SOLIDARITY WITHIN THE EU UNDER THE ESDP: EU'S INVOLVEMENT IN KOSOVO

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A Thesis Submitted in Partial Fulfillment of the Requirements

for the Degree of Master of Art Program in European Studies

(Interdisciplinary Program)

Graduate School

Chulalongkorn University

Academic Year 2011

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เอกภาพของสหภาพยุโรปในนโยบายการป้องกันและความมั่นคงร่วม : กรณีศึกษาการแก้ไขปัญหาวิกฤตในโคโซโวของสหภาพยุโรป

นายโชติบูรณ์ อนุกุลวาณิชย์

วิทยานิพนธ์นี้เป็นส่วนหนึ่งของการศึกษาตามหลักสูตรปริญญาศิลปศาสตรมหาบัณฑิต
สาขาวิชายุโรปศึกษา (สหสาขาวิชา)
บัณฑิตวิทยาลัย จุฬาลงกรณ์มหาวิทยาลัย
ปีการศึกษา 2554

Thesis Title   EXISTED SOLIDARITY WITHIN THE EU 27 UNDER THE ESDP:

                    EU'S INVOLVEMENT WITH KOSOVO

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โชติบูรณ์ อนุกุลวาณิชย์ : เอกภาพของสหภาพยุโรปในนโยบายป้องกันและความมั่นคงร่วม : กรณีศึกษาการแก้ไขปัญหาวิกฤตในโคโซโวของสหภาพยุโรป (SOLIDARITY WITHIN THE EU UNDER THE ESDP: EU'S INVOLVEMENT IN KOSOVO) อ. ที่ปรึกษาวิทยานิพนธ์หลัก : ผศ. สุรัตน์ โหราชัยกุล, 138 หน้า.

ความมั่นคงร่วมในฐานะหลักการและนโยบายได้เริ่มขึ้นในช่วงทศวรรษ 1950 ในนามของประชาคมการป้องกันยุโรปซึ่งได้ประสบกับความล้มเหลว จากนั้นเป็นต้นมาการพัฒนาของสหภาพยุโรปก็ได้เน้นไปทางด้านเศรษฐกิจในขณะที่นโยบายความมั่นคงได้ถูกเพิกเฉยจนกระทั่งในช่วงทศวรรษ 1980 คำว่าความมั่นคงและการทหารนั้นไม่ได้รับการบรรจุลงในสนธิสัญญาบูรณาการยุโรปจนกระทั่งปี ค.ศ. 1992 ซึ่งทั้งสหภาพยุโรปตะวันตกและนโยบายการต่างประเทศและความมั่นคงร่วมได้ถูกนำมาทดสอบทันทีในช่วงสงครามยูโกสลาเวีย น่าเสียดายยิ่งที่สงครามนั้นได้เผยให้เห็นถึงการขาดเอกภาพภายในสหภาพยุโรป ตลอดระยะเวลาที่สงครามนั้น สหภาพยุโรปไม่สามารถที่จะยุติความโหดร้ายอันเกิดจากสงครามโดยไม่ได้รับความช่วยเหลือจากอเมริกา สงครามยูโกสลาเวียนั้นเป็นแรงผลักดันให้สหภาพยุโรปหันไปเพิ่มพูนความสามารถของตนในด้านความมั่นคง ในปี ค.ศ. 2008 โคโซโวซึ่งเป็นหนึ่งในดินแดนของยูโกสลาเวียนั้นได้ประกาศเอกราชโดยฝ่ายเดียว การกระทำดังกล่าวทำให้สหภาพยุโรปเกิดความแบ่งแยกว่าจะรับรองเอกราชหรือไม่ทั้งนี้เนื่องจากการประกาศเอกราชดังกล่าวขาดมติจากสภาความมั่นคงสหประชาชาติ ทว่า สมาชิกสหภาพยุโรปรวมทั้งประเทศสมาชิกที่ไม่เห็นด้วยกับการประกาศเอกราชของโคโซโวก็ได้แสดงเอกภาพโดยการลงมติยอมรับปฏิบัติการEULEX Kosovo ในกรอบของนโยบายการป้องกันและความมั่นคงร่วม งานวิจัยนี้ได้แสดงให้เห็นว่าเอกภาพของสหภาพยุโรปนั้นสามารถเข้าใจได้ดีที่สุดผ่านทฤษฎี Rational Choice Institutionalism

สาขาวิชา ยุโรปศึกษา   ลายมือชื่อนิสิต ....
ปีการศึกษา 2554   ลายมือชื่อ อ.ที่ปรึกษาวิทยานิพนธ์หลัก................

538 762 5320 : MAJOR   EUROPEAN STUDIES

KEYWORDS :   EU'S SECURITY POLICY / RATIONAL CHOICE INSTITUTIONALISM / NEW INSTITUTIONALISM / ESDP / KOSOVO / YUGOSLAVIA

CHOTIBOON ANUKULVANICH: SOLIDARITY WITHIN THE EU UNDER THE ESDP: EU'S INVOLVEMENT IN KOSOVO. ADVISOR: ASST. PROF. SURAT HORACHAIKUL, 138 pp.

EU's Common security as the principle and policy started in the 1950s with European Defence Community (EDC) but it never came into existence. Since then, the development of the EU had focused largely upon economic aspects, while the security aspects were sidelined. Until the 1980s, the term security and defence were not in the treaties until 1992. Both Western European Union (WEU) and Common Foreign and Security Policy (CFSP) were immediately subjected to the test during the Yugoslav War of Dissolution. Unfortunately, the war exposed the lack of solidarity within the EU. Throughout the war, the EU and its members were not able to put an end to ongoing atrocity when the assistance from the US was not available. The war provided the impetus for the EU to enhance its own ability in the realm of security. In 2008, Kosovo, a former Yugoslav territory, decided to unilaterally declare its independence. This action immediately caused the split within the EU on the issue of recognition due to the lack of legitimate UN resolution. Yet, the EU's members, including countries that disagreed with Kosovo's unilateral independence, showed its solidarity by adopting EULEX Kosovo, a civilian mission under the pretext of ESDP. Thus, as shown in this study, the solidarity can be best understood through the lens of Rational Choice Institutionalism.

Field of Study : European Studies   Student's Signature

Academic Year : 2011   Advisor's Signature

ACKNOWLEDGEMENTS

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CHAPTER I

INTRODUCTION

1.1 Introduction

Since the post-World War II era, Western European countries have erected various security institutions. A prime example is the Treaty of Dunkirk which France and Britain signed as a commitment of cooperation in case of possible German aggression. An attempt to forge European Defence Community (EDC) that finally met its demise in 1954 illustrated the inability of European security institution. The founding of the Western European Union (WEU) was, at the outset, significant but its integrity was dismantled as soon as its immediate functions were fulfilled and there was no effort to develop it further. The Fouchet Plan in the 1960s failed due to its negative posture against the US and this could have compromise the security of Western Europe as a whole. The birth of European Political Cooperation (EPC) made some notable progress but still failed to unite Europe from its inability to establish military security policies. However, due to the US commitment through North Atlantic Treaty Organisation (NATO) which provides security for Europe as well as eases Atlanticist versus Europeanist tension, there was little incentive to develop security framework during the Cold War.

After the end of the Cold War in the late 1980s, it appeared Europe and the global political climate entered a state of greater security. Unfortunately, that was not the case as the threats from communist regimes were replaced by „unconventional‟ threats such as regional armed conflicts or the need to operate out-of-area. The issue of security in post-Cold War era is essentially moved away from pure military threats. The fall of

Yugoslavia had proved itself to be an illustration: the threat stemmed from prolonged ethnic tensions which were repressed during the Cold War. The Yugoslav conflict affected Europe in ways that it had never experienced or imagined during the Cold War. In many ways, the Cold War situation presented threats that were much less complex.

Security institutions in Europe evidently were not able to cope with post Cold War security issues. The WEU, despite its revival in the 1980s, failed to coordinate military actions both in the Gulf War and Yugoslav War. The Common Foreign and Security Policy (CFSP) failed to bring the EU‟s members together to project their voice. Germany broke rank and recognised Croatia‟s independence despite an agreement with its European partners that they would speak with one voice. The armed conflict continued in Yugoslavia throughout the 1990s in which Bosnian and Kosovo crises seemed to be the most apparent cases of the lack of EU solidarity and will. EU allowed the Bosnian War to escalate and prolong for three years and neglected the rising tension in Kosovo. In both cases, the US involvement had to be enacted; this fact greatly embarrassed the EU and its members. The Bosnian War was ended by the signing of Dayton Peace Agreement led by the US while the Kosovo War was terminated through NATO airstrikes.

The Bosnian and Kosovo Wars raised two issues: Europe‟s dependence upon the US and the need for solidarity to enact comprehensive crisis management. Despite the end of the Cold War, Europe did not make any progress in its autonomy. It still depended on the US to end conflict concerning European security. Moreover, the US involvement in Kosovo did not end all the problems within it. Right after the withdrawal of Serb armed forces, the local population began massacring minority factions. It was undeniable

that military prowess was needed to manage the crisis but a comprehensive means was also required. The post crisis management scheme was provided by both NATO and UN after the airstrikes but it was not enough and the existing institutions in Europe were not up to the task.

As the pressure built up, Europe, or the EU, obviously needed crisis management capabilities concerning all aspects including civilian dimensions. This new security framework must allow EU members to work together and forge unity. The framework came through in 1998 under a joint declaration from Britain and France known as St. Malo Declaration. It essentially ended a long time rivalry between the two major powers in the EU. Moreover, it led to the creation of the European Security and Defence Policy (ESDP) which allowed the EU and its members to start crisis management tasks. The ESDP is part of the EU which allowed for greater coordination and various modifications which permitted its member states to devise a common action more easily. The ESDP was marked operational from 2003. Up to 2008,The EU and its members were able to mount various missions, both civilian and military, around the world.

Eventually, the test for the EU and its members arrived. After the end of NATO-led airstrikes in Kosovo, NATO and UN took over the work of Kosovo's territory and sorted to restore the stability. Also, the negotiation for Kosovo's status by the UN got underway in 2004 but due to Russian and Serbian opposition, the negotiations ended in failure. The plan also included the EU mission after the completion of Kosovo's independence. Russian and Serbian opposition, unsurprisingly, enraged Kosovo; therefore, it threatened to declare its independence unilaterally in 2008. The EU and its members, in turn, promised to speak with one voice on Kosovo's independence issues but

the initiative failed. There were five EU members[1] that disagreed with Kosovo‟s independence due to a lack of new UN resolution to support it. However, the issue of Kosovo‟s unilateral independence did not prevent the EU from agreeing to collectively involve itself in Kosovo‟s independence issue through ESDP. It is clear that solidarity exists within the EU under the ESDP framework.

1.2 Literature Review

Jolyon Howorth, a professor from the University of Bath, provides a very good overview of European Security and Defence Policy (ESDP) in *Security and Defence Policy of the European Union*. Throughout the book, he outlines the various aspects within the ESDP: the origin of ESDP, its challenges, transatlantic implications as well as operations mounted under the guise of ESDP.[2] More importantly he challenges the realist perspective by pointing out that the EU, which is not the nation-state, can engage in a security or military activity as a nation-state. The EU, leading all the way up to 2008, mounted ESDP missions around the world. These missions showed the ability of its members to reach agreements in the security field and that the effect from Iraq War division was not as severe as many might have predicted. Of course, among collections of nations and states, there might be some differentiation in preference and ideas but that should not cause the outright failure to take common action.

In contrast to Howorth‟s argument, scholars such as Julian Lindley-French at Leiden University argues that the „European‟ strategic culture is impossible. His view from *In the Shade of Locarno? Why European Defence is Failing* is based on a state-

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[1]Spain, Romania, Greece, Cyprus and Slovakia which have their own separatist movement fear that Kosovo‟s unilateral independence could trigger rapid secession movement within their own countries.
[2]Jolyon Howorth, *Security and Defence Policy in the European Union, (*New York: Palgrave Macmillan, 2007).

centric idea without consideration for factors such as institutions within the EU. He suggests that the ESDP could lead to either renationalisation of security policy or policy paralysis as each member will try to guard its sovereignty.[3] The assumption is based on the ground that EU member states cannot agree on a general concept and guideline for the ESDP. Fortunately, this was partially solved by the European Security Strategy (ESS) adopted unanimously by EU member states. The ESS provided some guidelines on modern security issues and following its issuance, ESDP could carry out various missions successfully with unanimous agreement from EU members. Consequently, under the ESDP the EU does appear to be able to achieve a certain degree of consensus in contrast to the observations of Lindley-French.

