the three parties to the conflict away from enduring, divergent long-term political goals, and that their strategic war aims have remained unchanged, even though their tactical objectives have been adapted. In the absence of a broad and deep political agreement between the constituent peoples of Bosnia, there is no guarantee that a unified, democratic state that upholds the rule of law and adheres to international standards of human rights will ever be achieved. Even under a new peacekeeping mandate, freezing of the current situation, in which there is neither war nor peace, may be the most that the international community will be able to achieve for many years to come. This scenario carries the risk that international troops will have to remain indefinitely to prevent a renewal of fighting.

A likely Cyprus-type scenario would exclude the gradual Europeanization of the stabilization force. One has to consider that, sooner or later, European governments, due to budgetary constraints and growing Bosnia fatigue, might be forced to reduce their involvement in Bosnia. This might lead to a scenario in which the situation in Bosnia deteriorates, after the United States has withdrawn, confronting the Europeans with all kinds of challenges and thus responsibilities. Europeans would then be caught in an UNPROFOR-like situation in which the gap between their mandate and resources widens, and implementation becomes even more improbable. As happened during the Yugoslav war, this might risk splitting American and European views on the right policy, and result in a complete delegitimization of the European effort.

# PROSPECTS FOR BOSNIA AFTER SFOR

*Nicole Gnesotto*<sup>(18)</sup>

Two years after the signature of the Dayton peace agreement, assessments of political developments in Bosnia are as ambiguous as the accords themselves. War and peace are still equally probable, and reconciliation is as likely as a break-up or partition. Outside Bosnia, developments are equally contradictory: the international normalization of most of the Balkan republics rivals the increasing risks of violent destabilization in Kosovo in importance. For the international community, and in particular the NATO allies, this simple observation amounts to a commitment.

## **An SFOR after SFOR**

Barring any political catastrophe linked to US presidential intimacies, it is more than probable that the member countries of the Alliance will maintain a military presence in Bosnia in a NATO framework and under American command, based on a non-negligible contingent of American troops and without the Europeans having any specific responsibility within NATO.

In principle, the question of a follow-up force to SFOR is already resolved, not because IFOR or SFOR have not accomplished the military tasks included in the Dayton accords but because the gap between the progress that has been made in the military sphere and the delay or slowness in taking forward the civil aspects of the peace agreement is still too wide. For all members of the international community involved in Bosnia, maintaining a credible military presence is thus the condition for and guarantee of a more positive evolution of the peoples and leaders of the Bosnian Federation. That is why, in December 1997, the North Atlantic Council approved directives for a follow-up force and examined four options: outright withdrawal; the maintenance of SFOR as presently constituted (both purely theoretical options); the change to a purely deterrent force, of smaller size and for the most part stationed outside Bosnia; and the setting up of a reinforced deterrent force deployed on the ground and, like today, having a certain number of military tasks while providing support to civil tasks. Yet a purely deterrent force consisting of air and maritime assets based outside Bosnia is likely to have no deterrent value: the history of crisis management operations since 1991 shows that air power alone is not sufficient to deter parties in conflict, and that it is the combination of the three services that gives Western operations military credibility. It is therefore the fourth option - (D), a reinforced deterrent force of around 20,000 - that has been chosen, and is certainly the most desirable.

The US administration's position thus changed considerably during the course of 1997.<sup>(19)</sup> The official line, imposed by Congress, proclaiming the withdrawal of American troops in June 1998, has been considerably softened: on 18 December 1997, President Clinton officially announced his support for the principle of the participation of US land forces in a follow-up force in Bosnia, subject to NATO deliberations and the agreement of Congress. He said he was in favour of a smaller force but sufficiently well armed to carry out its missions,<sup>(20)</sup> which would remain under American command but would not, like its predecessors, have a date for

withdrawal imposed. The agreement of Congress to any such continuation of American involvement in Bosnia is certainly essential, but it is far from established. Nevertheless, despite the reservations of a large number of senators, it seems hardly conceivable that the United States would be obliged to withdraw from Bosnia, for at least four reasons. The first is to do with its responsibility in the application of the Dayton accords, the authorship of which was very largely American. The second concerns NATO enlargement, which it is known has become the priority of Washington's diplomacy in Europe: while this opening of NATO is to prove to the world at large, and to Russia in particular, the excellence and usefulness of this new NATO in the management of post-Cold War crises, American disengagement from the most important post-Communist crisis would do great harm to that image, especially if its withdrawal sparked off renewed conflict in Bosnia. The third reason, which also constrains the United States, concerns Russia: the Russian authorities have already made it known that their forces would remain in Bosnia after SFOR, and it is hard to imagine that this Russian involvement could remain without an American equivalent. The last reason is the inability of NATO to function without the United States: because the reform of NATO is still at present superficial, the United States cannot count on an organized, credible replacement of them by the Europeans within NATO, and everybody is perfectly well aware of this.

On the European side, nobody deplores these developments within the US administration, quite the contrary. No European country is ready to accept that Europe alone takes on Western intervention in Bosnia. All fear this option, which is often put forward by Congress or American specialists.<sup>(21)4</sup> The mixed scenario of a NATO operation based on European troops in Bosnia, and American forces, essentially air assets, outside Bosnia is a nightmare for European governments: such a formula would reproduce all the impasses and difficulties encountered by UNPROFOR from 1992 to 1995, when the Europeans on the ground and the Americans externally had positions that were all the more separate as the risks were unequal. France and Britain, which have been the largest European contributors in Bosnia since 1992, have moreover never ceased trying to persuade the United States that its presence on the ground is necessary along the lines of IFOR or SFOR.

There may be three explanations for this refusal by the Europeans to assure by themselves the continuity of military pacification of Bosnia. The first is based on vexation or rancour regarding the United States, in particular over the way it negotiated and imposed the Dayton accords, that is to say by taking the essentials of European proposals for a settlement yet without condescending to consult its European allies. The second reason is culturally inscribed in NATO: it stems from the dependence, both psychological and military, of all the European partners on the United States. Even if the demand for a European Security and Defence Identity (ESDI) within NATO is unanimously agreed by the Europeans, they do not wish, or at least not yet, to take over management of as risky and complex a crisis as Bosnia. Moreover, as from 1993, US involvement in the Bosnian question had become a European priority; France has aligned itself with this low European profile, not, this time, from any lack of desire to see an autonomous European strategy, but rather out of realism and disappointment regarding the military reform of NATO which, as was agreed at Madrid in July 1997, appears to France to be quite inadequate. The ESDI today is actually still more a constantly evolving concept than a true organized, credible European military structure within NATO. Thirdly and lastly, the divergent

positions of the United States and some Europeans, which were notorious at the beginning of the conflict, may well be muted today but they have not disappeared altogether. Evidence of this is seen in particular in the reservations of the Europeans over the 'Train and Equip' programme set up by the United States for the Bosnian Army. Now, one of the main lessons of the war years is the paralysing effect that transatlantic divergences have on all crisis management: the Europeans would certainly not assume a military role in Bosnia against a background of latent discord with the United States as to the future policy on the zone itself.

How should this European attitude be interpreted? From the point of view of peace and the aim of greater stabilization of Bosnia, this low European profile is not without foundation: US military and diplomatic credibility is such, in Bosnia as elsewhere, that only the United States seems today able to dissuade the parties from renewed conflict. Conversely, the European divisions seen in the first months of the break-up of Yugoslavia, the difficulties with UNPROFOR and the lack of political will over the CFSP that emerged at the European Union's last summit, in Amsterdam, are all notorious handicaps that detract from the deterrent power of the Europeans in the eyes of the Croats, Serbs and Bosnians. Above all the proximity of the explosive situation in Bosnia merely serves to underline the stabilizing role of any American presence in the Balkans. It may doubtless be a matter for regret but that is how things are: peacekeeping in Bosnia and the surrounding region is proportional to direct American involvement. From Europe's point of view, therefore, and much as one supports the European Union's goal of greater strategic responsibility, 1998 has the appearance of yet another missed opportunity.

### **The transatlantic status quo**

Viewed in this way, the Bosnian conflict appears to give a good insight into the sluggishness inherent in transatlantic relations and the resistance to the very idea of readjustment of the Alliance. Of all the upheavals that have affected NATO in the management of the Yugoslav wars, history will note the following paradox: while the Bosnian war generated a real revival of the question of European defence, the Bosnian peace helped to impede it. The four years of war had brought the Alliance to recognition of the usefulness of an organized European military grouping within NATO: the management of peace, after Dayton, was in American eyes to overshadow the urgency and necessity for such a reform of NATO. The war had produced the ESDI, the peace was to substitute it with IFOR.

For all of the allies, the experience of the wars in Bosnia was traumatic on more than one count. Many studies have described only too well the impotence, divisions, ambiguities and faults of the European Union in the face of a break-up of former Yugoslavia, in other words its inexistence as an effective, credible actor in the European order. But for America too, the four years of Bosnian war have turned into an exercise in squaring the circle: how is it possible to pursue a policy of coercion of an aggressor (Serb) without becoming involved militarily in the theatre of operations, and how can military abstention by the United States and the effectiveness of NATO be reconciled, all of this against a background of major divergences with the main European allies, some of whom have taken real risks in Bosnia itself? After four years of war, there will be no other solution to these dilemmas than the direct intervention of the United States itself. For NATO, therefore - even if the successes of IFOR and

SFOR since 1995 tend to obscure the fact - the experience of the war in Bosnia will have been one of impotence, in that the change in American policy as from summer 1995 was determined as much by a concern to save NATO as by the desire to restore peace to Bosnia.<sup>(22)</sup>

It was out of these various impasses that the renewal of the Euro-American relationship was to emerge. The forming of a European Security and Defence Identity within NATO, the introduction, through the CJTFs (Combined Joint Task Forces) of a certain military flexibility, the prospect of France's return to the integrated military structure, and the aim of having a strategic Euro-American partnership for the management of post-Cold War crises, were all revolutions that were to culminate, in June 1996, in the Atlantic summit in Berlin, which marked the apogee of this reconciliation between France, European defence and NATO. All of these developments were largely due to Bosnia. Because crisis management no longer necessarily implies collective involvement, and because the United States in particular may want abstention to be a real option, building CJTFs and a European body within NATO should really make it possible to combine the best of three worlds: US freedom of political assessment, the growing importance of the Europeans and the usefulness of NATO.