Sven Biscop, who is the author of *The European Security Strategy: A Global Agenda for Positive Power*, states that the concept of security dramatically changed after the Cold War.[4] The Cold War put the military danger and threat of a Soviet invasion on top of the list for policy makers. However, the end of the Cold War did not alleviate the threat to security. Rather, it changed the type of threats. In the 1990s, a series of inter- and intra-state armed conflicts in the vicinity of the EU occurred. These events may not be military threats directly aim at EU members but produced tremendous negative effects such as massive flows of refugees or disruptions of trade. Since the EU members were so intertwined, all of them felt the effects of these events occurring amongst their neighbours. Biscop further argues that the security of EU members is so closely linked that they can no longer separate. Any instability within the EU neighbourhood would

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[3]Julian Lindley-French, "In In the Shade of Locarno? Why European Defence is Failing," *International Review* 78, no. 4 (2002): 789-811.

[4]Sven Biscop, The European Security Strategy: A Gloval Agenda for Positive Power, (Cornwall: Ashgate, 2005).

create instability in the Union as a whole. EU members, thus, should logically act together in accordance with the ESS, which states that no single country could tackle today"s threats on its own.[5]

In line with Biscop, Andrew Dorman and Adrian Treacher argue in *European Security: An Introduction to Security Issues in Post-Cold War Europe* that the security during the Cold War period and the post Cold War period was very different.[6] They believe that interdependence became a major feature of Europe in the second half of the 20th century and that the states of Europe depended on each other in order to keep themselves safe. The freedom to act independently disappeared in the post Cold War security environment. Likewise, the broadening of the security environment diminished the role of national military prowess and made security a collective goal of Europe, attainable only through a common action requiring solidarity.

Robert Powell points out in *Absolute and Relative Gains in International Relation Theory* that the EU by nature has been harmonious and peaceful since its member states have not experienced any major armed conflicts for the last 40 years or so.[7] This peaceful atmosphere is conducive for member states to cooperate through institutions to secure mutual gains. Even large member states like France or the UK would not be able to deal with modern threats on their own, making it logical to seek cooperation and pool resources.

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[5]European Council, "A SECURE EUROPE IN A BETTER WORLD," *Consilium,* December 12, 2003. http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf (accessed December 15, 2010).
[6]Andrew Dorman and Adrian Treacher, *European Security: An Introduction to Security Issues in Post-Cold War Europe.* (Cambridge: Darthmouth Publishing Company, 1995.)
[7]Robert Powell, "Absolute and Relative gains in International Relation Theory." *American Political Science Review* 85, no. 4 (1991): 251-267.

"From Crisis to Carthasis: ESDP after Iraq" by Anand Menon illustrates that despite the fact that the Iraq War divided Europe, it did not halt the ESDP.[8]   The conflict actually emphasised the need for more consistent policy, especially from large states like France and the UK. The Iraq War could more or less be viewed as providing the impetus for adherence to the ESDP. That the ESDP became operational in 2003 suggests that EU member states actually realised what would be the consequence of discontinuing the policy.

All of these literature samples provide details about the necessity and viability of cooperation within the EU on security policy, yet nowhere is the solidarity demonstrated through the ability to mount various missions which are not equally important for all member states explicitly mentioned. For example, Operation Artemis[9] was launched under French leadership but Britain participated nonetheless.

Menon also believes that too many scholars simply accept the assumption that cooperation in the field of security was problematic, leading integration on matters of security and defence to fail by default.[10]   The fact, however, is that the ESDP grew as the EU conducted more missions. From his observation, both the ESDP shaped and affected inter-state interactions while not completely controlling the nation-state. He suggests that the theory of new institutionalism should be employed to better understand ESDP/CSDP.

On the theory of rational choice institutionalism, there is a variety of literature available, although the theory is not originally designed for EU studies. Chapter 7 of

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[8]Anand Menon, "From Crisis to Carthasis: ESDP after Iraq," *International Affairs* 80, no. 4 (2004): 631-648.
[9]ESDP military operation in Congo, France"s former colony.
[10]Anand Menon, "Power, Institutions and the CSDP: The Promise of Intstituionalist," *Journal of Common Market Studies* 49, no. 1 (2011): 83-100.

European Integration Theory by Mark A. Pollack[11] illustrates that rational choice institutionalism is increasingly used to understand the politics of the Council of the EU during its legislation process. He focuses on the question concerning member states" decisions under different voting procedure. Yet, the trend of decision making evidently favors consensus over minimum winning coalition. Pollack"s focus then shifts to inter-institutional relationship between the Commission, the Council and the European Parliament as the latter gain more legislative power. Thus, evidence for rational choice institutionalism usability becomes clear, especially when ESDP missions are decided among the Council. A more general view on this theory can be seen from the work of Hall and Taylor.[12] The article provides a very clear overview of rational choice institutionalism in a more general concept.

Being a well-known and drawn out conflict, the Kosovo issue has unsurprisingly been analyzed by a large volume of literature. For example, Vedran Dzihic and Kramer Helmut address the question of how the EU fared during the talks and how it handled Kosovo after it declared independence in their *Kosovo after Independence*.[13] However, they only address the overall situation without emphasising the EUs involvement and efforts. Moreover, in line with Vedran Dzihic and Kramer Helmut, the International Crisis Group focuses on how each participant in the matter preferred to act and how each state defined its general interest and position in *Breaking the Kosovo Stalemate: Europe's*

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[11]Associate Professor from Temple University, Philadelphia.

[12]Peter A. Hall and Rosemary C.R. Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44, no. 5 (1996): 936-957.

[13] Vedran Dhizic and Kramer Helmut, *Kosovo After Independence: Is the EU's EULEX Mission Delivering on its Promises?* International Policy Analysis, (Berlin: Friedrich Ebert Stiftung, 2009).

responsibility.[14] The text focuses on Kosovo‟s close vicinity to Europe. it fell to the EU as a regional organisation to address the problem properly. The US no longer had the enthusiasm to pursue issues concerning the region so it left such issues to Europe to act or risk facing a potential conflict.

Marc Weller's literature illustrates the urgency of Kosovo's final status problem in *Negotiating the Final Kosovo Status*.[15] However, he does not extensively address the fact that the EU needed a certain extent of solidarity in order to achieve its goal of reaching a final status for Kosovo. Nor does he point out that the EU is able to launch the civilian mission despite different opinions.

Allistair Shepherd suggests in *A Milestone In The History Of The EU: Kosovo and the EU's International Role* that Kosovo actually proved to be a turning point in the history of the EU since it showed the development and transformation of the grouping‟s security and defense.[16]   Still, the literature only focuses on possible roles and opportunities with which EU members were presented from properly managing Kosovo. However, he believes it should not be neglected that the EU showed improvement in terms of commitment on crisis management through its use of the ESDP. He asserts that despite some of its shortcomings, more time should be given for the ESDP to mature from its infancy stage. Sheperd believes the ESDP can be further developed when EU members realise what they can achieve by pooling their overall resources.

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[14]International Crisis Group, *Breaking the Kosovo Stalemate: Europe's responsibility,* Europe Report N°185, International Crisis Group, (Brussels: International Crisis Group, 2007).

[15] Marc Weller, *Negotiating The Final Kosovo Status,* Challiot Paper, Institute for Security Studies, (Paris: European Union Institute for Security Studies, 2008).

[16]Allistair J.K. Shepherd, "A milestone in the history of the EU‟: Kosovo and the EU's international role," *International Affairs* 85, no. 3 (2009).

Containing Kosovo, by Gordon Bardos, speaks of the situation on the ground in Kosovo, saying it needed to be improved after both NATO and UN had flagged on progress in stabilising the region.[17] The situation concerning ethnic minorities in Kosovo was dire, but the scope of the problem stretched beyond the abilities of any one country. Furthermore, Bardos examines the international and regional implications that Kosovo's unilateral independence could potentially bring in *The Regional and International Implication of Kosovo Independence*.[18] He argues that some EU countries and the US which accepted Kosovo's unilateral declaration of independence could further deteriorate the situation in Southeastern Europe. The issue of legitimacy could feed other secessionist movements which could further provide grounds for conflict. It is a probable argument as the declaration of independence did not actually solve existing problems. Rather, it caused more problems such as the fear of ethnic minorities being persecuted due to the document not addressing the matter of human rights for these groups. The situation clearly required EU involvement.

All together, this wealth of literature provides a strong overview of the issues surrounding the Kosovo matter on the side of internal problems. Unfortunately, it does not address the question of why Kosovo, as part of the former Yugoslavia, is incredibly important to the EU.

1.3 Theoretical Framework

The theory of rational choice institutionalism which is part of new institutionalism will be employed to prove the willingness of EU members to act collectively despite

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[17] Gordon N. Bardos, "Containing Kosovo," *Mediterranean Quarterly* 16, no. 3 (2005).
[18] Gordon N. Bardos, "The Regional and International Implication of Kosovo Independence," *Mediteranean Quarterly* 19, no. 4 (2008).

different opinions towards Kosovo. This theory is not of a European study by origin but it originates from the study of the US congress. It attempts to explain the reasons behind the stability of a bill in legislation process despite the procedure it has to go through. The theory is then taken into European school to study legislative procedure, mainly the Council''s decision making process. At the moment, many scholars have attempted to take this theory further by using it to analyze the action in the European Parliament.

1.4 Hypothesis

EU has solidarity under ESDP even when member states have different opinions on its involvement with Kosovo.

1.5 Research question

How can rational choice institutionalism be used to explain the solidarity of the EU under ESDP?

1.6 Objective

1. To illustrate the common approach despite different views through the lens of Rational Choice Institutionalism.

2. To show that the unanimity requirement of the ESDP does not prevent it from formulating a common approach towards Kosovo.

1.7 Methodology

Information gathering for this thesis came from both primary and secondary literature. Primary literature would be statements issued by the EU institutions

concerning Kosovo issues and those issued by the member states. The secondary literature was used to examine critical overview and interpretation of the Kosovo situation and the underlying interests of the EU member states to define the motives behind the decision of the five dissenting EU member states that allow the EU to mount the ESDP mission to Kosovo.

The first part dealt with the historical development of European security practice and policy. It provided an overview of the complexity existing in Europe as well as the steps being taken to get EU to the point of ESDP. The second part took the reader through the fall of Yugoslavia and EU‟s involvement. The objective is to illustrate the lack of political will to take a collective action despite such urgent necessity. The final part utilised the theoretical framework in order to prove the solidarity under the ESDP.

CHAPTER II

HISTORICAL DEVELOPMENT OF EU'S SECURITY PRACTICE AND POLICY

2.1 Introduction

This chapter discusses the development of European security practices and policy in order to provide an overview of the steps Europe took before the birth of the European Security and Defence Policy (ESDP). Starting from the post-World War II period, when European countries such as Britain and France began to cooperate on security field to prevent themselves from further German „threats", this chapter afterward continues along the path of history through the successes and failures of integrated European security. The end of the chapter focuses exclusively on presenting an overview of the European Security and Defence Policy and its significance to the European Union as a security actor.

2.2 1947-1959: Post-World War II

Right after World War II, it was imperative that uncertainties about Germany be addressed. The country caused two world wars that resulted in devastation across the European continent. Policies created immediately after World War II, thus, focused on the disarmament and demilitarisation of Germany so that it would never invade its neighbours again. Suddenly, however, the Cold War arrived and threats from the Soviet Union became imminent. That situation shifted the thinking of all involved, making them realise it was not viable to keep West Germany from contributing to the security and defence of Europe. Consideration, then, shifted to various attempts to rearm

Germany without being afraid of it trying to achieve hegemony once more. This become the central theme of the post World War II era.

2.2.1 Dunkirk Treaty and Brussels Treaty

Not long after World War II, France and the United Kingdom formed a security pact to deter any further aggression from Germany. This pact came to be known as the Treaty of Dunkirk. The treaty was signed on 4 March 1947 by foreign ministers of the two countries.[1] The effects of World War II would continue influencing policy makers at least for the next decade, especially for France.[2] The next step from the treaty was the including of Belgium, the Netherlands, and Luxembourg into a collective security pact. The three countries wanted a collective security pact to possess an organisational framework instead of a simple bilateral agreement. They also wanted the pact to cover a wider range than just German aggression. Nonetheless, the Cold War began almost immediately after World War II and Germany was no longer the most serious threat to Western Europe.

France and Britain, however, feared that if an anti-communist pact was successfully formed, the Soviet Union would react against them.[3] Also, they still believed that the German threat needed to be addressed. Both eventually realised the communist threat and agreed to the Benelux proposal for a multilateral framework when

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[1]European Navigator, "Treaty of Dunkirk," *European Navigator,* June 6, 2011, http://www.ena.lu/treaty_dunkirk_france_united_kingdom_dunkirk_march_1947-022501093.html (accessed June 14, 2011).
[2]Willem van Eekelen, *Debating European Security* (Meppel: Sdu Publisher, 1998), 1.
[3]Ibid., 5.

a communist coup succeeded in Czechoslovakia.[4]   The development pleased the US greatly as the Europeans were at least starting to show some willingness to contribute to security matters against communism. Both France and Britain still wanted to keep the German threat in upcoming treaties and Belgium, along with the Netherlands and Luxembourg, had a desire to procure collective action against future territory incursions.[5] The Treaty of Brussels, as it would later be known, was signed by France, Britain, Belgium, Luxembourg and the Netherlands on March 1948.[6] The treaty not only contained the needs of all signatories and focus on security issues but it also contained other elements such as cultural aspects of cooperation.

Surprisingly, the foreign ministers present at Brussels Treaty signing decided in April 1948 to create a permanent military committee known as the Western Union Defence Organisation (WUDO) to enforce the security aspects of the treaty.[7] This was greatly supported by the US as it desired to have Europeans commit more of their own resources towards defence. The WUDO created three command posts for land, air, and naval forces. The title of commander-in-chief was only allowed for supreme commander of land forces and air forces, relegating the Vice admiral from France who was the commander for the navies of the Western Union to only be called "Flag Officer Western Union".[8] By then, it became cleared that the member states, especially France and Britain, was not prepared to allow this arrangement to affect or influence their decision. For a while, there was discussion about bringing in General Lucius Clay to assume command

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[4]The Cold War Museum, "The Czechoslovakia Coup," *The Cold War Musuem,* http://www.coldwar.org/articles/40s/czech_coup.asp (accessed March 21, 2011).

[5]Eekelen, *Debating European Security*, 3.

[6]Simon Duke, *The Elusive Quest for European Security: From EDC to CFSP.* (Wiltshire: MACMILLAN PRESS LTD, 2000), 13.

[7]Duke, *The Elusive Quest for European Security*, 13.

[8]Ibid., 14.

over this new organisation but the US was not willing to make a formal commitment so the idea was abandoned. The WUDO was eventually terminated and its functions were transferred to the North Atlantic Treaty Organisation (NATO).

Despite the effort displayed by the five European nations, it was obvious that the security of Europe would not be sufficiently insured. The US would need to involve themselves in European security matters whether they wanted to or not. For the US, it was no longer an option to pursue isolationist policy but the US were careful not to commit itself too heavily. There was the idea of extending the Treaty of Brussels to the US and Canada but it was abandoned since Article 51 of the United Nations Charter would cause the action to be redundant. Negotiations for what would become known as the North Atlantic Treaty Organisation then ensued, drawing the US into Europe"s security plan.

2.2.2 North Atlantic Treaty Organisation: The US commitment in Europe

On 6 July 1948, the US officials initiated negotiation with an ambassador of the Brussels Treaty"s members along with Canadian participation. An issue worrying the US administration came from its Senate, which wanted to keep the right to declare war. By having the US commit itself to European defence, the US Senate could lose the right to declare war. The Soviet blockade of Berlin, nonetheless, served as impetus for negotiations to progress but a definite result only came up at the end of September 1948 as the French ambassador was less than helpful during the process.[9] When the draft treaty was nearly finished, Denmark, Iceland, Italy and Norway were invited on March

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[9]Eekelen, *Debating European Security*, 4.

1949 and the actual treaty was eventually signed in Washington. A main clause of the agreement was Article V of the NATO treaty which stated that:

The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.[10]

This article, to a certain degree, guaranteed Europe‟s security through the US commitment. In the event of armed aggression from the Soviet Union, the US would take any action necessary to assist European countries. The treaty actually extended beyond security to mention the preservation of democracy and the promotion of stability and economic well being.[11] Throughout the process, Germany was kept out from any security pacts until the mid 1950s.

In 1949 when the Soviets acquired nuclear weapons, the period of exclusive protection by the US nuclear bombs ended. Once again, the need for more conventional means such as troops and other weapons became apparent. The US was willing enough to commit more troops to defend Europe under the condition that European countries would also commit more for their own security. There was consensus based on the condition that Germany would have to be included and that it would contribute to the

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[10]NATO, "The North Atlantic Treaty," *North Atlantic Treaty Organization.* December 9, 2008, http://www.nato.int/cps/en/natolive/official_texts_17120.htm (accessed April 10, 2011).
        [11]NATO, "The North Atlantic Treaty,".

security of Western Europe. The status quo of keeping Germany from having military power was no longer possible. The outbreak of the Korean War in 1950 reinforced the idea, but the question remained as to how to get Germany to contribute to the defence of Western Europe without it going rogue and starting another war with its neighbours.[12]

2.2.3 European Defence Community

The fear of Germany invading its neighbours did not entirely subside despite the passing time. The idea of German military rearmament was still rather horrifying for many European countries, especially France. The question of how to have Germany contribute to defence with the lowest risk of it becoming Nazi Germany again remained. Thanks to Monnet"s vision and Robert Schuman"s political courage, the integration of coal and steel industries made it impossible for either France or Germany to prepare for without the knowledge of the other. The European Coal and Steel Community (ECSC) assumed the authority to regulate and monitor the flow of coal and steel that could be used for military purposes.[13] France would only agree to German rearmament under the condition that the process was under proper control.

The plan of the European Defence Community (EDC) was originally drafted by France as the Pleven Plan. The scheme called for a unified European army under appropriate democratic control.[14] This initiative was a response to the desire of the US for German rearmament under an integrated European context. France wanted the US

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[12]Derek Urwin, *A Political History of Western Europe since 1945,* (London: Addison Wesley Longman Limited, 1997) 85-89.

[13]European Commission, "Treaty establishing the European Coal and Steel Community, ECSC Treaty," *Europa,* January 31, 2005, http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_ecsc_en.htm (accessed April 10, 2011).

[14]Duke, *The Elusive Quest for European Security,* 18.

defensive line to expand as eastward as possible but the US affirmed it would not be able to defend German territories without German contribution. As a result, the EDC would have an executive commission with supranational authority similar to that of the European Coal and Steel Community. A European minister of Defence would be created to be accountable to the Council of Ministers and Common Assembly and to manage a common defence budget.[15] National involvement and control would be minimal. In the end, an agreement was reached to have nine commissioners without any specific details. Decisions to take action will be voted on by a qualified majority.

The original French draft envisaged an assembly to take over competences from national parliaments but the measure was resisted due to its undemocratic nature. Negotiations then moved to the size of Germany's contribution to the new organisation. During the talks, opinions differed, with the US preferring German combat teams, believing they could be organised more quickly. Germany, on the other hand, could not rearm itself, detached from the European army. In the final version of the EDC, national units end up being at the brigade level. In this sense, the EDC would allow Germany to be rearmed under the binding of a supranational organisation. The agreement appeased France's desire to keep Germany from rising as a military power again.   Britain, however, was not interested in this organisation due to its fear of rivalry against NATO and its supranational nature that could potentially encroach upon sovereignty. The UK also was wary of the withdrawal of the US commitment. Though most of its fears could have been argued as misplaced, Britain undoubtedly wanted to maintain a special

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[15] M. Türker. Arý, "The European Defence Community in the U.S. Foreign Policy Context," *Ministry of Foreign Affairs of the Republic of Turkey,* http://www.sam.gov.tr/perceptions/Volume9/March-May2004/6TurkerAri.pdf (accessed July 10, 2011).

relationship with the US. The US, nevertheless, threatened to leave Europe and move its defensive line back if Europeans could not forge unity.

The treaty was signed on 27 May 1952 by France, West Germany, Italy, Belgium, the Netherland, and Luxembourg.[16] Unfortunately, it was not ratified by French parliament and never went into effect. The two reasons largely contributing to the rejection by French parliament are the death of Stalin and a truce in the Korean War.[17] The US also agreed to commit larger numbers of troops on the European continent, making it less necessary to rearm Germany, especially to France.[18] Most importantly, without a British presence in the EDC many French politicians feared that Germany might have become a dominant force. The failure of the EDC, nonetheless, left the question of German rearmament unresolved and was a missed opportunity for more rapid integration of the European continent.

2.2.4 Western European Union

Rejection of the European Defence Community dealt a serious blow to Germany, as its chancellor, Konrad Adenauer, fought very hard for this initiative.[19] Had the EDC been completed, Germany might have been able to gain back its sovereignty and possibly equal footing with other European nations. It became obvious that the path to German rearmament would have to be found with or without consent from France. John Foster Dulles, the US foreign secretary at the time, gave two alternatives. It was proposed that

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[16]European Navigator, "European Defence Community," *European Navigator,* June 5, 2011, http://www.ena.lu/european_defence_community-020100497.html (accessed June 15, 2011).
[17]Seth G Jones, *The Rise of European Security Cooperation,* (New York: CAMBRIDGE UNIVERSITY PRESS, 2007), 66-68.
[18]Ibid.
[19]Duke, *The Elusive Quest for European Security*, 36.

Germany be brought into NATO or a bilateral agreement on cooperation without agreement from France will be established.

Tensions were diffused on an idea from Anthony Eden, Britain‟s foreign secretary during the 1950s.[20] He believed that the Brussels Treaty should be able to help Europe move forward from its political impasse. Eden called for a meeting of Brussels members plus Germany, Italy, the US and Canada to find a solution for the German issue. The Brussels Treaty was a crucial device that could bring all sides together for three reasons. First, it provided a political framework that did not incorporate the element of discrimination against Germany as the EDC did. Second, there was no strong supranational element that would concern Britain. Third, the Brussels Treaty laid down a longer framework of 50 years from its inception, permitting longer term cooperation.

Eden‟s conference was held on 28 September 1954 under a strained atmosphere with France expressing clearly it did not agree with German rearmament.[21] Amidst the eminent threat of the rise of Communism and despite the end of World War II almost ten years ago, France still feared the rise of Germany. Britain and the US took the lead in advancing negotiations. The US promised that if West European members could forge unity in matters of security and defence, it would commit more troops to the region. Subsequently, Britain agreed to commit and maintain four divisions of troops and a tactical air force on the continent as long as members of the Brussels Treaty saw fit.[22] These commitments from Britain and the US helped move the talks forward. With such

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[20] Eekelen, *Debating European Security*, 8.
[21] Duke, *The Elusive Quest for European Security*, 37.
[22] Eekelen, *Debating European Security*, 9.

an enticing proposal, France‟s disagreement would be heavily criticised. Under this circumstance, the admission of Germany to NATO became a possibility.

The results of the conference can be summarised into these four following points[23]:

- A committee of France, Britain and America would be arranged to seek out the end of German occupation.
- West Germany was to be invited to NATO but its armed forces would be monitored to prevent independent dispatches.
- West Germany and Italy would be part of the Brussels Treaty.
- West Germany was prohibited from producing atomic, biological, and chemical weapons.

The Western European Union (WEU) eventually came into existence in October 1954, effectively ending the problem of German rearmament that had been haunting European security for the last decade. The new organisation consisted of the Council of the WEU and the WEU assembly.[24] The council served as a decision making forum while the assembly a consultative forum. The WEU was not a supranational organisation like its ill-fated predecessor, the EDC, and was not a traditional defensive alliance in the sense that it did not possess any type of integrated military structure. Jurisdiction of the union would firmly be in the hands of national capitals. Another important aspect was that the WEU was not set to be a primary security organisation of Europe. It can be assumed that the WEU was intended to be a junior sibling of NATO, to be called upon only when needed. WEU operational roles were severely limited because of this and the organisation went dormant as soon as the problem of German rearmament was resolved.

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[23]Duke, *The Elusive Quest for European Security*, 38-39.
[24]Western European Union, "History of WEU," *Western European Union*, http://www.weu.int/History.htm#2 (accessed March 30, 2011).

Due to its tapered status, the WEU forum for political consultation did not fully materialise a fact that became apparent when Britain and France launched their invasion to „defend" the Suez Canal.[25] They did so without prior notification to WEU partners as stipulated by the cooperation.