Yet much as the management of the Bosnian war was productive in terms of the transformation of NATO, so management of the peace was again to block positions. Once the Dayton accords had been concluded, the period of Bosnian wars became, in American eyes, no more than a painful episode that was quickly forgotten and quickly buried in the spectacular recovery made by NATO through IFOR. This American amnesia over the period before Dayton, combined with the tremendous dynamic of enlargement that is in the process of revitalizing the Alliance, very quickly led the United States to a form of apprehension over Europe that was once again very traditional: the IFOR formula, in other words the forming of ad hoc CJTFs, will become the ideal formula for NATO in future, de facto rendering the ESDI quite secondary in importance. The Madrid summit of July 1997 confirmed this now very cosmetic destiny for the transformation of NATO. Furthermore, whereas for France Bosnia is identified with a certain unsuitability of NATO for the management of crises that do not come under Article 5 of the North Atlantic Treaty, it will in particular have confirmed, for the United States, the inability of the Europeans to agree and act collectively, justifying a feeling of historical mistrust: each day Washington will become increasingly convinced that American intervention is, and will always be, necessary, because the Europeans have neither the will nor the ability to act alone effectively. And are the Americans really so wrong, given the Europeans' mantra on Bosnia: 'if the Americans stay, we stay; if the Americans go, we go'. Euro-American discussions on a follow-up force in Bosnia therefore today broadly reflect a NATO conservatism that is still, with the continuing exception of France, shared equally on both sides of the Atlantic.

### **Dayton, on two conditions**

But with what mandate and for what missions should Western intervention in Bosnia be extended? It is today trite to stress the constituent ambiguity of the Dayton accords and the ambivalence over their implementation. On the crucial issue of the Bosnian identity - whether it should be a unitary, multi-ethnic State or a State divided into two

or three independent States - a question that lay at the very origin of the war, the peace accords provide no answer, quite simply because the answer was impossible in 1995 at the time they were negotiated. Some experts even consider that the accords could only be signed precisely because of their fundamental ambiguity. Three years later, and in view of an internal situation that is still highly explosive, the debate is open-ended. Some condemn Dayton's ambiguity as largely responsible for the political instability that reigns in Bosnia: they therefore call for a modification of the accords in the direction of partition of the entities, since these, particularly the Bosnian Serb part, are still against any idea of integration. Others on the other hand consider that the accords, imperfect as they are, still represent the least unsuitable solution: the slowness of the peace process is in their eyes the responsibility of the parties themselves and their lack of goodwill in the implementation of Dayton, and they call rather for a strengthening of international action, in particular military, in order to oblige the signatories to respect the institutional provisions of Dayton. Yet this debate leads nowhere: it cannot be denied that the ambiguity has to date hardly brought about a real reconciliation, however it is difficult to see how partition, in other words refusal to live alongside other ethnic groups, could create greater reconciliation, or how peace could flourish more easily on the institutionalization of hatred. From the viewpoint of Kosovo, it is impossible to see. Unspectacular though they may be, maintenance of ambiguity and adherence to the Dayton accords therefore probably remains the least unacceptable solution.

But this must be on two conditions, the first of which is certainly not the easiest: that the international community agrees to play its part over a long, very long time, in other words that a military presence and financial involvement in Bosnia are publicly accepted for one or even several decades. Conversely, defending the soundness of the Dayton accords as a whole while refusing the prospect of an international commitment as in Cyprus - which is today the official position shared by all members of the Alliance - is illusory.

The second condition concerns the mission of the international forces itself: a long-term engagement supposes that the continuity and coherence between the civil and military aspects of the peace accords must be re-established and strengthened. Since December 1995 no one disputes that the gulf between the implementation of the military tasks and that of the civil tasks has become increasingly wide. Until very recently, and despite the theoretical aim of helping to create a 'favourable environment' for the accomplishment of the civil tasks, IFOR and SFOR functioned virtually in isolation from the organizations responsible for civil aspects of the re-establishment of peace in Bosnia. Now, the perverse effects of this cleavage have weakened the political viability of the accords themselves. Thus, it has been possible to apply the principle of conditionality of Western aid only too rarely. Nearly two billion dollars were made available by the two donor conferences in December 1995 and April 1996, out of a total of five billion planned for the four-year period 1996-99. The member countries of the European Union head the list of donors, both regarding humanitarian aid (ECU714 million) and reconstruction aid (38% of the total allocated for 1996). The separation of military and civil tasks has de facto prevented the coordination of financial aid being effectively accompanied by threats of repression against any parties that do not respect the Dayton accords (the only threat being a vague possibility of suspending financial aid). In a way, the error committed by the West during two years of war - in other words the refusal to take military reprisals in



support of diplomatic or humanitarian actions - has thus been repeated during the period of rebuilding peace: instead of the implementation of a single strategy regarding Bosnia whose military and financial aspects are mutually reinforcing, there has been, on the contrary, a split of Western action into two practically autonomous strategies. In 1997 priority was to have been given to aid (55% of the budget) for the return of refugees, as part of a wide programme of housing construction and help in job-creation, but the civil authorities had no way of enforcing the free circulation of persons, a necessary condition for the effective return of refugees, and the leaders of SFOR did not view that objective as forming an integral part of their mandate. In other words, because the cleavage between civil and military authorities did not allow the promotion of inter-ethnic and inter-community projects, all the ambiguity of the Dayton accords was likely to be resolved de facto, but in favour of partition.

These perverse effects have not spared American policy itself. Throughout 1996, which was the year of IFOR, the Pentagon's strategic culture - the obsession with 'zero deaths' - coupled with President Clinton's electoral constraints - the operation had to be a success at all costs - combined to lead little by little to an extremely narrow interpretation of IFOR's missions, in other words their limitation to strictly military tasks: the separation of combatants, demobilization, demarcation lines, etc. Consequently, in its mission of support to civil aspects of the peace plan, IFOR proved very prudent, selective, less determined, indeed positively abstentionist. In at least two senses, this inaction on IFOR's part set the United States at odds with itself. On the one hand, aid to the International Tribunal for war criminals quite simply took the form of inaction: the leaders of IFOR refused to have anything to do with a 'manhunt' to catch Ratko Mladic and Radovan Karadzic, in particular to avoid finding themselves again in a situation of open conflict with Bosnian Serb forces; the paradoxical result of this was that the United States, although it was very hostile to both men throughout the period of the wars and during negotiation of the Dayton accords, could be accused, because of IFOR's inaction, of objectively serving the interests of the Bosnian Serbs. On the other hand, regarding support for the principle of the return of refugees and the organization of elections in September 1996, action by IFOR was so minimal and ambiguous that in the end it was a ban on the return of refugees and partition of the three entities that emerged reinforced at the end of the first ten months of its mandate. The political option that the United States had deliberately left open in the Dayton accords - Bosnian unity and the right of refugees to return, against the other option of the partition of Bosnia and ethnic segregation - thus risked being gradually closed on the ground through the indifference or even, some would say, the collusion of IFOR.

These contradictions account for the developments initiated by the United States itself, beginning in spring 1997, and SFOR's new activism in the search for and arrest of war criminals. SFOR thus stepped up its operations against persons wanted by the International Tribunal, in June in Eastern Slavonia, in July in the area of Prijedor, on 17 December against two Bosnian Croats, and again on 22 January 1998 with the arrest of another Bosnian Serb, Goran Jelesic. At the same time, American diplomacy tried to play on divisions among the authorities in Pale and gave SFOR a mandate for coup de main operations against ultranationalist radio stations hostile to the president of the Republika Srpska. It remains to be seen whether these forms of pressure form part of a tactic designed simply to restore the SFOR's international image, or are aimed at seducing the US Congress, which is far from convinced of the usefulness of

the American presence in Bosnia, or are, conversely, a last-ditch attempt to prepare for an American withdrawal once the main war criminals have been arrested - which is certainly not yet the case - or a radical change of philosophy regarding implementation of the Dayton accords. Yet that would be the most logical and most desirable development: that the coupling between military and civil tasks becomes the very objective of the follow-up force. In other words, if one wishes to give the slightest chance to peace in a more or less unified Bosnia, maintenance of the Dayton accords and their support by a multinational, long-term force of sufficient strength appears essential. Such a reform would suppose, for example, that the European Union's High Representative for civil tasks and the (American) commander of the NATO force together work out and implement a single strategy for Bosnia, in the framework of a new common politico-military decision-making structure, so that both are equally responsible for application of the civil, just as much as the military aspects of the Dayton accords. Both for the peaceful and democratic development of Bosnia and for the emergence of a true Euro-American partnership, these developments harbour a real, non-negligible chance of success. Conversely, maintaining the present cleavage between military and civil responsibilities, even reinforcing it by the deployment of unarmed European police and non-active US troops, would risk taking all the Western actors involved in Bosnia back to the initial conditions of impotence, division and failure.