An opportunity to revive the WEU came when Britain was vetoed from accession to the European Economic Community (EEC) in 1960.[26] Italy, which held the WEU Assembly presidency, suggested that the organisation serve as a link between EEC members and Britain. However, the meeting within the WEU was more of an informative nature than an occasion for negotiation. When Britain finally gained membership in the EEC in 1973 and participated in the European Political Cooperation, separate consultation within the WEU lost its significance completely. The WEU remained dormant until 1984 when its revitalisation became serious issue again.

2.3 1960 to 1987: The quest for European autonomy

The US commitment to defend Europe came with the price of the US leadership. There was some fear that the US domination would become too prominent. This became the root cause for some forms of the European security framework.[27] France and Germany were two countries that clearly expressed their fear. As a result, they initiated various policies to acquire European autonomy, an act that became a central theme for this time frame.

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[25]Global Security, "Suez Canal Crisis," *Global Security,* May 7, 2011, http://www.globalsecurity.org/military/ops/suez.htm (accessed June 8, 2011).
[26]Eekelen, *Debating European Security*, 10.
[27]Duke, *The Elusive Quest for European Security*, 42.

2.3.1 Fouchet Plan

Europe became completely divided by the Cold War, in effect, pushing the WEU to the background. NATO became dominant as it was larger and better equipped. Western European powers did not object to the WEU further marginalisation.

Despite the overwhelming importance of NATO and the US presence for European security, countries such as Germany showed concern.[28] Adenauer conceded that conditions at the time required the US assistance but also believed such conditions would eventually alter. The idea was to maintain some type of autonomous European security framework active. The intention was expressed by General Charles de Gaulle who admitted to great concern over the US dominance in the European continent.

The Treaty of Rome, which established European Economic Community (EEC), was signed by six countries of the ECSC in March 1957.[29] The treaty established the European Atomic Energy Community, which would later be rendered obsolete. The EEC[30] was confined to the area of economics, society, and monetary policies. Despite its lack of foreign and security policies, it did show that Europeans agreed that their interests should converge. The cooperation, however, did not come without friction. France had trouble with the notion of relinquishing sovereignty but eventually gave in. As usual,

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[28]European Navigator, "Address given by Konrad Adenauer on continuing European integration (Brussels, 25 September 1956)," *European Navigator*, May 6, 2011, http://www.ena.lu/address_given_konrad_adenauer_continuing_european_integration_brussels_september _1956-020007347.html (accessed June 15, 2011).

[29]Europa, "Treaty of Rome," *Europa Summaries of Legislation,* July 10, 2007, http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_eec_en.htm (accessed June 3, 2011).

[30]EEC created Council of the European Economic Community and European Commission which would be referred to as the Council and the Commission respectively.

Britain did not participate in the process as it feared the EEC may eventually come into conflict with its former colonies.

When de Gaulle claimed the French presidency in June 1958, he made it clear that external and foreign policies should remain firmly in the hands of national capitals. The Rome Treaty only concerned itself with the transferring of trade policy to the community. De Gaulle also fervently believed that only France, under his leadership, could counterbalance the US dominance. Soon, it became clear that not only did de Gaulle intend to question security provisions but he also had a plan for the entire community as well.[31] In June and September 1959, he proposed EEC members talk about issues of external matters, including NATO.[32] During these talks, the European Commission would be excluded.[33] This action alarmed Belgium, the Netherlands, and Luxembourg. They feared that France might be planning to undermine NATO and that the compromise might work out. The foreign ministers of the EEC would hold quarterly discussions and the EEC Council would be informed if issues fell within its competences. The discussions would undermine neither NATO nor the WEU.

In February 1961, the six members of the EEC started to talk about the idea of a more serious political community.[34] This was where diverging opinions began to emerge. The Netherlands made it very clear that it did not want a political union without British participation. The leaders of the EEC countries voiced their readiness of a political union

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[31]Duke, *The Elusive Quest for European Security*, 46.
[32]Ibid.
[33]Ibid.
[34]European Navigator, "Press release issued by the Paris Summit (10 and 11 February 1961)," *European Navigator,* May 6, 2011, http://www.ena.lu/press_release_issued_paris_summit_10_11_february_1961-020002346.html (accessed June 4, 2011).

among European states. Christian Fouchet was in charge of the negotiation committee and drew up the general framework of the union. The first draft was thus known as „Fouchet I" and presented the concept of common foreign and defence policies.[35] The plan was to have a council consisting of heads of governments from member countries meet four times a year. A political committee was to be given the task of implementing the council"s decisions. During this process, once again, Britain was kept informed but did not participate.

In January 1962, the Fouchet Plan was subjected to revision after Fouchet I faced some opposition. The consensus, excluding France, was that the common defence policy of Europe should result in strengthening the Atlantic Alliance rather than weakening it. The revised version, however, was altered by de Gaulle before reaching the negotiation table.[36] The French president carefully amended words referring to the Atlantic Alliance and did away the issue of new members. When the draft reached the foreign ministers of the EEC, they noticed the document had reverted back to being Fouchet I, resulting in mistrust which further spurred a divergence of opinions. Again, Britain was in the center of the issue. Britain historically detached itself from matters of cooperation within Europe but with Edward Heath taking office, the UK expressed a desire to take part in the future political structure of Europe. The Netherlands and Belgium were highly in favor of Britain"s involvement while France chose to veto Britain"s EEC application. Talks on coalescing foreign and security policies went under until 1970, the fact that highlights how politics, security and economics were difficult to be separated.

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[35]Duke, *The Elusive Quest for European Security*, 47.
[36]Ibid., 48.

2.3.2 European Political Cooperation: Revival of the cooperation spirit

Once de Gaulle was replaced in June 1969, the way was clear for Britain to join the EEC. The process started in 1970 and ended in 1973 with Britain achieving formal membership. At the time, the EEC remained without an external policy, adhering to its namesake by focusing solely on being an economic community. During The Hague Summit in June 1969, there was a discussion about taking the EEC to the next level beyond just being an „economic entity". The Hague Summit proved to be a significant assembly, going beyond matters of the enlargement process and monetary union to a political union brought up by Willy Brandt.[37] An informal foreign policy cooperation was initially agreed on, but the process would in time be formalised. A year after the Hague Summit, a report was unveiled by Belgian diplomats known as The Davignon Report.

The Davignon Report geared up the region for European Political Co-operation (EPC). It called for regular meetings between foreign ministers and national senior officials to consolidate Europe's political voice.[38] The final report, renamed the Luxembourg Report[39], was endorsed by the Council in May 1970. Although elements of the Fouchet Plan could be seen in the report, its scope was less extensive and it mandated that agendas be set by the country holding the EC Council presidency. Defence dimensions were deliberately left out as Belgium, the Netherlands, and Luxembourg feared that it might damage relations with NATO. Meetings were to be held twice a year

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[37]Duke, *The Elusive Quest for European Security*, 56-57.
[38]European Navigator, "Davignon Report (Luxembourg, 27 October 1970)," *European Navigator*, May 6, 2011, http://www.ena.lu/chair_crisis-020701492.html (accessed June 10, 2011).
[39]Charlotte Bretherton and John Vogler, *The European Union as a Global Actor,* (Cornwall: Routledge, 2006), 164.

at the foreign minister's level hosted by the country holding the Council presidency. They would be prepared by a Political Committee consisting of Directors of Political Affairs from EC members. These committees would meet four times a year and could form working groups or consult experts as needed. If the situation was deemed serious enough by foreign ministers, heads of government could be convened.

In 1972, France and Germany called for a meeting of the original six EEC members along with Britain, Ireland and Denmark, which were soon to gain formal membership in 1973. The gathering was for the creation of a permanent secretariat for political cooperation. The EPC process, however, would remain under pure intergovernmentalism. Although the EPC was different from the EEC, the foreign ministers acknowledged the necessity of coordination. The intention was to encourage and increase cooperation between members.

In December 1973, heads of government from the enlarged EC agreed that there was a need for European identity. They showed this when endorsing a document known as the "Document on European Identity" clearly stating the importance of foreign and security coordination between member states.[40] This initiative lifted the taboo on foreign and security policy coordination. In early 1974, France called for regular meetings of heads of states and was supported by Britain and Germany. Later that year, it was agreed that government heads, accompanied by their foreign ministers, should meet three times a year under the EPC banner. To further the progress, Belgiam Prime Minister Leo Tindemans, was requested to write a report on the progress towards a full-fledged union.

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[40]Archive of European Integration, "Document on the European Identity," *Archive of European Integration.* February 15, 2011, http://aei.pitt.edu/4545/ (accessed May 20, 2011).

In 1975, Tindemans Report claimed that the European commonality project would not be completed unless there was common security policy.[41] The idea was deemed too radical for others to pledge their support. France refused to allow the Commission to fully participate in the EPC and, by 1977, the EPC became dormant. At the end of the 1970s, the EPC was exposed to failure during the Soviet invasion of Afghanistan. Apart from a collective condemnation of Soviet aggression, there was no serious action taken. A new approach was needed to enliven the commonality process. However, the EPC was not without success as it helped in the creation of the Conferen ce on Security and Cooperation of Europe (CSCE).[42]

2.3.3 Solemn Declaration and Single European Act: European unity

Francois Mitterrand rose to the French presidency in May 1981 with an attitude in favor of European integration. He appointed Claude Chesson as foreign minister to attempt to drive the EPC process forward. Chesson‟s appointment was followed by various proposals to create a crisis management mechanism. The most notable proposal came from Germany in late 1981. What would come to be known as the Genscher-Colombo Plan was a German-Italian initiative to strengthen EC institutions and enhance security cooperation.[43] It acknowledged the link between economic and political aspects of the Community. France was characteristically not too enthusiastic about the proposal but this time was joined by Denmark, Greece, and Ireland. An agreement was not reached until 1983 when Germany held the community‟s presidency. The resulting Solemn Declaration on European Union was not so ambitious and the EPC continued to be

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[41]Duke, *Elusive Quest for European Security*, 61.
[42]later known as Organization for Security and Cooperation in Europe(OSCE)
[43]Duke, *The Elusive Quest for European Security*, 65.

marginalised when it came to security issues when the Community members failed to support their declarations with action.

In May 1984, the French president called for an intergovernmental conference (IGC) with the goal of extending the competence of the Community, in particular political and security dimensions as the EPC remained outside the Community. Again, Denmark opposed any measures to expand the EPC beyond the political and economic aspects of security. It did not want to overlap the competencies of NATO and possibly irk the US. In June 1985, leaders from the Community met in Milan and along with Britain, agreed to incorporate foreign policy into a treaty text. The results of this meeting were rather controversial as Britain, France and Germany held contrasting visions of a European foreign policy. Britain favored the status quo in foreign policy where the EPC played a limited role while France and Germany wanted the foreign policy to be broader. The two wanted to create a „Treaty on European Union" incorporating the EPC. Sensing a potential rift, the nations decided to come to a compromise that did not actually solve anything. The rise of Mikhail Gorbachev as the leader of the Soviet Union, however, eased the urgency as Europe was no longer the object of the superpower struggle.

As the global situation changed, another IGC was held in September 1985. The goals of the meeting were to create common foreign and security policies, form a single market and extend the Community to a wider area.[44] The eventual outcome would be to have a united framework with three pillars. Even under this revamped framework, some of the old issues remained such as an aversion on security extending beyond the political and economic aspects. A final compromise was reached at the end of January 1985 and

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[44]Duke, *The Elusive Quest for European Security*, 68.

all the member states signed the Single European Act (SEA) in February 1986. Key features of the SEA were the incorporation of the EPC into the European Community and its ability to implement European foreign policy under Title III of the SEA. Moreover, under Article 30 of the SEA, the members agreed to inform and consult each other on "any foreign policy matters of general interest to ensure that their combined influence is exercised as effectively as possible through coordination, the convergence of their positions and the implementation of joint action".[45] This differed from older agreements of the EPC where member states would only consult on major foreign policy matters. Still, the control over foreign and security issues strictly remained intergovernmental, keeping national governments in full control. The SEA also made no specific mention of defence. Ultimately, the SEA did not drastically change EPC processes but would provide the basis to shape the Maastricht Treaty and Amsterdam Treaty.