# PROSPECTS FOR PEACE IN BOSNIA: THE ROLE OF BRITAIN

*Jane Sharp*<sup>(23)</sup>

This paper looks at the prospects for peace in Bosnia through the prism of developments in British policy since the conclusion of the General Framework Agreement (GFA) for Peace in Bosnia and Herzegovina in late 1995. Britain's diplomatic and military role during the war has been criticized as a policy of appeasement, although David Owen's effort to reach a peace settlement that would preserve the multi-ethnic character of Bosnia and Lieutenant-General Rupert Smith's robust interpretation of the UNPROFOR mandate in 1995 do not fit that pattern.<sup>(24)</sup> This essay begins with a review of the British role in IFOR and SFOR until May 1997 under John Major's Conservative government, then explores the prospects for a more proactive search for peace under Tony Blair's New Labour government.

## **From IFOR to SFOR**

British forces played a leading role in the NATO Implementation Force (IFOR) during 1996, since the ground forces were based on the Allied Command Europe Rapid Reaction Corps (ARRC) commanded by Lieutenant-General Michael Walker. As the framework nation for the ARRC, Britain thus provided most of the HQ staff in Sarajevo and the largest contingent in IFOR after the United States. The US Congress insisted on a one-year limit for US troops in IFOR. Britain and France were adamant they would not stay on if the Americans left. In April 1996, British foreign secretary Malcolm Rifkind and defence minister Michael Portillo repeatedly emphasized that British troops would not remain in IFOR after an American withdrawal.<sup>(25)</sup> They claimed that IFOR was a NATO operation and that allies would stay or go together. The exit strategy was seen as misguided, however, by most people on the ground in Bosnia, who know that rebuilding a war-torn society is always a long-term project requiring stability over many years, not only to reassure former adversaries, but also to encourage the outside investment needed for economic recovery.<sup>(26)</sup>

John Major, visiting IFOR troops in May 1996, acknowledged that follow-on forces would be required to maintain peace in Bosnia after December of that year. About the same time, the UK Chief of the Defence Staff, General Peter Inge, told journalists that Britain would like to cut its presence to 6,000 men in a post-IFOR force that would probably comprise a NATO-led 'fat division' of 20,000.

Britain's role in SFOR was less prominent than it had been in IFOR because command of NATO's ground components moved from the ARRC to Allied Land Forces Central Europe (LANDCENT), commanded by US General William Crouch (succeeded by General Eric Shinseki in July 1997). Although SFOR had only half the manpower of IFOR, it maintained the same three (American, French and British) divisional structure and included contributions from fifteen NATO countries (Iceland has no combat forces but sent a medical unit) and seventeen non-NATO partners.<sup>(27)</sup>

This was aimed at facilitating their role in civilian tasks. During 1996-97, NATO troops helped to mend roads and bridges, supported the OSCE in its election supervision and arms control inspection tasks, and supported UNHCR repatriation programmes. For the first eighteen months after conclusion of the GFA, however, NATO commanders were reluctant to take on non-military tasks that might endanger their own personnel. There was thus little NATO help in demining, law enforcement, arresting indicted war criminals or providing the freedom of movement necessary for repatriation of refugees and displaced persons.

Law enforcement has been a particular problem in Bosnia. The UN International Police Task Force (IPTF) is an unarmed monitoring group with no mandate for enforcement and no capability to discipline the local police, who are answerable only to local political leaders, had no concept of policing as a public service and, according to the OSCE Ombudsman, were the main abusers of human rights. The Peace Implementation Council which oversees the implementation of the GFA, broadened the IPTF mandate in December 1996. Even so, it is only when backed up by armed NATO troops that IPTF personnel can cope with any kind of enforcement. Combined IPTF-SFOR patrols began to perform useful inspections of police stations in 1997, from which they removed large caches of illegal equipment, some left over from the war and some newly arrived, possibly diverted from the American Train and Equip programme.<sup>(28)</sup>

Until mines are cleared, public order restored and war criminals brought to justice, even those refugees and internally displaced persons (IDPs) who are anxious to return home, will have little incentive to do so. UNHCR, which has the lead responsibility for implementing Annexe 7 of the GFA (provisions for repatriation) hoped that asylum countries would extend temporary protection for refugees from Bosnia until conditions were safe for minority returns. Most asylum countries cooperated, but unfortunately many local authorities in Germany ran out of patience and/or funds to support their refugee populations and began premature repatriations to Bosnia in early 1997. UNHCR then not only relaxed its own standards, but also contravened Annexe 7, by encouraging only majority returns, i.e., returning refugees to Bosnia not necessarily to their former homes but to any community where they would not be in a minority. As many Bosnians argue, this is another form of ethnic cleansing and does little to further the goal of reintegration and reconciliation. If NATO had taken seriously its mandate to provide freedom of movement, then both minority as well as majority returns would have been possible.

### **A British view**

A protectorate or transitional authority (as provided for in Chapter XII of the UN Charter) until the state was ready for self-governance was what Bosnia needed in late 1995 and was what President Alija Izetbegovic had requested in early 1992. Once the 1995 GFA had divided Bosnia into two separate entities, however, it was difficult to ask entity leaders to submit to outside authority. During 1996-97, there were two schools of thought about the peace process within the international community of aid donors and troop contributors that make up the Peace Implementation Council (PIC). Members of the first worried about making Bosnia too dependent on outside donors, tended to favour earlier rather than later exit strategies, and did little to integrate the two entities because they had in effect accepted de facto partition on the Cyprus

model. The other school understood that rebuilding war-torn societies takes decades and believed it only made sense to help if you stayed in for the long haul. For the first eighteen months after Dayton, the first view (accept de facto partition) prevailed, but by mid-1997 the second view (work for integration) was gaining ground.

Two years after Dayton it was increasingly apparent that neither the two Bosnian entities, nor the aid donors and troop contributors, were doing enough to comply with the GFA, and that what was needed to stabilize the peace was some kind of de facto protectorate, at least until a new generation of non-nationalistic, more cooperative, leaders had emerged. While many in the donor community shy away from the term 'protectorate', by the second half of 1997 the major donors were taking a much more proactive role in Bosnia, not least due to the replacement of Warren Christopher by Madeleine Albright as US Secretary of State, and replacement of John Major's government by Tony Blair's Labour government with its principled commitment to protect human rights.<sup>(29)</sup> Both the American and British governments stopped flirting with the acceptance of partition, and began to emphasize that the long-term goal of the GFA was a multi-ethnic, multi-confessional, integrated Bosnia. Albright and British Foreign Secretary Robin Cook also took a much tougher line in addressing Milosevic, Tudjman and Izetbegovic.<sup>(30)</sup> Other new appointments helped to move western policy into an even more proactive pursuit of peace in Bosnia. In NATO, General Wesley Clark replaced General John Joulwan as Supreme Allied Commander Europe (SACEUR). In Sarajevo, former Spanish Foreign Minister Carlos Westendorp replaced Carl Bildt as High Representative in charge of the civilian aspects of the GFA and, perhaps most important of all, the dynamic Jacques Klein who had successfully led the UN Transitional Authority in Eastern Slavonia, moved to Sarajevo as principal deputy to Westendorp. The Peace Implementation Council, meeting in Sintra in May and in Bonn in December, also gave Westendorp increasing authority to impose the provisions of the GFA in cases where the local parties were recalcitrant.

Under the new Labour government, British Foreign Secretary Robin Cook was one of those who pressed most energetically in Sintra and Bonn to give the High Representative more authority.<sup>(31)</sup> In forging British policy in Bosnia, Cook focused on three areas where the previous Conservative government had been weak: support for the International Criminal Tribunal for Former Yugoslavia (ICTY); a more principled approach to the distribution and accountability of funds for humanitarian aid and reconstruction; and the search for non-nationalist leaders who could be nurtured as alternatives in both entities. On the need to maintain a US-led NATO presence in Bosnia, however, New Labour continued the former Conservative policy.

Support for the ICTY. In marked contrast to its predecessor, in 1997 the new British government shared telephone intercepts and other intelligence, and increased Britain's financial contributions to the ICTY. Robin Cook also authorized the Special Air Service (SAS) to arrest indicted war criminals in the British sector.

While there were no more arrests by British special forces during the rest of 1997, despite the fact that at least twenty more indictees roamed freely in the Prijedor area, the July arrest was credited with preparing the ground for a more concerted effort by Western allies to bring indictees to justice. Britain and the United States both put heavy economic pressure on President Tudjman to send ten indicted Croats to The

Hague in October 1997.<sup>(32)</sup> And in the British sector in December, Dutch commandos arrested two Bosnian Croats. While it was encouraging to begin arrests after eighteen months of immunity for the war criminals, at a rate of only one or two arrests every two months it would take several years to bring in the remaining indictees. Obviously special forces based in NATO countries and SFOR troops on the ground in Bosnia must cooperate to accelerate the arrest schedule if the ICTY is to retain credibility.

During 1997, the United States, Britain and the Netherlands were the most active in funding ICTY, sharing intelligence, providing witnesses and making arrests.<sup>(33)</sup> Manifestly, however, there is no common EU policy on arrests. ICTY chief prosecutor Louise Arbour angered the French in late 1997 when she noted that war criminals felt quite safe in the French sector.<sup>(34)</sup>

### **Principles for implementation**

*The elimination of corruption in the distribution of aid.* British Foreign Secretary Robin Cook, and Claire Short, the Minister responsible for the Department for International Development (DFID), demanded much better accounting of aid and reconstruction funds to weed out fraud and corruption among the recipient community.<sup>(35)</sup> Britain obviously wanted to avoid any repetition of the disgrace it had suffered in the disbursement of funds to the Prijedor Mafia in 1996. That means being tough on Croatia and Serbia as well as on both Bosnian entities. This policy is consistent with tighter coordination of the many different aid programmes to Bosnia so that the High Representative can impose conditions.