2.3.4 Revival of the Western European Union

Ahead of the realisation of the European Union, the Western European Union (WEU) was the only regional defence organisation standing despite remaining dormant since the 1950s. In actuality, the North Atlantic Treaty Organisation (NATO) was the only major security and defence player in Europe. With it, the US involvement and leadership was ensured. The effectiveness of NATO and the might of the US posed a question as to why the WEU should be revived, to which there are several answers. Firstly, European integration would be incomplete without security and defence capabilities, which in many situations require the Community to quickly form a coherent

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[45]European Council, "THE SINGLE EUROPEAN ACT," *Europa,* http://ec.europa.eu/economy_finance/emu_history/documents/treaties/singleeuropeanact.pdf (accessed May 25, 2011).

response. The WEU, possessing Europe's three most prominent countries, happened to be a suitable forum for this task. Secondly, a rift between the US and Europe became apparent in the 1970s with France desiring a more major role in European security. France would go as far as to leave NATO due to its limited platform to deal with all of Europe's security issues.

The actual revival of the WEU took place during a series of meetings in 1984-5.[46] The initiative was put forward by France in 1984 and at a meeting of the WEU Council in Rome in October of that year, an agreement was struck up to promote European unity. [47] Ministers at the gathering acknowledged the need to strengthen European security, not only in military terms but also in terms of psychology, politics and geography as well. They were determined to make better use of the WEU as a forum to increase cooperation. Yet, there was no intention to replace WEU with NATO or the US. If the intention had been to undermine NATO, Atlantic oriented countries like Denmark, the Netherlands and Britain would not have supported it. Although all of its members agreed the WEU needed to be revamped, actual coordination between other institutions like the EPC or European Community remained minimal. There were no formal ties between the Community and WEU.

With its rebirth, the WEU started to take up an active military role under its aegis. A notable step was taken by its Council to launch a mine clean-up operation in the Gulf

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[46]Western European Union, "Reactivation of WEU: from the Rome Declaration to the Hague Platform (1984-1989)," *Western European Union.* http://www.weu.int/History.htm#3 (accessed June 15, 2011).

[47]Duke, *The Elusive Quest for European Security*, 74-75.

War theatre.[48] All WEU members at the time contributed to a two-year long minesweeping operation, including Germany. This occurred despite Germany's sensitivity to military operations without a proper multinational framework. The WEU banner, however, provide a justifiable ground for military operation.

Although the operation was launched under a WEU flag, all controls and coordination of operation were done nationally. Still, the undertaking was essential to show that Europe was able to operate outside its own area and was willing to take up security responsibility. Unfortunately, the operation did not serve as evidence for European capability but rather limitation due to the lack of unified command. It would not be until the Yugoslav War of Dissolution that the WEU would become an informal security arm of the Community.

2.4 1990-2008: Rise of a new security actor

Despite the completion of the Single European Act (SEA) and revival of the Western European Union (WEU), Europe was still lacking the capability to be a serious security actor. The US still dominated European security but it was not clear if the US wanted to keep involving itself with Europe after the Soviet threat had subsided. Therefore, Europe needed to start taking the task into its own hands. From 1990 onward, European nations made various attempts to forge unity in foreign, security, and defence policies. The outcomes, unfortunately, were subjected to great deal of discrepancy; nonetheless, it showed that Europe wanted to be more serious about security matters.

2.3.1 Common Foreign and Security Policy

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[48]Western European Union, "The Gulf War," *Western European Union,* http://www.weu.int/History.htm#4A (accessed June 15, 2011).

Despite much hope, no drastic changes in the field of foreign and security policy cooperation in Europe were seen by the end of the 1980s. However, France demanded that foreign and security policy be included in the upcoming IGC negotiation in 1990.[49] Belgium supported the French position by calling for true common foreign policy so that the Community could play larger political roles.[50] The proposition gained support from other Community members and, as a result, common foreign and security policy and political union talks were scheduled for December of that same year. Even with optimism for a more united Europe, many differences remained. Germany wanted to integrate defence and security aspects to mitigate the fear of its own hegemony after its reunification. France and Britain, on the other hand, held firm that decisions on such issues must be made by unanimity. Also, tensions between Atlanticists and Europeanists remain unresolved.

The disagreement came down to a balance between national and common interests necessitating a compromise. One event in 1990, however, provided the impetus for Community members to see the necessity for a coherent collective response. When Iraq invaded Kuwait, the response from Europe was confusing and uncoordinated. France pushed for Europe to act while launching its own diplomatic attempt to halt the invasion. Germany was facing problems with the legality of using armed force outside of NATO and Britain was waiting for the US initiation. The swiftly following Balkan Crisis solidified the idea of Europe's incompetence and unpreparedness. An agreement was eventually reached that any European military activity would be coordinated through the WEU. However, conflict over which military force should be used to represent Europe

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[49]Duke, *The Elusive Quest for European Security*, 79.
[50]Ibid.

soon ended this common position. In the end, the Community members resorted to their own unilateral actions. Britain, for instance, dispatched additional troops to combat zones in Iraq without consultation or informing other Community members. Such actions contradicted the Community decisions to pressure Iraq through embargo. The WEU, meanwhile, continued to fail at being a major player in times of crisis. The Gulf War, while bringing security and defence integration back on to the European integration table highlighted the need for better cooperation as well as an armed force capable of implementing the Community"s will.

Even with the lessons of the Gulf War conflict, disagreement on the area of common foreign and security policies continued. Belgium, Italy, France, Germany, Greece and Luxembourg wanted to establish a common foreign and security policy with common defence attached to the future Community. Britain, the Netherlands, and Denmark feared that stronger policies in security would be perceived as a challenge to NATO while Ireland was concerned about its neutrality. It was largely due to Luxembourg"s Presidency that any progress was made, as during the first half of 1991 it arranged to take all the concerns from Community members into account. Luxembourg proposed an intergovernmental method that dividing the policies into pillars instead of a unified federalist structure. The effort gave way to the Dumas-Gencher initiative by France and Germany. The plan was to find a compromise to mitigate emerging gaps between France, Germany and Britain.[51] It reaffirmed the importance of the Atlantic alliance as well as the unanimity voting procedure. Common foreign and security policies

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[51]Duke, *The Elusive Quest for European Security*, 87-88.

would be extended to all areas of external relations with the European Council deciding which issues fell under common interests.

In the second half of 1991, when the Dutch assumed the Presidency, the pillar structure created by Luxembourg was more or less undone. All security policies were to be taken under one umbrella. Unsurprisingly, the proposal was met with extreme resistance, especially from Britain. By including all security policies under one encompassing roof, the authority from the European Court of Justice would be extended. The collapse of the Dutch proposal resumed negotiations on the pillar structure and gave way to another proposal from France and Germany. The two countries drafted the "Treaty on Political Union: Common Foreign and Security Policy"[52] attempting to use the WEU as a central security institution by linking it to the soon-to-be Union. The draft treaty, once again, did not answer many vital questions, including the question of majority voting or the involvement of the Commission. The draft turned out to be more of a symbolic gesture from the two countries since it did not contain much substance. This left crucial matters to be dealt with by the upcoming Maastricht Summit on 9-10 December 1991.

During negotiations in Maastricht, the Netherlands, Britain's resistance endangered talks as it opposed majority voting in the EPC and greater involvement of the WEU with the EU. With each member having its own agenda, agreement seemed difficult. Hans-Dietrich Gencher, president of the WEU foreign ministers, pushed forward the majority voting procedure as well as a formula for joint action. He wanted the WEU to be an integral part of the EU. France wanted to use the WEU to distance the

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[52]Duke, *The Elusive Quest for European Security*, 91.

EU from the US. Germany and Spain supported France and its idea to use the CFSP as a stepping stone from the EPC. Britain generally supported the CFSP but did not desire majority voting. Belgium wanted a common defence policy which might in time lead to total common defence. The success of Maastricht Summit was owed much to Dutch Prime Minister Ruud Luuber's negotiation skills.[53] With the combination of the Dutch Prime Minister's abilities and pressure from the Franco-German partnership, defence was successfully including as a component of the CFSP. However, Atlanticists like Britain still managed to water down the draft treaty by using ambiguous language in the final version of the Maastricht Treaty.

The Treaty was signed on 7 February 1992 but in its final form was more of a compromise between national interests. Still, the agreement resulted in the birth of the Common Foreign and Security Policy (CFSP) and the Treaty on European Union (TEU). This put an end to the name „European Community", replacing it with the title of European Union, which implied more cooperation. The general provisions of the TEU divided the European Union (EU) into three pillars. The first pillar was European Communities which dealt mostly with trade and commerce. The second pillar was about CFSP and possible future common defence policies. The third Pillar focused on Justice and Home Affairs including the Schengen Accords. The most relevant part for the CFSP was in Title V of the TEU which outlined the main features of CFSP as follow:[54]

- CFSP is to include all questions of foreign and security policy.
- CFSP is to include the „eventual framing of a Common Defence Policy which might „in time" lead to a common defence.

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[53] Duke, *The Elusive Quest for European Security*, 99.
[54] Eurotreaties, "Maastricht Treaty," *Eurotreaties*. http://www.eurotreaties.com/maastrichteu.pdf (accessed June 20, 2011).

- CFSP would make allowance for the specific character of member states" security and defence policies.

- Cooperation on issues of defence is to take place only on the basis of unanimity.

- The WEU is to be an integral part of the European Union, which may elaborate and implement decisions and actions with defensive implication.

Furthermore, the Union"s member states were to define and implement a common foreign

and security policy. Under the common policies, however, member states would still be

in full control, there was no sanctioning measure for any country that broke the solidarity.

An examination of the outline of the CFSP"s objectives shows that they are

apparently limitless and vague by nature.[55]

- To safeguard the common values, fundamental interests and independence of the Union

- To strengthen the security of the Union and its member states in all ways

- To preserve peace and strengthen international security, in accordance with the principles of UN as well as the principle of the Helsinki Final Act and the objectives of the Paris Charter

- To promote international cooperation and develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms

These guidelines were so all encompassing in scope that they actually did not provide

clear ways for the Union to achieve its objectives. Terms, such as „common values" and

„common defence", were not sufficiently defined. The Commission was to „fully

associate", implying that it did not have full authority.[56]

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[55] Eurotreaties, "Maastricht Treaty,".

[56]John Peterson and Michael Shackleton, *The Institutions of the European Union*, (Cornwall: Oxford University Press, 2002), 221.

Although, the intergovernmental nature left major decision powers to member states, there were some tools provided by the Treaty in order to coordinate their foreign policies. TEU Article 13-15 provided for:[57]

- Common Strategies, determined by the Eruopean Council and intended to provide an overall, cross-pillar approach towards a country or region

- Joint Actions, used to „address specific situations where operational action by the Union is deemed to be required", such as imposition of economic sanctions or appointment of a Special Representative.

- Common Positions, intended to „define the approach of the Union to a particular matter of geographical or thematic nature" and used to promote consistency between member states" policies

The focus of the tools tended towards diplomatic and economic matters while the WEU existed for its military tools. The CFSPs effectiveness could still be called into question as its tools could only be utilised through unanimity. Any single dissenter could derail EU Joint Action. The risks of member states going back to their national approach or other organisations such as NATO also still existed. Yet, this was still a first step towards a new security approach.

Despite optimism in the TEU, putting the CFSP in a real world context provided less than satisfying results. The nature of security chnaged during the late 1980s and early 1990s with the end of the Soviet Threat in 1991, unification of Germany, divergence of the US interest towards domestic issues and the volatile situation around Europe. These circumstances made conventional nuclear deterrence and territorial defence forces less applicable. EU members were, regardless, determined to find a way to utilise the CFSP. However, difficulties in finding common ground and a lack of political will were major obstacles.

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[57]Eurotreaties, "Maastricht Treaty,"

At the same time as the CFSP creation, the WEU was modified. In June 1992, the Council of the WEU decided to adopt a document named the „Petersberg Tasks", stating that certain humanitarian and military tasks could be undertaken by the EU and WEU.[58] These tasks are as follow:

- Humanitarian and rescue tasks
- Peacekeeping tasks
- Combat for crisis management, including peacekeeping

By agreeing to these commitments, at least on paper, the WEU showed its readiness to take on some responsibility regarding security matters. Before even being tested, some of the tasks outlined were already problematic for conventional forces in Europe. Moreover, the notion of peacemaking made countries like Ireland, a neutral nation, feel uncomfortable. It was unclear if European troops were ready to commit to peacemaking. Nonetheless, Europe moved away from conventional security focusing solely on the Soviet threat and adapted itself to the post-Cold War era. The Petersberg Tasks were later incorporated into the Amsterdam Treaty.[59]

Following the Maastricht Treaty, the CFSP underwent more modifications in order to ensure it had the right framework. By 1995, it was undeniable that the CFSP did not represent the major change from the EPC as many have hoped. The need for improvement brought about two treaties that would attempt to improve the visibility and effectiveness of the policy.