In August 1997, Robin Cook said he looked mainly to Germany and the United States for cooperation in fighting corruption in both the Federation and Republika Srpska. British journalists covering Bosnia note that Cook, unlike his Conservative predecessors, rarely invokes France in this context.<sup>(36)</sup> Under foreign secretaries Douglas Hurd and Malcolm Rifkind, British policy towards Bosnia was more in tune with France and Russia than with Germany and the United States. Tony Blair and Robin Cook, by contrast, have put Britain firmly back in the Atlanticist camp.<sup>(37)</sup> Thus, during its 1998 EU presidency Britain might not fully use EU activities in Bosnia to further a Common Foreign and Security Policy.<sup>(38)</sup>

Aid conditionality and the repatriation programme. As noted above, repatriation was slow during 1996-97. Of 2.3 million persons displaced by the war, only some 381,000 have returned home - 171,000 refugees and 210,000 IDPs - but mostly to areas where they join an ethnic majority. As conditions are not safe to return home, NATO could do more to restore public order and build confidence among returnees, but there is also potential for the Office of the High Representative (OHR) to exert economic leverage on local communities. Those who block returns should be deprived of aid and reconstruction funds and those who welcome their former neighbours home should receive generous funding.

To encourage communities to be more receptive to returnees, in March 1997 UNHCR launched its Open Cities Plan, which directs aid not to individual returnees, but throughout those communities that demonstrate a genuine commitment to accept all former residents regardless of ethnicity. For this scheme to work, the OHR will need a commitment from NATO and the UN International Police Task Force (IPTF) to do

much more to guarantee protection and provide freedom of movement for returnees. OHR must also coordinate more tightly the distribution of aid and reconstruction funds and insist on a radical reform of the property laws and an independent judiciary so that property disputes can be quickly and fairly adjudicated.

*The search for alternative leaders.* In January 1998, the International Crisis Group (ICG), a non-governmental organization which monitors the peace process in Bosnia, credited the SAS arrests in July 1997 with transforming the political atmosphere in western Republika Srpska, making it possible for the emergence of non-nationalist leaders like Milorad Dodik.<sup>(39)</sup> Britain supported the Western effort, beginning in the summer of 1997, to drive a wedge between Radovan Karadzic and the rest of the Pale leadership of the SDS party, and the Banja Luka based Serb Peoples' Alliance (SNS) headed by Mrs Biljana Plavsic. This was a controversial policy, because during the war Mrs Plavsic supported the nationalist policy of Bosnian Serb leaders. British troops supported Mrs Plavsic through the summer and autumn of 1997, defending police loyal to her against those loyal to Radovan Karadzic, and closing down a number of hate-mongering SDS-controlled media outlets and TV transmitters.

Thus, supporting Biljana Plavsic was a risky gamble. By mid-January 1998 it appeared to be paying off, however, when Milorad Dodik, head of the Independent Social Democrats (SNSD) was elected Prime Minister of Republika Srpska. Dodik may or may not survive, but he is precisely the kind of alternative leader that Western governments should have been searching out and nurturing among the Bosnian Serb community since the war began. Western donors will have to support such leaders if there is any hope of moving Republika Srpska in the direction of reconciliation, pluralistic democracy and eventual integration with the Federation.

The new government in Republika Srpska has made a clean break with its nationalist past and endorses the conciliatory and integrationist policies: separation of church and state, a free press and full support for the GFA, especially the safe return of all refugees and displaced persons. In his first two weeks as Prime Minister, Dodik signed agreements to form multi-ethnic police forces, agreed to issue common passports and vehicle licence plates, agreed on a common currency, drew up a proper budget, sacked a host of corrupt officials, endorsed a plan to bring refugees home and began the process of transferring the seat of the government of RS from Pale to Banja Luka.<sup>(40)</sup> According to Carlos Westendorp, this represented a 180-degree turn from previous Bosnian Serb policies, and made Dodik worthy of support, not only financial (through the World Bank, EU and EBRD) but also military, to prevent any obstruction from the SDS. He even hinted that with a new such government he could imagine awarding control of the disputed town of Brcko to Republika Srpska.<sup>(41)</sup>

### **What force should follow SFOR?**

Labour ministers urged the United States to keep troops in Bosnia beyond the expiration of the SFOR mandate in June 1998,<sup>(42)</sup> and were satisfied when, in December 1997, President Clinton admitted that previous exit strategies had been a mistake and promised that US troops would stay in Bosnia as long as it took to stabilize the peace.<sup>(43)</sup> This still begged the question, however, of the level of the US contribution to the post-SFOR force and whether there would be a different mandate for NATO troops after June 1998.

*Burden-sharing in SFOR after June 1998.* At NATO's Military Committee in Brussels three options were under discussion in January 1998: maintaining the same 30,000 stabilization force, reducing to a 20,000 deterrent force, or cutting to an even smaller tripwire force. Carlos Westendorp was adamant that any post-SFOR force be at least at the same strength as SFOR, given the tasks still to be accomplished. In Washington, however, the Department of Defense wanted a smaller 'deterrent' force which would shift most of the 'stabilization' tasks to the Europeans. The State Department seems more anxious to keep Americans in the lead militarily until the peace has stabilized. This was also the White House view, consistent with NATO's declared new mission to provide stability throughout post-Communist Europe.

Another reason to keep US troops in Bosnia after June 1998 was that the major European powers were manifestly unwilling to lead a force in Bosnia after that date. Despite all the excitement about a separate European Security and Defence Identity (ESDI), and all the planning for combined joint task forces (CJTfFs) since January 1994, during 1996-97 European ministers from Britain, France and Germany repeatedly intoned the mantra 'in together, out together'. Nevertheless, in the (now unlikely) event that Clinton or his successor withdraws from Bosnia before peace has stabilized there, it is important to understand that Europe is quite capable (if not yet willing) of replacing the US components of SFOR and mustering an effective stabilizing force in Bosnia.<sup>(44)</sup>

The current SFOR, though US-led, is thoroughly multi-national and could easily cope without its US components. Replacing the US mechanized infantry would stretch European capabilities, but is certainly feasible. Only France, Greece, Germany and Turkey could provide additional units as opposed to strengthening currently deployed ones. Germany would have to fill most of the gaps created by a US withdrawal, possibly by two battalion groups. But the NORDPOL countries, Egypt and Portugal could all strengthen their current battalions. France and Germany could replace US helicopters. Russia might also provide more helicopters, although in the event of a US withdrawal Russia might no longer want to participate with NATO in Bosnia - certainly not in a role that might be seen as subordinate to any of the three major European NATO powers. The US provides approximately 30 of SFOR's 90 combat aircraft, and these could be replaced by European NATO countries. European in-theatre airlift is vastly inferior to US capability, but France Germany and Britain have over 200 C-130 and C-160 transport, and could therefore cope.

*A new law enforcement mandate for the post-SFOR force?* To succeed in Bosnia, NATO must correct the deficiencies in its performance during 1997-98. This implies more help with demining, which British Defence Minister George Robertson has already promised; a more explicit commitment to the repatriation process by guaranteeing freedom of movement to returnees; bringing war criminals to justice in all three sectors of Bosnia; and filling the law enforcement gap.

In Washington, Secretary of Defence William Cohen came round reluctantly to the need for US troops to remain in Bosnia after June 1998, but continued to urge the European allies to shoulder more of the burden in Bosnia, especially to provide an interim, armed police force until the local Bosnian police have been trained in public service law enforcement.<sup>(45)</sup> NATO Secretary-General Javier Solana also raised the



possibility of a UN standing police force in late 1997 because, in his words: 'Experience in Bosnia has revealed a gap between the ability of SFOR to provide a security environment and the problems of domestic police forces in guaranteeing law and order under democratic control.'<sup>(46)</sup> There is no consensus yet within the donor community and the Peace Implementation Council about how to deal with law enforcement in Bosnia or indeed how to manage law enforcement in peace support operations generally. Those countries with armed gendarmeries, like France, Spain and Italy, might be sympathetic to arming an international peace presence in Bosnia, because they see no harm in their own countries in having an armed police force. By contrast, the Nordic countries and Britain tend to believe communities are safer and more trusting of the police if the latter are unarmed, and so far have opposed the arming of UN civil police.<sup>(47)</sup> The debate continues, but however public order is maintained, if non-nationalist leaders are to succeed they will certainly need more support from both NATO and the IPTF than most communities received in 1996 and 1997.

# THE US PERSPECTIVE: TRANSITION POSTPONED

*Susan Woodward*<sup>(48)</sup>

When the Clinton administration took control over efforts to end the Bosnian conflict in the summer of 1995, it did so for three reasons: to save NATO, to enter the presidential and congressional election campaign of 1996 with a foreign policy success, and to create conditions which would persuade the Pentagon and the Congress that American combat troops could go to Bosnia safely. Despite the challenge from President Chirac and Prime Minister Major in July to defend the remaining safe areas in Bosnia after the fall of Srebrenica, it was Congressional preparations to lift the arms embargo that made Clinton's pledge to NATO allies to help withdraw United Nations peacekeepers a matter of urgency.