The Amsterdam Treaty gave the European Council the power of strategic decision, allowing it to decide on implementing Union action when member states shared

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[58]Europa, "Petersberg tasks," *Europa,* http://europa.eu/legislation_summaries/glossary/petersberg_tasks_en.htm (accessed April 30, 2011).
[59]Europa, "Petersberg tasks".

common interests.[60] Qualified Majority Voting (QMV) was introduced in order to lessen the risk of political impasse inherent in unanimity.[61] QMV was to be applied to issues of Common Strategies but due to its sensitive nature, the procedure was never used. The most important element in the Amsterdam Treaty was the High Representative for CFSP.[62] The first appointed High Representative was Javier Solana, a former Secretary General of NATO and Spanish foreign minister.[63] Solana‟s high profile character elevated the effectiveness of the CFSP.

The Nice Treaty also modified the CFSP even though it was not a central issue for the Treaty. It created the Political and Security Committee (PSC) to monitor the development and implementation of CFSP issues.[64] The PSC met regularly to exchange information and increase understanding on common interests.

2.3.2 European Security Strategy

In 2003, divided by the Iraq War, EU member states adopted the European Security Strategy. The initiative showed, to an extent, the convergence of threat perceptions. It sought to promote a harmonised vision of the role of EU in the world. The intention was to lay down a guideline for the EU policy instrument. The document pointed out „key threats‟ and goals that included the establishment of a secure

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[60]Europa, "Common Foreign and Security Policy," *Europa,*
http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a19000_en.htm
(accessed May 27, 2011).
[61]Ibid.
[62] Ibid.
[63] Peterson and Schackleton, *The Institutions of the European Union*, 225.
[64]Europa, "Enhanced cooperation," *Europa*,
http://europa.eu/legislation_summaries/institutional_affairs/treaties/nice_treaty/nice_treaty_cooperations_e
n.htm (accessed June 20, 2011).

neighbourhood and the promotion of international order.[65] Under the issues of key threats were state failure, proliferation of Weapons of Mass Destructions (WMD), organised crime, and regional conflicts. These complex and diverse issues went beyond pure military prowess and necessitated new, more nuanced, approaches.

The ESS emphasised long term approaches for the complete resolution of problems, opening up to tactics that included civilian measures. Countering terrorism, for instance, was not like defending against Soviet invasion. The terrorist problem stemmed from third countries but affected EU member states in a way where military tools were no longer enough. External and internal threats were slowly melding into one. Operating across borders, EU member states needed to exchange information and assist third countries to completely address the issue of terrorism.

On the WMD Proliferation issue, the EU has always been supportive of arms control through multilateral organisations. The EU continued to be greatly concerned about Iran‟s nuclear program and had engaged Iran through cooperation and trade agreements, supporting it to acquire WTO membership.

The secure neighbourhood goal was shared by the EU, CFSP and ESS. The clearest sign of the EU‟s desire to have a secure neighbourhood was the case of the West Balkans where the Union intervened in both security and economic aspects. By having stable neighbours, the EU could ensure its own safety. This was especially crucial when those countries were in the periphery of the EU. It was also stated in the ESS that the Balkans were important to the credibility of EU foreign policy.

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[65]European Council, "A SECURE EUROPE IN A BETTER WORLD," *Consilium,* December 12, 2003, http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf (accessed December 15, 2010).

On promotion of effective multilateralism, the EU has been a major supporter of multilateral organisations such as the WTO and UN. Ironically, only in trade policy can the Union itself work without the unanimous agreement of its constituent members. Due to this, the EU has never had a powerful foreign minister. member states stringently guard their autonomy over foreign and security policies and keep influence from the Commission and the European Parliament minimal.

2.3.3 European Security and Defence Policies

Attempts to strengthen EU security policy through the Treaty of Amsterdam and the Treaty of Nice were notable. However, the changes could not do much in practical application. The Petersberg Tasks, for example, caused tension between Atlanticists such as the UK and Europeanists such as France. Without a consensus between these two major powers, security and defence policy development could not continue. Fortunately, a consensus arrived in December 1998 where French and British leaders, Jacques Chirac and Tony Blair, signed the St. Malo Declaration calling for more autonomy for the EU. The declaration states that:

The European Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises….[66]

Long-standing British opposition to any security organisation that might rival NATO was seemingly reversed.[67] The powers had apparently come to the realisation that the modern situation called for more peacekeeping by Europe as well as peacemaking and that

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[66]Foreign and Commonwealth Office, "JOINT DECLARATION ON EUROPEAN DEFENCE," *Foreign & Commonwealth Office*, March 14, 2008, http://www.fco.gov.uk/resources/en/news/2002/02/joint-declaration-on-eu-new01795 (accessed May 20, 2011).

[67]Jolyon Howorth, *Security and Defence Policy in the European Union*. (New York: Palgrave Macmillan, 2007), 36.

assistance from the US might not always be forthcoming as it was during the wars in Yugoslavia and Kosovo. Still, the ideas of France and Britain did not conform completely. There were issues where they continued to differ, as proved during the Iraq War.

The St. Malo Declaration clearly expresses that the attempt for autonomous action does not mean a challenge to NATO:

In strengthening the solidarity between the member mtates of the European Union, in order that Europe can make its voice heard in the world affairs, while acting in conformity with our respective obligations in NATO, we are contributing to the vitality of a modernised Atlantic Alliance which is the foundation of the collective defence of its members. [68]

The European Security and Defence Policy (ESDP) would not seek to replace NATO. Rather, it focused on crisis management as defined later in Cologne European Council Summit.[69] The territorial defence realm will firmly remain in the realm of NATO. Moreover, the ESDP found a way to mitigate the old-fashioned and ineffective security capability of Europe by the pooling of resources.

The ESDP was officially launched by a European Council gathering in Cologne, France in 1999[70] in the midst of a NATO-led Kosovo bombing campaign. Developments to the crisis management capability later followed in a series of declarations. The first to come was in December 1999. The Helsinki Headline Goal (HHG) saw EU heads of government agreeing to capacity building. The HHG called for 60,000 European soldiers to be ready for deployment within 60 days and sustainable for one year when needed for

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[68]Foreign and Commonwealth Office, "JOINT DECLARATION ON EUROPEAN DEFENCE".
[69]Howorth, *Security and Defence Policy in the European Union*, 42.
[70]Denmark opted out of ESDP but participate in various civilian ESDP missions.

crisis management.[71] These goals were officially met but due to impracticality, smaller forces with rapid deployment capability were chosen instead in Headline Goal 2010.[72] The forces were to implement the Petersberg Tasks but later proved to be insufficient. Command and control of the varied soldiers proved to be difficult. Lifting was also problematic as EU states could muster the raw numbers but were not always able to send them to the required location effectively.

The HHG also created new decision making bodies: the Political and Security Committee (PSC), the EU Military Committee (EUMC), and the EU Military Staff (EUMS).[73] These bodies were given different functions under the ESDP banner. The PSC helped the Council design policies concerning the ESDP or CFSP. The EUMC, comprised of member state Defence Chiefs, directed all military activities and provided military advice to the PSC. The EUMS was a body of experts that orovided technical details on military action in crisis management to the Council. The first ESDP operations were mounted in 2003, the same year as the Iraq War.

A real problem lied in generating usable and practical forces from the security infrastructure leftover from the Cold War. In May 2003, the Capabilities Commitment Conference declared the ESDP to have operational capability to implement Petersberg Tasks.[74] However, airlift capabilities were still ineffective. Without the ability to airlift troops, EU forces would not be able to manage any crises. Longer term development for

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[71]Stephan Keukeleire and Jennifer MacNaughtan, *The Foreign Policy of the European Union*, (New York: Palgrave Macmillan, 2008), 177.

[72] Council of the European Union, "Headline Goal 2010," *Consilium,* http://consilium.europa.eu/uedocs/cmsUpload/2010%20Headline%20Goal.pdf (accessed March 21, 2011).

[73]Bretherton and Vogler, *The Eruopean Union as a Global Actor*, 199.

[74]Ibid., 206.

collective defence was also addressed in 2004. The European Defence Agency was created in order to:[75]

- Improve the EUs defence capabilities, especially in the field of crisis management
- Promote EU armament cooperation
- Strengthen the industrial and technological base of EU defences and create a competitive European defence equipment market
- Promote research, with the goal of strengthening Europe's industrial and technological potential in the field of defence

These objectives rationalised EU defence production negating each individual country of having to manufacture their own military equipment. Cooperation in weapons production helped the EU to ensure the quality of its forces without increasing spending.

Civilian aspects were also incorporated into the ESDP in order to complete its crisis management capability as winning battles and wars would necessitate rehabilitation for a lasting effect. The ESDP made sure to assist war-torn areas, unable to restore order on their own. To meet this need, the EU adopted the Feira Headline Goal at a meeting in Feira of the European Council.[76] The goal was ambitious: seeking the commitment of 5,000 police personnel with 1,000 deployable within 30 days of notice. The Headline Goal for civilian capability development followed in late 2004 with the member states pledging a deployable force of 5,761 police, 631 rule of law personnel, 562 advisories, and 4,988 civil protection.

Budget procedures for ESDP operation were also a complex issue. Expenses beyond the military realm such as administration and police missions were initially shared by members but a longer term, more pragmatic, funding approach was adopted in

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[75]European Commission, "European Defence Agency (EDA)," *Europa.* July 12, 2004, http://europa.eu/agencies/security_agencies/eda/index_en.htm (accessed June 10, 2011).
[76] Keukeleire and MacNaughtan, *The Foreign Policy of The European Union*, 182.

2004. The system came to be known as the Athena mechanism and provided a budget for common costs such as barrack facilities and military operations.[77] Nations were to pay according to their Gross National Products.

There are generally two types of ESDP operations: EU autonomous missions and missions under the Berlin Plus Agreement. EU autonomous missions were those mounted exclusively by EU member states and the latter are in cooperation with NATO. The Berlin Plus Agreement was created to allow ESDP missions to borrow NATO assets and capabilities.[78]

The year 2003 marked the beginning of ESDP operation. Up to February 2008, 18 missions were launched under the policy. Five out of the eighteen were military while the rest were civilian, showing the EUs emphasis on the civilian dimension of the ESDP. The first military operation launched under the guise of the ESDP was named Operation Concordia.[79] The mission saw EU forces take over for NATO in peacekeeping operations in the Former Yugoslav Republic of Macedonia. As a Berlin Plus type undertaking, the mission had the US cooperation and could call for NATO assets and capabilities. As noted, ESDP missions could be launched autonomously as well. Operation Artemis, for example, was initiated by France with the aim of stabilisation, security and the improvement of the humanitarian situation in Bunia, in compliance with UN Resolution

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[77]Europa, "The mechanism for financing military operations (Athena)," *Europa Legislation Summaries,* April 29, 2008, http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/l3328 1_en.htm (accessed May 15, 2011).

[78]Howorth, *Security and Defence Policy in the European Union*, 102.

[79]Council of the European Union "Concordia/Fyrom," *Consilium,* http://www.consilium.europa.eu/showPage.aspx?id=594&lang=fr (accessed December 15, 2010).

1484.[80] For civilian missions, the EU operated autonomously most of the time. The first civilian mission launched under the guise of ESDP was known as EUPMBiH.[81] A sustainable policing arrangement was to be established under the BiH in accordance with European and international practices.

Clearly, the design of the ESDP showed a new direction from conventional security thinking such as territorial defence and simple response to military threats. With newer, more complex threats taking the place of the Soviet Union and the US no longer prioritising Europe‟s security, the ESDP became essential. The EU had no choice but to realise and work out an institution that enabled to address a new set of needs. The ESS stated that modern issues could neither be tackled by pure military measures nor by any single state. No matter what the preference of EU member states, they had to work together.

2.4 Conclusion

There are several differences between the situation of the Cold War era and the post-Cold War era. During the Cold War, the US was willing to devote more or less unconditional support towards Western Europe‟s security. The failure of the EDC under these circumstances would not cost Western European security anything significant, a fact also applicable to both the failure of the Fouchet Plan and the impotence of the following EPC. The same cannot be said of the post-Cold War era. The US undoubtedly felt uncomfortable about continuing to bear the majority of the security burden in Europe.

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[80]Council of the European Union, "DRC/Artemis," *Consilium,* http://www.consilium.europa.eu/showPage.aspx?id=605 (accessed April 24, 2011).
[81]Council of the European Union "EUPM/BiH," *Consilium,* http://www.consilium.europa.eu/showPage.aspx?id=585&lang=en (accessed April 4, 2011).

Europe"s Cold War excuse of not being able to provide itself with sufficient nuclear deterrence no longer held up. At the same time, Western European Security institutions were largely detached. The WEU went dormant after the German problem was solved and no longer interacted with NATO and the EPC experienced a hard time relying on the economic instruments of the EC. In the post Cold War world, the WEU and CFSP were supposed to be, at least on paper, capable of crisis management.

On the bright side, Europe indeed attempted to adapt itself to the post Cold War scenario. The creation of the CFSP was an attempt to respond to potential armed conflict and enhance Europe"s international role. However, the notion of having the security arm of the EU remained external like that of the WEU was no longer viable. Europe could no longer turn a blind eye to crisis in the hopes that the US would come to its rescue. This fueled the arrival of the St. Malo Declaration and the subsequent ESDP. The ESDP held advantages over NATO, not because of capability, but because of its range of tools and design. NATO was designed for territorial defence and Soviet incursion while the ESDP was set up to be a crisis management mechanism with a full spectrum of capabilities ranging from military intervention to post conflict measures.

Up to 2008, various ESDP missions were mounted, implying an increasing resolve among EU member states to act in unity on security. Previous frameworks such as the WEU faced difficulties in acquiring support from members. At present, the member states of the EU are facing more or less the same threats according to the ESS. By pooling their resources, every country gains protection, resulting in the reduction of

overall security spending. Such benefits will definitely spur solidarity among members and can eventually lead to further integration.

CHAPTER 3

DISSOLUTION OF YUGOSLAVIA AND EU'S INVOLVEMENT

3.1 Introduction

After establishing the details of the European security policy in the previous chapter, this chapter: first, supplies an overview of the dissolution of Yugoslavia in order to illustrate the severity of the problems existing within it; and second, reveals a series of EU's actions towards the crises in Yugoslavia utilising the Union's security framework. This chapter also discusses the failure of EU members to forge solidarity and how it missed the opportunity to take on a major role in an issue taking place in its own backyard.

3.2 Dissolution of Yugoslavia

Following the end of World War II, the nation of Yugoslavia[1] was ruled by Marshall Tito who united six republics under the name of Yugoslavia into a communist state. The system was well maintained while Tito was alive but the situation changed after he passed away. Tito's management focused on suppressing nationalism and inefficient economic plans.[2] In Tito's time, the League of Communists of Yugoslavia (LCY), under his leadership, operated with ease due to the fact that no single political force was able to gain a dominant position.[3] Upon Tito's death, even though the six

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[1]Slovenia, Croatia, Macedonia, Bosnia and Herzegovina, Montenegro and Serbia along with two autonomous province which are Kosovo and Vojvodina.

[2]David Anderson, *Collapse of Yugoslavia: Background and Summary,* Research Paper, (Canberra: Department of the Australian Parliamentary Library , 1995).

[3] LCY was a governing body which consisted of leaders from all six republics and two autonomous province

republics agreed to adopt collective leadership with a rotating presidency, severe economic and political crises during 1980s brought long existing disunity to the surface.[4]

3.2.1 Questions of two autonomous provinces and Milosevic's ambition

In 1981, Albanian protestors in Kosovo came out to call for more autonomy.[5] They were not satisfied with the arrangement of the Federal Constitution of Yugoslavia and longed for the status of „republic", which could potentially provide them with sovereignty. At the heart of the conflict between Albanians and Serbians in Kosovo was territory. The status of 'autonomous province' was granted by the Yugoslav constitution but was only respected by Serbia as long as Tito was alive. With Tito's passing, nationalism and ethnic tensions ran unchecked. Serbs and Montenegrins, minorities in Kosovo, complained that they were forced out of their territories by the unbearable pressure of Albanian majority.[6] Arguably, economic problems during the 1980s also contributed to the migration of Serbs.

When Slobodan Milosevic rose to the top of the League of Communists of Serbia (LCS) in September 1987, before becoming the President of Serbia in 1989, he promised a quick resolution to the territorial problems of Kosovo.[7] Milosevic's platform forced out the LCSs previous leader Dragisa Pavlovic. During the 1980s, members of the LCS grew disillusioned with the Kosovo issue, paving the way for anyone who promised a quick solution to gain support. Pavlovic was criticised for his indecisive action against

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[4] Anderson, *Collapse of Yugoslavia: Background and Summary,* ii.

[5] Reneo Lukic and Allen Lynch, *Europe From The Balkan to The Urals: The Disintegration of Yugoslavia and the Soviet Union,* (New York: Oxford University Press, 1996), 145.

[6] Ibid., 146.

[7] BBC, "Milosevic's rise to power," *BBC,* http://news.bbc.co.uk/hi/english/static/in_depth/europe/2000/milosevic_yugoslavia/rise.stm (accessed June 12, 2011).

Kosovo‟s Albanians, which was due to his belief that the problem could not be solved through the use of force. By preferring negotiations and dialogue, Pavlovic paled in comparison to the more action ready Milosevic.

Following the elimination of the LCSs previous leadership, Milosevic began a massive purge of the league to ensure his absolute rule. He later moved on to fire editors and writers of the Serbian Media who did not support him, leaving no one to challenge him. With his rule secured, Milosevic set two major goals.[8] The first was to assert his control over the two autonomous provinces of Kosovo and Vojvodina. The second was to limit the power of other republics in Yugoslavia to enrich his own.

Milosevic began his quest for the first goal by engineering the fall of Vojvodina in October 1988.[9] He inspired tens of thousands of his supporters to go on strikes that forced down the province‟s leaders to be by Milosevic‟s puppets. The plan, as put by Glenny Misha who is a prominent Balkan scholar, was well organised to intimidate the non-Serbs of Yugoslavia and instill the idea that they were being oppressed.[10] After succeeding in his Vojvodina campaign, Milosevic called for amendments to the Serbian constitution in order to give the Serbian government greater power over the police, judiciary, as well as defence and foreign policies in the provinces of both Kosovo and Vojvodina. In March 1989, the Serbian National Assembly approved the amendments alongside Vojvodina‟s and Kosovo‟s provincial assemblies.

The constitutional amendments enraged Albanians in Kosovo so they refused the changes and held protests. Kosovo authorities utilised police force against the

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[8]Lukic and Lynch, *Europe From The Balkan To The Urals*, 151.
[9]Ibid., 152.
[10]Glenny Misha, *The Fall of Yugoslavia*, (London: Pengiun Books, 1992) 36.

demonstrators. The repression alarmed other republics, especially Slovenia which called for negotiations and immediate termination of the violent oppression. When Serbia did not heed Slovenians urgings, the Slovenian government withdrew its personnel from the federal police force in protest.[11] The repression of Kosovo Albanians would later fuel further disagreement between Serbia and Slovenia. Though Milosevic, in 1987, promised a swift resolution for the Kosovo issue, he underestimated the situation‟s severity and his repressive actions only served to indelibly unite the Albanian majority against him.

After Milosevic „had silenced‟ Vojvodina and, to a lesser extent, Kosovo, Montenegro became the next target of his power consolidation. In October 1988, he engineered a mass demonstration in Montenegro in order to force down its leadership.[12] Unlike Vojvodina, the leaders of Montenegro refused to yield and instead sent police to disperse the mob. The Slovenian government came to the support of the Montenegrin leadership, anticipating the threat of Serbian domination. In spite of the support, Montenegrin leaders stepped down in January 1989, accepting to „cooperate‟ with Serbia. The triumph gave Milosevic four out of eight votes in the LCY. He needed other republics to support him in the LCY because the president of the league also held the position of the commander-in-chief of Yugoslavia‟s armed forces. As president of Yugoslavia, Milosevic could mobilise the military against dissenting republics. He needed one more vote to overpower Slovenia and Croatia, making Macedonia, Bosnia and Herzegovina Milosevic‟s targets in 1988 and 1989.

3.2.2 Milosevic‟s quest for power

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[11]Lukic and Lynch, *Europe From The Balkan To The Urals*, 153.
[12]Ibid., 155.

Macedonia had a large Albanian population, meaning its administration would risk an Albanian uprising if support was devoted to Kosovo. Milosevic˝s methods were thus justifiable in terms of preserving territorial integrity. However, due to Milosevic˝s ambitions towards Macedonia, the republic was strongly discouraged from forming an alliance with him.[13] Moreover, if Macedonia were to ally with Serbia, it would undoubtedly damage relations with Croatia and Slovenia. If either country were to cease aid to Macedonia, it would have dealt a serious blow to Macedonia˝s weak economy. Meanwhile, Bosnia and Herzegovina disapproved of Milosevic˝s terror and repression. Milosevic˝s dream of absolute majority in the LCY never arrived.

By the autumn of 1989, tensions within the Slovenian-Serbian conflict over Kosovo were escalated. erbs from Kosovo and Slovenia planned to organise a meeting of solidarity against oppression in Kosovo but it was forbidden by the Slovenian government.[14] In anger, the Serbian government called for a boycott on all Slovenian businesses and severed ties with Slovenia. In retaliation, the Slovenian National Assembly started to make policies without paying attention to the Yugoslav constitution. The Slovenian government stopped economic aid for less developed regions, placing a financial burden on Serbia that raised tensions further from Slovenia˝s withdrawal from the Yugoslav armed forces.

The conflict between Slovenia and Serbia was however, not an ethnic one. Neither had problems with their minorities nor did they share a common border. They

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[13]Lukic and Lynch, *Europe From The Balkan To The Urals*, 158.
[14]Ibid.*,* 161.

disagreed on Yugoslavia‟s future as to whether it would be a firm federation or a loosely formed confederation.

At the end of 1989, tensions between Slovenia and Serbia were at a point of no return. Croatia felt it could no longer remain neutral and voiceless about the Kosovo issue and was being forced to choose sides between Serbia for the recentralisation of Yugoslavia or independence with Slovenia.[15] By this time, Milosevic had gained control in Kosovo, Vojvodina, and Montenegro. In order to prevent Milosevic from achieving his goal, leaders at the conference of the League of Communists in Croatia announced that they would step down in December 1989.[16] The event led to a free election under a multi-party system. Slovenia followed suit by calling its own free election and ending the monopoly rule of communists. The free election, however, created legitimacy for a political direction towards independence. By siding itself with Slovenia and undergoing free elections, Croatia tipped the balance in the political struggle within Yugoslavia and put an end to Milosevic‟s ambitions to gain a majority in the LCY.

At an LCY meeting in Belgrade, Serbia in January 1990 the Declaration of LCY was introduced.[17] The document called for political pluralism and the termination of the league‟s power monopoly. Free elections were to be held as a means to legitimise political power. Slovenia and Croatia went a step further and called for Yugoslavia‟s federal armed forces to be depoliticised and its powers limited.[18] They also suggested the LCY be transformed into a loose federation. All of these proposals came in direct

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[15]Lukic and Lynch, *Europe From The Balkan To The Urals*, 162.
[16]Ibid.
[17]Sabrina P. Ramet, *The three Yugoslavias: state-building and legitimation 1918-2005,* (Washington D.C.: Woodrow Wilson Center Press, 2006), 382.
[18]Lukic and Lynch, *Europe From The Balkan To The Urals*, 162.

contrast to Serbia"s wishes. Milosevic wanted to recentralise Yugoslavia under his authoritarian regime. The differing sides clearly could no longer find a viable consensus.

Milosevic knew that only under an absolute authoritarian regime could he influence other republics. In 1990, when the rotational presidency allowed Serbia to nominate its representative, Milosevic found his opportunity to influence the LCY. The other republics feared Milosevic would not relinquish his power and, given the bitter division between Serbia and the Slovenia coalition, the LCY meeting was adjourned on 23 January 1990 without any real solution or consensus.[19] The meeting was convened again in May 1990 but Slovenian, Macedonian, and Croatian delegates did not attend. By mid 1990, Yugoslavia became unofficially defunct.