In 1998, as in 1995, the NATO alliance and American elections are again at centre stage of Administration concern. Once again, policy and public debate have been set by the pressure from both Congress and the Secretary of Defence, William Cohen, to withdraw American troops from Bosnia at the end of the SFOR mission in June 1998. On 18 December 1997, President Clinton renewed commitment, 'in principle', to a continued American military deployment after SFOR, accepting his allies' threat of 'in together, out together'. None the less, in replacing deadlines with a six-month review cycle on progress towards a 'self-sustaining peace process', but with no clear end-date or withdrawal criteria, Clinton gives the impression to many that he hopes to delay any serious policy debate until both the 1998 mid-term and the presidential elections in the year 2000 have been won. The Dayton accords remain for the third phase what they have been in the first two phases of their implementation: the primary instrument of coalition unity, warding off the spectre of UNPROFOR, and the primary mechanism for defusing public criticism and policy debate. Redefinition is out of the question.

The success of the Holbrooke mission in 1995, moreover, has been sold as a specifically American victory and a demonstration of European failure - its inability both to solve the worst violence on the continent in fifty years and to assume responsibility for its own security. Without American leadership, the Dayton architects proclaim, there would be no peace in Bosnia today. Success in achieving the military tasks of the accords are similarly attributed to American leadership, and delays in accomplishing civilian tasks to the slowness of Europeans. Impatience with those delays and the threat of a Congressional cut-off of funds after SFOR have led to an increasing Americanization of the peace process.

The result has been the opposite of that intended by Europeans working throughout 1993-95 to engage the United States in Bosnia, and of stated American policy towards NATO and European security since January 1994. Any shift of military responsibility from the United States to Europe would imply a shift in political leadership of the peace process. Such a step is considered too early and too risky. NATO's new strategic concept is in abeyance. European capabilities in a post-SFOR deployment are still sought in supplementing the civilian resources, now focused intently on the

need to fill the security gap in policing. In the words of President Clinton, 'the United States must retain command', and 'we hope the Europeans will do more'.<sup>(49)</sup>

### **The evolution of American objectives**

The third phase of the Dayton peace process is now being defined in the same manner as the first two: in terms of the political constraints on an American military deployment. The preferences of the American military leadership set the parameters for IFOR: to implement a military annexe to the accords which they had written with great attention to detail, an insistence on separating military from civilian tasks and on European responsibility for civilian tasks, and priority to force protection and zero casualties of American soldiers. The legacy of Vietnam, reinforced by the Somalia experience, dominated their concern for winning and keeping American public support. The peace process in Bosnia was seen as inseparable from American military success; the two would rise and fall together. Only with the successful completion of Annexe 1A could a follow-on force be contemplated. The need for a second phase and such a force - a Stabilization Force (SFOR) - was due reluctantly, it was argued, to the inadequacy of the civilian operation and the need for the military to provide a secure environment in which civilian provisions of the accords could be implemented.

The second phase of the Dayton peace process, and thus definition of the third, coincided with the start of a second Clinton administration and the appointment of a new foreign policy team - Secretary of State Madeleine Albright, National Security Adviser Sandy Berger, and Secretary of Defence William Cohen. And while Secretary Albright was enthusiastically welcomed by those demanding that the military be more assertive in enforcing civilian provisions of the accords, the opening salvo was fired in January 1997 by Secretary Cohen, even before his appointment had been confirmed. Siding with his former Republican Party colleagues in the Congress who said that American troops must withdraw from Bosnia after June 1998, Cohen announced that he would not support an extension beyond SFOR. The policy challenge for the second phase was to civilian operatives: they had to stop their delays and make the most of the time remaining.

The result was a policy review which took far longer than promised. Yielding a list of tasks and all the vagueness of myriad compromises as it moved up bureaucratic channels, it suggested more of the same. Fundamental disagreements over strategy in Bosnia among governmental agencies (particularly between the Defence and State departments) remained. The decision in November 1996 to deploy a follow-on force to IFOR for an additional eighteen months, moreover, had not addressed the tension between the two halves of the operation, which had been separated at the insistence of American military leaders, over the role of force and of IFOR or SFOR in supporting civilian tasks.

Far from mobilizing an allegedly passive and dilatory diplomatic corps, however, Cohen's challenge had the effect of raising serious doubts abroad about the credibility of American commitments world-wide, as measured by US will to stay the course in Bosnia until the task was done. The outspoken reassertion of the Wilsonian component of American leadership by the new Secretary of State appeared headed for collision with Defence. Secretary Albright and a new special assistant for Bosnian implementation, Robert Gelbard, quickly asserted that the United States was in

Bosnia for the long haul, leaving intentionally vague whether this meant in a civilian capacity alone or that the battle had not yet been engaged over its military presence. In her first major foreign policy address, at Harvard University, on the occasion of the fiftieth anniversary of the Marshall Plan, Albright suggested the latter, and indicated a pointed difference between Cohen's commitment to Congress and her commitment to the moral basis of American global leadership, by devoting nearly half her speech to the importance of the international war crimes tribunal in Yugoslavia and Rwanda, and the need to apprehend indicted war criminals still at large in Bosnia - at the time, the main source of dispute between the Pentagon and State Department over the role of IFOR/SFOR in the Dayton implementation.

The shift seen as necessary to meet Secretary Cohen's challenge and 're-energize' the peace process occurred in late spring. Personnel changes in Mons, with a new Supreme Allied Commander Europe, General Wesley Clark - whose intimate association with the negotiations during 1995, with the writing of Annexe 1A, and with the President sent a signal of heightened White House commitment; in London, with the election of a Labour Government and a British sea-change; and at Sintra, where the Peace Implementation Council transferred authority from Carl Bildt to Carlos Westendorp, prepared the way. And while the tone was set by their growing impatience with Bosnian Serb leaders in Pale, whom they saw as obstructing refugee repatriation, the work of the international tribunal and the formation of common economic and political institutions for Bosnia, and by a mounting campaign outside Bosnia to identify the *sine qua non* of peace with the capture and removal of Radovan Karadzic from Bosnia, it was Cohen's challenge that seemed to provoke a revolution.

Overruling the Pentagon's insistence on keeping military and civilian aspects separate and on a narrow definition of military tasks, the new team took the side of those who had long been demanding greater forcefulness in implementing Dayton. Alongside a British-led operation to arrest two indicted war criminals in Prijedor, Americans took over administration of the still disputed, strategic town of Brcko, used SFOR soldiers to assist Bosnians wishing to return to the area with the aim of reversing the local ethnic balance before the final arbitration decision initially due in March 1998, and used the municipal elections in September to build a multiethnic local administration as the core of a reintegrated Bosnia and Herzegovina. The new assertiveness was even more striking in the US decision to take sides in an internal party quarrel in the Republika Srpska with the aim of marginalizing Radovan Karadzic and creating an alternative power centre against the Pale leadership, including the use of force to wrest control of TV transmitters and police stations for President of the Republika Srpska Biljana Plavsic. Although Washington took pains to praise allies for their common front, the increasing American diplomatic presence - as seen for instance in the Office of the High Representative and high-level shuttle diplomacy to Balkan capitals - was a visible symptom of a peace process that was becoming not less but more Americanized.

The effect of this change of course was to revive debate in Washington about the need for American military participation on the ground in Bosnia. While the new assertiveness led some to call even louder for NATO to arrest indicted war criminals in Republika Srpska, and to do even more in assisting refugee repatriation, it also led the Pentagon to warn more loudly about using soldiers inappropriately for 'police' work, and the risks of abandoning impartiality. Nor did greater assertiveness remove

the delays in creating Bosnian political and economic institutions or the violence surrounding refugee returns. And the conflict within Republika Srpska, within the Muslim-Croat Federation and between the three parties gave growing currency to the view that war would resume if Congress had its way and stopped funding after June.

Thus, events on the ground in the summer of 1997 independently supported the position of the State Department that a military pull-out in June 1998 would be premature. They also provoked those who considered the Balkans of minor significance to American interests to mobilize against the new path, arguing that forced integration in Bosnia was a recipe for long-term military involvement. The result was a ballooning debate in the autumn of 1997 over the goals of American policy in Bosnia. Those who believe that the military deployment, or at least its American ground component, should end - a camp led by Senator Kay Bailey Hutchison and former Secretary of State Henry Kissinger - say that the goal of creating an integrated, multiethnic state in Bosnia is a chimera, and that the sooner the Clinton administration recognizes that Bosnia has been partitioned, the sooner Americans will be able to leave. Their opponents in the Administration - choosing spokesmen in former Assistant Secretary of State Richard Holbrooke and Senator Joseph Biden - insist that the Dayton implementation process is working, pointing to successes in 1996-97, and that it simply needs more time.

The debate between partitionists and 'full-steam-ahead Daytonists' does not, however, reveal much about American objectives in Bosnia. The debate remains focused on the nature of the American military commitment and how soon combat troops can be withdrawn. The Administration's objective of implementing Dayton, given the ambiguity of the accords, serves to deflect criticism and prevent substantive debate. But the partitionists also reacted defensively to the growing consensus that hostilities would resume if troops pulled out of Bosnia after June 1998, adding one qualification after another to their goal of withdrawal and shifting to a compromise option, called 'Cyprus', when it was clear that American participation would continue. Troops should continue to be deployed, as House Budget Committee chairman, John Kasich, had already argued in May 1997,<sup>(50)</sup> 'as a patrol mission to keep the parties separated' but as nothing more.

The remarkable absence of opposing voices in Congress to the President's announcement and even the concession by Defence Secretary William Cohen (echoing the President) that his earlier assessment had been 'wrong', reveal an emerging common denominator among American policy views that the primary objective is to prevent a war from resuming in Bosnia. A necessary corollary, with implications for the tasks of SFOR and its follow-on, is a continuing priority on preventing casualties to American soldiers from hostile action, considered necessary to retain the support of Congress and the American public.

The year of debate and an energized peace process have thus returned full circle to the original questions: how assertively to force the Dayton goal of integration, and what must be done so that troops can leave. In their arguments against partition, Richard Holbrooke, Sandy Berger and other Administration spokesmen imply a set of substantive goals. Partition, they say, would be an acceptance of 'ethnic cleansing', thus suggesting that a change in borders achieved by force remains unacceptable, despite the many who accuse Holbrooke of having legitimized partition at Dayton.

But there is also sufficient vacillation on the extent of Washington's commitment to the use of force for refugee repatriation to homes where they would be in a minority, also said to be essential to the principled opposition to ethnic cleansing, that the weight they assign the goal of a unified, multiethnic Bosnia has become less clear. This only leaves unsettled a future debate on the best way to fulfil the American commitment made to its Middle Eastern allies and to President Izetbegovic to ensure that the survival of Bosnian Muslims is no longer at risk. For the partitionists, the answer lies in the Train and Equip programme to ensure a Bosnian self-defence capacity in a smaller state. For the Daytonists, the answer is a Bosnia within its internationally defined borders and a minimal level of justice - with the arrest of indicted war criminals, assured Bosnian access to the sea and through Brcko, and help for all those who wish to return to their homes - so as to deprive those who would return to war of political support.

Equally important in Administration objectives is the avoidance of debate over Bosnia policy when NATO enlargement comes up for a vote. Deadlines have thus been replaced by 'benchmarks' towards a vague exit criterion, 'self-sustaining peace process', and a NAC-led review process every six months. Talk of end-states is said to be counterproductive, as it gives opponents within Bosnia an easy target for continued obstruction.

### **Transatlantic responsibilities**

In contrast to the debate in 1996 over a follow-on force to IFOR, when the opportunity to make the transition to a European force and to test the mechanism of Combined Joint Task Forces in the run-up to Madrid were hotly discussed, and even the options discussed for a follow-on to SFOR in the summer of 1997, the political moment in Washington and in Bosnia is now seen to demand continuity. NATO's new strategic concept is in abeyance. The congressional debate over funding for the Bosnian deployment will combine partisan interests in the autumn mid-term elections with the public debate and congressional vote on NATO enlargement to make 1998 the year of Europe. Phrased in congressional rhetoric, will Europe pay its fair share for its own security - for the costs of NATO enlargement and for the tasks of Bosnian stability? In Clinton's words, 'We hope the Europeans will do more.'

In fact, Europe's role is the focus of those in the Congress and the Administration who have lost in the debate over pull-out and Bosnian policy. Opponents of the increasing Americanization of the Bosnian engagement have taken the longer view and shifted their tactics, by seeking to engage Europeans in tasks that will still enable the United States to withdraw its combat troops when the political climate permits. Those who believe that greater forcefulness in implementing Dayton is destabilizing and that less assertiveness will be more successful even urge a greater European say on policy now.<sup>(51)</sup> For Pentagon officials, the troop exit is constrained by the security gap between the overall security environment suitably provided by NATO troops and the tasks of civilian policing and crowd control. Bosnian civilian police forces, currently being vetted and trained in the Federation but as yet unreformed in Republika Srpska, are far from ready to take over these tasks, but a greater assertiveness in *enforcing* justice (supervising refugee return, apprehending indicted war criminals and changing the leadership in Republika Srpska) requires a capacity for internal security. It is here, in their view, that Europeans should assume responsibility.

The potentially greatest change in Dayton implementation is this proposal for an internationally mounted gendarmerie of armed police for internal security, or the creation of a professional, pan-Bosnian gendarmerie that is independent of all Bosnian political parties. Proposed early on by former Chairman of the Joint Chiefs of Staff John Shalikashvili, it is now seen by most officials, from Secretary Cohen to United Nations High Commissioner for Refugees Sadako Ogata, as the essential next step. It appeals to military officials who resist the policing that overburdens their soldiers with extra tasks, risks casualties, and endangers the impartiality on which their presence depends. It meets the minimal condition of American participation: approval from a Congress that is focused primarily on reducing the number of combat troops in Bosnia and is demanding answers about when American troops can withdraw from Bosnia entirely. And it appears as the best transition after 1999 to a military deployment based largely on a reserve force outside Bosnia backed up by air power.

### **Nature of the post-SFOR presence**

The primary American criterion for a post-SFOR force concerns its size. According to President Clinton, the determining factor is a sufficient number to retain overall command. Chairman of the Joint Chiefs of Staff Henry Shelton and SFOR Commander Shinseki are focused on resources in proportion to tasks, warning against 'short-changing' commanders. The more tasks NATO is asked to do, the more troops they must be given. The battle over how assertive the force should be is being cast in terms of resources. If the task remains deterrence, then the option is 'more of the same'; if it includes stabilization, such as the increasing support given during 1997 to the IPTF and internal policing, then a larger force or a separate police force is required. If the mandate includes increased assistance to civilian tasks, then troop size and composition will have to rise accordingly. The transition from heavy artillery and mechanized units towards lighter units and military police has already occurred, in late 1996, as has the addition and growing role of civil affairs officers. The practice during 1997 of adjusting troop size and composition according to need, such as the temporary increases to assist with elections, the requests of the International Criminal Tribunal for the former Yugoslavia, and the special regime for Brcko, also continues to make sense to military planners.

### **The question of peace**

Focusing the question of peace in Bosnia on whether, and if so on what conditions, there is an American combat presence benefits many more than the Clinton administration. Europeans can avoid having to resolve their own differences on Bosnia and the difficulties they faced in Yugoslavia and Bosnia during 1990-95 when the United States refused to deploy ground troops. Formulation of a common European Security and Defence Identity can await creation of a common European currency and enlargement of NATO and the European Union, and the training for NATO membership and Partnership for Peace taking place in Bosnia can continue the cooperation with those excluded from the first rounds of enlargement. The time-honoured Balkan method of conflict resolution - *yavashlik* (delay) - also gives Bosnian citizens the time needed for bilateral and multilateral aid programmes of reconstruction to reach the stage of creating jobs and mutual commerce. Bosnian peace and stability are not sustainable without a resolution of the Kosovo problem and the Albanian question, a peaceful reintegration of Eastern Slavonia, the lifting of the

sanctions on Yugoslavia, and democratic transitions in Croatia, Serbia and Montenegro, but these indispensable improvements in Bosnia's regional environment also need time. Most important, as many now claim, is the time needed for the current *peace strategy* and the tactics during mid-1997 to mid-1998 of *compelling cooperation* to come to fruition or prove faulty.

A successful change in the leadership of Republika Srpska and its cooperation on issues such as refugee return will not succeed, for example, if Croatia does not also change its policy towards refugee return and open its border with northern Bosnia, and if the Bosnian leadership remains resistant to cooperation with Bosnian Serbs. Neither change will occur under current American policy towards Croatia and Sarajevo. An approach to security borrowed from the Haiti operation, shifting responsibility increasingly from military to police, even if Europeans do mount such a force, will not succeed if the common institutions and legislation being imposed by Carlos Westendorp on matters such as citizenship, currency, and vehicle licence plates do not begin to create one functioning state. The Train and Equip programme will require a long-term military presence to monitor and enforce arms control if a cooperative security regime between the two entities of Bosnia and Herzegovina is not also created, or if the balance of power in the Federation on which a single Federation defence depends continues to be undermined by the massive Croat exodus from central Bosnia and the majoritarian preferences of the Bosnian leadership.

Lost in the debate over troop deployment and post-SFOR mandate and composition is the relation between the Dayton process and the people of Bosnia. The 'top-down' approach to implementing Dayton, providing leaders with incentives for cooperation and disincentives for a return to war, is strengthening the role of nationalist leaders and their responsibility for local compliance rather than encouraging pluralism and cooperation across ethnic boundaries. The more forceful tactics on political aspects of the accords has encouraged Bosnian Serbs and Bosnian Croats to think even more in terms of protecting their own national interests, while the American presence has allowed Bosnians to begin the process of nation-building in earnest and to calculate Muslim, as opposed to Bosnian, interests.

The more assertive is the implementation process, the more integral to the peace and to Bosnian political stability the international community becomes. The goal of a self-sustaining peace process should mean that outsiders become less necessary to the future of Bosnia, not more. Contrary to the arguments for the two current alternatives to forceful integration, either partition or a 'Cyprus option', will require troops in Bosnia for a long time to come to assist the new wave of refugees and then prevent border skirmishes and irredentists from provoking a new war. But the decision to end deadlines removes a motivating force from outsiders as well and places the burden of peace in Bosnia on a strategy that works.

Despite the continuation of American troops and command, the tasks of peace in Bosnia belong to Europe. The post-SFOR mandate will require intensive policing and addressing the unsolved problem of individual fears for physical security. A single Bosnia will not be stable even with foreign troops over the horizon and an international gendarmerie if there is no attempt to find a Bosnian solution to the two questions that led to war: the political bases for individual rights and security in a multinational state and the necessary functions of a common state and identity in a *de*



*facto* confederation. European experience with integration remains the one model at hand. And without a solution to the Kosovo problem and the successful integration of all of former Yugoslavia into Europe, the gains of IFOR and SFOR will be lost. As in Yugoslavia in 1991 and Bosnia in 1992, for Americans who believe they are bearing the burden of Bosnia these are 'European problems'. Although Europeans may have avoided an independent reckoning for a while longer, the hard tasks in the Balkans remain with them.

# CONCLUSION

*Sophia Clément*

## **On the usefulness of the Dayton framework**

If reintegration appears a difficult undertaking, one that involves the long-term presence of the international community, contributors to this paper are unanimous in their view that the scenario of partition is far from being a guarantee of stability. Only the internal debate in the United States reveals different approaches to this subject. The latter option would give rise to more negative consequences in the long term (such as the radicalization of parties, consolidation of front lines and the necessity for a long-term presence) than positive results. A veritable trap for the international community, it would impose a long-term presence but without guaranteeing a solution. If the validity of the Dayton framework has been the subject of debate, it is still, despite its weaknesses, the most appropriate framework for the re-establishment of peace in Bosnia, having made possible a cease-fire, the cessation of hostilities and effective inter-institutional coordination. The effective implementation of the civil aspects is the main condition for stability and peace in a united Bosnia. The military part of Dayton is certainly essential, but it depends on the success of the former. Because of the parties' opposition, this trend essentially results from external means of applying pressure, which implies maintaining the international presence in the long term. The cost of inaction or withdrawal would likely be higher in the event of subsequent failure. Nevertheless, as Bosnia must not become an 'assisted State', the principle of delegation of responsibility to local authorities should constantly be put into practice and reaffirmed in order to attain the objective of 'self-sustaining peace'. Only Jane Sharp expresses a contrary view, underlining the necessity for a true protectorate in the long term, which would mean the practical involvement of the international community and could permit the effective implementation of the civil aspects of Dayton. Equally, the solution to the problem of Bosnia and the price of stability have been based in large part on ethnic separation. From a moral point of view, the correlation between respect for justice and the constraints imposed by the stabilization process implies that a choice has to be made between two formulas - the strict application of justice, which might risk increasing instability, and a 'dose' of justice that guarantees a minimum of stability. Finally, for all authors a redistribution of tasks between Europeans and Americans should not lead to decoupling of the civil-military link. Some, such as Nicole Gnesotto and to a lesser degree Marie-Janine Calic, go further by stressing the necessary subordination of the military to the civil, which alone is likely to permit the real application of the civil aspects. That, in the opinion of Susan Woodward, is far from being the dominant view in the United States, which is preoccupied by an exit strategy. Lessons have to be drawn in order to avoid similar errors when a renewal of tension in the Balkans again calls for the Europeans to play a role in crisis-management.

## **The transatlantic link between a system of coalitions and cooperative security**

The authors in general stress the lack of European presence in crisis management in the region, but point out the development of European capabilities at the decision-making and operational levels. At the beginning of the Yugoslav conflict, the absence

of an appropriate institutional framework for the effective management of post-Cold War crises in Europe was without doubt a handicap. The international organizations had no mechanisms suitable for conflict prevention and crisis management. Some of them had neither the experience, nor the military means, nor adequate decision-making procedures. The European Union was undergoing a period of definition of the CFSP in the framework of the Maastricht Treaty. WEU did not have operational assets of its own, and its institutional link to EU had not yet been defined. NATO was undergoing an in-depth redefinition of its *raison d'être* and its very nature after the demise of the Soviet bloc. It had no mandate for operations 'out of area' or in addition to Article 5 of the North Atlantic Treaty, and was not suited to the type of threat found in the Balkans. Lastly, NATO was still subject to differences among member countries regarding its use.

The experience of Yugoslavia has contributed to many determining developments for the future of security in Europe. Bosnia constituted NATO's first out-of-area mission. The Americans' wish to reduce their military presence in Europe and the debate on their replacement by Europeans in crisis management have led to the development of the European Security and Defence Identity (ESDI) and Combined Joint Task Forces (CJTF) within the Alliance. It is interesting to note the essential place that transatlantic relations have in the internal debate in France and the United States, as underlined by Nicole Gnesotto and Susan Woodward respectively, unlike Germany and the United Kingdom. From an operational point of view, the Europeans have the political cover, the military and technical means and the necessary decision-making mechanisms that would enable them to undertake peacekeeping tasks that come under Chapters VI and VII of the Charter of the United Nations. In the sharing of responsibilities, they could in theory fill the gap created by a reduced American presence and thus contribute to an increased European visibility. WEU now, like NATO, has its own operational means (Forces Answerable to WEU - FAWEU), even if none of them has yet been tested in practice, and has defined so-called Petersberg missions. At the decision-making level, while no change to the rule of consensus is planned for questions of WEU organization and collective self-defence missions, 'constructive abstention'<sup>(52)</sup> could be applied just to Petersberg missions, simply by ministerial decision. Moreover, Operation ALBA, which was European-led even if not under an official European organization, permitted the *de facto* subsequent 'legitimation' of the concepts of coalitions of the willing and framework nation. The link between EU and WEU has been strengthened with its inclusion in the Amsterdam Treaty, which has stated that the EU would have access to WEU in the field of security and defence. The Europeans therefore have at their disposal a range of institutional and operational means that enable them to act, and WEU could be operational for the management of certain crises. Political will - or lack of it - would therefore be the touchstone of any future European-led action.

However, the divergences between authors concern the nature of the development of European capabilities and the limits and conditions attached to their use. Thus, whereas Marie-Janine Calic and Jane Sharp accept that developments that increase Europe's role have been achieved, Nicole Gnesotto considers that internal institutional adaptation and the creation of new crisis-management mechanisms, the need for which was one of the main lessons of Yugoslavia, are still incomplete. These divergences illustrate the range of difficulties to be overcome on the path to a Europe of common security and defence. At the institutional level, the Amsterdam Treaty

underscored the persistent divergences between Europeans on a future Europe of security: the principle of constructive abstention in security and defence issues has not yet been formulated precisely and there is not a clear consensus on it; nor is it included in WEU's decision-making process, which is based on consensus that gives a right of veto to full members. The CFSP mechanisms, and their link with WEU, have not been strengthened as much as they might have been. At the operational level, if CJTFs are being tested within NATO, they will not be exercised with WEU until the year 2001, WEU being for the moment simply an observer. Following the Madrid NATO summit, there are still transatlantic differences regarding both the nature and the content of the ESDI within the Alliance. Forces made available to WEU have not been tested and lack credibility in practice. The failure of Albania, which has brought out the CFSP's deficiencies as much as WEU's lack of response, shows the difficulties that lie in the path to a common defence. Some European countries are still hesitating between an institutionalization and consolidation of the mechanisms that would allow them to acquire a real European security and defence dimension, and recourse to *ad hoc* means, whether at the institutional, decision-making or operational level. The extent to which Bosnia can serve as a model for the formulation of a mandate and the definition of peacekeeping operations within NATO follows directly from these perceptions and approaches.

### **A model for SFOR?**

All authors thus unequivocally stress that an American presence in Bosnia is imperative. A NATO-led CJTF seems to be the most appropriate framework for actions and would give the Europeans a better share of tasks and a certain visibility. At the same time, it would make it possible to keep the present division of labour and command structures and partially reduce the American presence without implying a withdrawal. Divergences arise in the political domain. For Marie-Janine Calic, IFOR and SFOR in Bosnia are a model of CJTF within NATO, in the absence of any strengthening of the link between EU and WEU, and because by guaranteeing an American presence on the ground it is possible to overcome transatlantic differences and to guarantee a German military presence. Conversely, for Nicole Gnesotto, the perception of the SFOR as a testbed for the ESDI within NATO in the absence of reform and a substantial development of the ESDI within NATO would constitute a real risk for the redefinition of a true transatlantic partnership that is in hand, which is all the more important as, in the view of Susan Woodward, it is firstly political rather than operational and technological. A division of labour that might lead to an exclusively American contribution in the field of communications and intelligence, leaving it to the Europeans to make up the main part of the military forces on the ground, is the option to be avoided - hence the difficulty with an approach in terms of coalitions with a true, equitable division of labour.

While it is agreed that Bosnia is quite different from Albania, that the use of WEU is inappropriate in this particular case and that it will take time for the Europeans to move from the stage of dependence to independent action, it would none the less be difficult to avoid the observation that expectations of a strong European policy have been disappointed. The European Union is thus allowing the United States primacy in its immediate periphery even though it often has the initiative and considerable means available on the ground. The importance and necessity of reinforcing and consolidating institutional, decision-making and operational mechanisms so that

Europe is capable of acting politically are increasingly reaffirmed by numerous representatives of Europe, particularly after the Albanian crisis. According to Carl Bildt, American strength 'lies less in an ability to devise strategies and set out policies than in a superior ability to orchestrate action and support for whatever policy happens to be theirs at any given moment', and Europe lacks that ability.<sup>(53)</sup> Similarly, European Commissioner Hans van den Broek has pointed out that there is 'a need for power behind our policies', regretting the gulf between Europe's growing political weight and the means it has for exercising leadership in the management of crises.<sup>(54)</sup> The Secretary-General of WEU for his part has recognized the 'need to evolve towards an attitude where the use of WEU would be a preferable solution to *ad hoc* coalitions.' While not 'desperately waiting for a crisis to happen simply so that our organization can clearly demonstrate its capacity to manage it', he has suggested that 'a crisis will very probably arise in which only the Europeans will wish to become involved,'<sup>(55)</sup> recalling the missed opportunity that Albania was for WEU.

Thus the conditions determining a future autonomous European role in crisis-management seemingly concern three areas in which there is at present a gap: the political domain, that is the development of the CFSP structure and the requirement for a clear political mission to the extent that the military cannot make up for the absence of a policy; a clear mandate, that is, a clear chain for the command and control of operations, confusion being no substitute for command; finally, means that correspond to needs on the ground, something that poses a problem at a time when defence budgets in Europe are being cut.<sup>(56)</sup> If the Europeans are to be able to face present and future crises in the Balkans, they will have to learn from the lessons of Bosnia. That implies that they will have to move ahead in the framework of the CFSP, for which wider, more flexible structures like the OSCE cannot be a substitute. This will also be the only way to make Europe a true political partner of the United States, which will lead to a stronger, more stable transatlantic relationship.

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2. 'NATO/Peace process in former Yugoslavia', *Atlantic News*, 2995, 11 March 1998; Tim Ripley, 'Tensions rise as factions struggle to control Brcko', *Jane's Intelligence Review*, March 1998.
3. *Atlantic News*, 2991, 25 February 1998.
4. *Europe*, 7169, 27 February 1998.
5. *Atlantic News*, 2990, 21 February 1998; 2991, 25 February 1998 and 3000, 1 April 1998; General Wesley Clark, 'Building a Lasting Peace in Bosnia and Herzegovina', *NATO Review*, Spring 1998.
6. Colonel William R. Phillips, 'Civil-military Cooperation: Vital to Peace Implementation in Bosnia', *NATO Review*, Spring 1998.
7. *TTU-Europe*, 221, 5 March 1998; *Atlantic News*, 2998, 25 March 1998.
8. Senior research fellow, Stiftung Wissenschaft und Politik, Ebenhausen.
9. Report of the High Representative for Implementation of the Bosnian Peace Agreement to the Secretary-General of the United Nations, Brussels, 16 October 1997; Bonn Peace Implementation Conference 1997, *Bosnia and Herzegovina 1998: Self-Sustaining Structures*, Bonn, 10 December 1997.
10. John J. Mearsheimer, 'Since Dayton is Doomed, Get on With the Partition of Bosnia', *International Herald Tribune*, 8 October 1997.
11. As a comparison, the European Commission allocated \$430.21 million to Bosnia's Priority Reconstruction and Recovery Programme in 1996. *Bosnia Peace Operation. Progress Toward Achieving the Dayton Agreement's Goals* (Washington D.C.: United States General Accounting Office, May 1997).
12. Espen Barth Eide, 'Filling the Public Security Gap in Bosnia. Reflections on the Possible Relationship between International Police Assistance and a Post-SFOR Force', Background paper for the CPN briefing on Post-SFOR Options for the European Commission and Parliament, Brussels, 28 October 1997.
13. OSCE, Institution of the Ombudsmen of the Federation of Bosnia and Herzegovina. Semi-annual Report on the Situation of Human Rights, Sarajevo, July 1996; Annual Report on the Situation of Human Rights for 1996, Sarajevo, March 1997.
14. F. Stephen Larrabee, 'Beyond SFOR: Bosnia and US-European Relations', Background paper for the CPN briefing on Post-SFOR Options for the European Commission and Parliament, Brussels, 28 October 1997.
15. Uwe Nerlich, 'The Dayton Process after SFOR: the Role of Military Forces in the Stabilization and Reconstruction of Bosnia', *ibid.*

16. Gordon Wilson, 'Post-SFOR: a European Security Solution?', *ibid.*
17. 350,000 out of roughly 2.1 million returned, but fewer than 30,000 have returned to areas where they form part of the minority.
18. Professor at the Institut d'Etudes Politiques, Paris, and *chargée de mission* to the Director of the Institut Français des Relations Internationales.
19. For an analysis of the debate, in the United States and Europe, see Sophia Clément and Thierry Tardy (eds.), 'Les Balkans deux ans après les Accords de Dayton', *Relations internationales et stratégiques*, no. 28, hiver 1997.
20. 27,000 US troops were deployed in IFOR, and there are 8,500 in SFOR. See *Atlantic News*, no. 2976, 24 December 1997.
21. See the excellent dossier 'Bosnia after SFOR', *Survival*, Winter 1997-98, in particular the article by Ivo H. Daalder, 'Options for continued US engagement'.
22. Nicole Gnesotto, 'Lessons of Yugoslavia', *Chaillot Paper* 14 (Paris: Institute for Security Studies of WEU, March 1994).
23. Senior research fellow, Department of War Studies, Centre for Defence Studies, King's College London.
24. For a more detailed analysis of British policy since 1991, see my *Honest Broker or Perfidious Albion: British Policy in Former Yugoslavia* (London: Institute for Public Policy Research (IPPR), 1997).
25. Michael Binyon, 'Rifkind laments Europe's fatal errors in Bosnia', *The Times*, 18 April 1996.
26. Nicole Ball et al., *Making Peace Work: Lessons for the International Development Community* (Washington D.C.: Overseas Development Council, 1996); Stephen John Stedman, *The Exit is the Strategy*, (New York: Council on Foreign Relations, 9 July 1996).
27. For national contributions and orders of battle for both IFOR and SFOR, see Michael Clarke and Andrew Duncan, 'Replacing SFOR in Bosnia: Options for DFOR in 1998', *London Defence Study*, 43, pp. 32-4.
28. Europeans by and large oppose the Train and Equip programme, which is supported enthusiastically in NATO only by Turkey.
29. Britain's diplomatic and military role in Bosnia from 1991-95 was criticized as a policy of appeasement, although Lieutenant-General Rupert Smith's robust interpretation of the UNPROFOR mandate did not fit that pattern. In general, though, Britain's Conservative government took a pragmatic rather than a principled approach to Bosnia, seeking a settlement based on Serb war gains and the *de facto* partition of Bosnia rather than on any kind of justice.

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31. Robin Cook, 'Forging a nation from the flames', *The Times*, 8 December 1997.
32. 'Bosnia in the balance', *The Economist*, 11 October 1997; Anthony Lewis, 'For Bosnia too, Cautious Optimism and Newly Rising Hopes', *IHT*, 18-19 October 1997.
33. 'At last a court that war criminals must take seriously', *The Economist*, 31 January 1998, page 43.
34. Ben MacIntyre, 'Prosecutor says French harbour war criminals in Bosnia', *The Times*, 15 December 1997; Reuters, 'France challenges Judge on Bosnia Atrocities', *IHT*, 15 December 1997; Craig R. Whitney, 'Judge orders French to order Bosnian Arrests', *IHT*, 16 December 1997; David Buchan, 'War crime scandal', *Financial Times*, 16 December 1997; Ian Traynor, 'France sheltering war criminals, says Hague Tribunal Prosecutor', *The Guardian*, 15 December 1997.
35. Jon Swain, 'Bosnian aid millions go missing', *The Sunday Times*, 27 July 1997.
36. John Kampfner. 'The Moral Mantra', *Financial Times*, 2-3 August 1997.
37. The more Atlanticist foreign policy of New Labour was even more pronounced with respect to British support for US policy towards Iraq in 1997-98.
38. By contrast in NATO British army officers are in the forefront of planners who see UNPROFOR, IFOR and SFOR as valuable learning tools to refine Alliance plans for Combined Joint Task Forces for future peace support missions. See, for example, the British Army document: *Peace Support Operations*, Joint Warfare Publication 3-01, which draws lessons from Bosnia and elsewhere.
39. ICG Press release, *New RS Prime Minister is Most Significant Political Development since Dayton*, Sarajevo, 20 January 1997; see also ICG's longer report: *A Review of the Dayton Peace Agreement's Implementation*, 18 November 1997.
40. Colin Soloway, 'Big setback to Karadzic's power base', *IHT*, 2 February 1998.
41. Chris Hedges, 'A light at the end of the tunnel', *IHT*, 27 January 1998; Martin Walker, 'Karadzic's days of freedom are numbered, says envoy to Bosnia', *The Guardian*, 30 January 1998.
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43. R. Jeffrey Smith, 'US sees long foreign role in Bosnia', *IHT*, 29 December 1997.



44. For more detail on the potential for a European-led post-post-SFOR force, see Michael Clarke and Andrew Duncan, 'Replacing SFOR in Bosnia: Options for a DFOR in 1998', *London Defence Study* 43, December 1997.
45. 'Staying on in Bosnia', *The Economist*, 6 December 1997.
46. Solana, cited by Andrew Gowers, 'Solana calls for global police force', *Financial Times*, 10 November 1997.
47. For a strong view against arming UN police, see Kai Eide, *The idea of an international armed police force in Bosnia and Herzegovina*, Sarajevo, UNMBH, 15 November 1997.
48. Senior fellow, Foreign Policy Studies Programme, The Brookings Institution, Washington, D.C.
49. Statement by President Clinton, on 'US Troops in Bosnia after Stabilization Force mandate ends in August 1998', The Briefing Room, The White House, 10.14 a.m. EST, Thursday, 18 December 1997 (Federal News Service).
50. Interviewed on the CNN Late Edition on 18 May 1997.
51. A good representative of this middle position is Charles G. Boyd, 'Making Bosnia Work', *Foreign Affairs*, vol. 77, no. 1 (January/February 1998), pp. 42-55.
52. Or the 'qualified consensus rule', in other words without the active participation of all full Member States but with their political support.
53. Carl Bildt, *What global role for the EU?* (Brussels: Philip Morris Institute, 1997).
54. Hans van den Broek, speech given at the conference marking the fiftieth anniversary of the Brussels Treaty on 17 March 1998 at Western European Union, Brussels.
55. José Cutileiro, *ibid.*
56. Carl Bildt, *ibid.*