3.2.3 Slovenia and Croatia"s road towards independence

As both Croatian and Slovenian communist leaders chose to end their power monopolies and allow for free elections in 1990, the countries" newer and more legitimate elected governments continued on the path of opposing Serbian domination. They pushed their cause by threatening to leave Yugoslavia if Serbia did not accept the idea of reform. In February 1990, the Slovenian Assembly voted to end its Yugoslav membership. The name of the League of Communist"s of Slovenia (LCSlo) was changed to the League of Slovenia Party of Democratic Renewal (SCA-DO).[20] After that, there was a call to draft a Slovenian constitution. In March 1990, the Slovenian Assembly further promulgated five additional Yugoslav constitutional provisions that allowed

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[19]Lukic and Lynch, *Europe From The Balkan To The Urals*, 162.
[20]Ibid.

Slovenian economy to be independent from Yugoslavia. Secession from Yugoslavia was considered an option but it was decided it would only be done by political referendum.

Slovenia''s first free election was held in April 1990 and yielded a high voter turnout.[21] In July 1990, the Slovenian Assembly proclaimed Slovenia to be a sovereign state.[22] The proclamation ended the use of Yugoslav law and mandated that a Slovenian constitution be drafted within one year. In October 1990, the Slovenian Assembly further approved of amendments which ended federal control over its armed forces. A new military was created in the form of the Slovenian Territorial Defence Forces. These acts showed Slovenia was preparing for full-fledged statehood.

A plebiscite on Slovenian independence was to be held in December 1990 with two objectives:[23] to find out if Slovenians actually wished for independence and to encourage other republics to discuss reformation of Yugoslavia. A lack of progress on reforming Yugoslavia ultimately cemented Slovenia''s decision to secede. Finally, in June 1991 the Slovenian Assembly passed the Declaration of Independence.

Croatia had similar ideas to Slovenia and proceeded at the same pace. The Croatian election was more competitive with a total of 34 political parties registered to vie for votes. The largest political party was the Croatian Democratic Union (CDU). The CDU was led by Franjo Tudjman who was a charismatic leader who led his party to win a huge majority in the Croatian Assembly. The vote did not only reject the old communist regime but also Serbia''s political influence.

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[21]Steven Iwan Griffiths, *Nationalism and Ethnic Conlfic: Threats to European Security,* (New York: Oxford University Press, 1993), 43.
[22]Lukic and Lynch, *Europe From The Balkan To The Urals*, 167.
[23]Ibid.

A primary goal of the new Croatian government was to enhance the republic"s sovereignty, which it did by modifying the Croatian Republic constitution. A series of amendments were issued in July 1990 alongside the creation of a working group to draft an entirely new Croatian charter. The constitution was adopted by the Croatian Assembly shortly after its completion in December 1990. In the years to come, Croatia would work closely with Slovenia to dissociate from Yugoslavia.

Between October 1990 and May 1991, the last collective attempts to save Yugoslavia were put forth. During this time, presidents from each republic met to discuss a possible solution. Three solutions were proposed from different factions. Croatia and Slovenia proposed the reformation of Yugoslavia in the framework of comprehensive negotiations that would take all interests into account.[24] Serbia and Montenegro, conversely, proposed extreme recentralisation.[25] Bosnia, Herzegovina and Macedonia presented a compromise involving the idea of a loose federal structure.[26] The Bosnia-Macedonia proposal would have the republics increase their autonomy but not become full-fledged sovereign states, allowing Yugoslavia to remain the sole subject under international law. Due to each republic being steadfast in its position, no consensus was reached. Milosevic saw only one option left, the reassertion of control through the use of force.

3.2.4 Division of Yugoslavia

In the mid 1980s, the Yugoslav political system fell into stalemate as its republics gained more power and deluded the once absolute authority of the federal government.

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[24]Griffiths, *Nationalism and Ethnic Conflict*, 44.
[25]Lukic and Lycnh, *Europe From The Balkans to The Urals*, 169.
[26]Griffiths, *Nationalism and Ethnic Conflict*, 44.

From 1987-1990, the fragile framework of Yugoslavia was shattered by Slobodan Milosevic. Milosevic's readiness to engage in war and use force to gain power and territory made it impossible for Yugoslavia to aspire to reunification.

The Yugoslav armed forces were the closest allies of Milosevic as they wanted to maintain the federal army at all costs. They feared that if the other republics gained autonomy, it would diminish their political sway. The legitimacy of the Yugoslav armed force existed only as long as Yugoslavia existed. The large amount of Serbs employed within the foreign and defence ministries provided further incentive to preserve the existing system. Free elections in 1990, especially in Croatia and Slovenia, deprived the armed forces of legitimacy. To regain their „legitimacy", the armed forces were willing to cooperate with Serbia and increase its dominance of the LCY. The triumph of Yugoslavia would also enable Serbia to accumulate the wealth of Slovenia and Croatia, which were more developed.

There are at least two known occasions where the Yugoslav armed forces attempted to engineer military coups in Yugoslav republics. Slovenia's leaders were accused of attempting to create an illegal armed force. Slovenian police's refusals to participate in the campaign brought the coup to a halt. In December 1990, the Yugoslav armed forces asked the Croatian leadership to authorise military intervention in Croatia.[27] These actions sent a very powerful message to both Slovenia and Croatia. The message was that the armed forces were controlled by military hardliners who would not tolerate moves to reform or limit the power of Yugoslavia. Because of the fear that the communist regime would lose in the free election of Croatia, the Yugoslav armed forces

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[27]Lukic and Lycnh, *Europe from The Balkans to The Urals*, 176.

confiscated weapons from territorial defence forces in both Slovenia and Croatia. However, both republics were able to rearm themselves.

3.2.5 Ethnic turbulence in Croatia

Croatia, while a close ally with Slovenia, differed due to its significant Serbian minority. Serbs represented around 12 percent of the total population in Croatia.[28] During the summer of 1990, fear started to emerge among the Serbs over the implications of Croatian sovereignty. The Serb minority in Croatia saw the newly-created flag as a representation of a repressive Nazi regime and a threat to their security. At the same time the Serbs were seeing their usually large share of political power taken away. After the previous communist regime had been voted down, incoming Croatian leaders attempted to equalise political representation, leading to the replacement of many Serb positions. The reconfiguration resulted not only in a loss of political power but also in economic advantage as most Serb enterprises were owned by the government. Though the Croatian government offered the compromise of cultural autonomy, the Serb population‟s fears drove them to organise a rebellion against the newly elected Croatian government. The Serbian government, through the Yugoslav armed forces, distributed weapons to the minority for their fight against the Croatian government.

Armed by the federal military, Croatian Serbs commenced raids throughout the republic‟s rural areas. When local police retaliated, they found the Serb insurgency backed explicitly by the Yugoslav armed forces. The Yugoslav army saw Croatian rejection of Yugoslavia as a threat; thus, it chose to side with the Serbs. By September of

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[28]Lukic and Lycnh, *Europe from The Balkans to The Urals*, 177.

1990, the Croatian government had lost control over numerous counties throughout the republic. In Serb controlled areas the minority declared their independence and formed a new republic that would eventually join Serbia. The Croatian government could not fight such a well-prepared and supported insurgency.

By late 1990, the conflict had settled just short of a full scale war as the Croatian government backed down. More importantly, the Croatian administration did not want to risk an open war with the Yugoslav armed forces. Having the Serb population rise up proved to be a very good strategy for Serbia. Even with Croatia claiming independence, Serbia could still exert its power in Serb dominated areas. However, the initiative could not be viewed as a premeditated Serbian tactic as Croatian authorities chose to „reassign‟ political positions and worry the Serb minority.

3.2.6 Final effort to preserve Yugoslavia

With the eruption of the conflict in Croatia, hopes to continue Yugoslavia were dashed. Still, Yugoslav Prime Minister Ante Markovic wanted to save the Yugoslav federal system. His efforts were neglected and failed to receive support from Serbia. His legitimacy was called into question as Yugoslavia fell into a state of disarray. By the end of 1990, he did not have enough political clout to further push the preservation process.

The final blow to Markovic was delivered by Milosevic in December 1990. The Serbian parliament, under order from Milosevic, forced the national bank to issue an unprotected loan of 1.8 billion US dollars to the Serbian government.[29] The act undermined Markovic‟s economic policies as well as discredited Yugoslavia just as it

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[29]Lukic and Lynch, *Europe From The Balkans to The* Urals, 183.

was under review for an international loan. Markovic, nonetheless, pushed on and sought support in the international arena and finally received help from the European Community and the US. Unfortunately, it was too late and by June 1991, Slovenia and Croatia were bent on declaring independence.

3.2.7 The War against Slovenia and the Croatian reaction

In an attempt to salvage Yugoslavia from demise, Prime Minister Ante Markovic authorised the mobilisation of armed forces against Slovenia in June 1991 shortly after it declared its independence.[30] In normal circumstances, the order could only be issued by the Yugoslav president but as the country was without a president since May 1991 when Serbia blocked the due appointment of Croatia, Markovic proceeded with the call. The Yugoslav armed forces under Serbian domination were already poised to attack with the intention of preserving Yugoslavia. The Slovenians proved themselves well-prepared for war and the battle ended in less than ten days.[31]

The Yugoslav army's ill-planned military campaign was disastrous. Markovic's repeal of the decision to use force came too late and he ended up resigning in December 1991, disenchanted that Yugoslavia would remain intact.[32] Despite the failure of the offensive on Slovenia, Serbia was able to increase its own power by absorbing the Yugoslav armed forces. Nonetheless, the Slovenian War firmly turned the Slovenian leadership against any future negotiations.

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[30]David Norris, "Serbia and Montenegro," In *Central and Eastern Europe 2004*, ed.(Imogen Bell. London: Europa Publication, 2003), 534.

[31]Public Relation and Media Office of Government of Republic of Slovenia, "War for Slovenia 1991," *Public Relation and Media Office of Government of Republic of Slovenia,* http://www.slovenija2001.gov.si/10years/path/war/ (accessed May 16, 2011).

[32]Lukic and Lynch, *Europe From The Balkans to The* Urals, 185.

While Slovenia defended itself, Croatia took care not to openly oppose the events taking place as it did not want to provoke a war in its own territory. It allowed Serbian and Yugoslav troops to pass through its territory and invade Serbia. Meanwhile, the Serbian public embroiled in a nationalistic atmosphere threw its support behind Milosevic, providing him the political legitimacy to move forward with his aggressive tactics.

3.2.8 Serbian-Croatian War

Losing Slovenia was a serious setback for Serbia in its wish to recentralise Yugoslavia, but its ambitions remained strong. Milosevic, seeing that Yugoslavia was a lost cause, turned his attentions to territorial conquest with the aim of creating a „Greater Serbia". Milosevic embarked on a Hitler reminiscent drive to unite Serbian populations in other republics and annex those lands. Within 1991, the Yugoslav armed forces transformed into a Serbian-dominated army under the command of Milosevic.[33]

Shortly after Croatia declared its independence on 25 June 1991, the Yugoslav armed forces were mobilised by Milosevic to seize Croatian territories dominated by Serbs.[34] He justified the campaign by positing that the Croatian government was about to turn Croatia into a fascist land and the Serbian population would have to be „liberated". Between July and October 1991, top ranking Serbian officers ordered attacks on several fronts in Croatia, some of which had no Serb population. Milosevic's conquest included the expelling of all other ethnic groups from the Serbs.

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[33]Lukic and Lynch, *Europe From The Balkans to The* Urals, 189.
[34]Global Security, "Serbo-Croatian War," *Global Security,* July 11, 2011, http://www.globalsecurity.org/military/world/war/croatia.htm (accessed July 15, 2011).

A European Community Monitoring Mission (ECMM) was dispatched to the conflict zones to gather information in late 1991. They concluded that the Serb-dominated Yugoslav armed forces were terrorising Croatia. By leaking information about Serbian atrocities, the mission was threatened to stop by Serbia but the ECMM continued to relay information, enraging the Serbs. An ECMM helicopter was gunned down in an attempt to intimidate the observers[35] but the mission continued its efforts. Various cease-fires were negotiated by Europe between 1991 and 1992, all of which would subsequently be broken. Throughout the two years, the Serbs campaign successfully conquered a vast swath of land.

The United Nations (UN) stepped in and declared four areas of Croatia protected under UN resolution 743 in February 1992.[36] While UN intervention did secure a lasting cease-fire, non-Serb populations in „protected" areas continued to be expelled. UN peacekeepers proved to be ineffective in stopping the segregation.[37] UN forces were not equipped to fend off aggression by the Yugoslav and Serbian armed forces. Wars in Bosnia and Herzegovina helped the situation somewhat by diverting the attention and resources of Serbia away from Croatia. Nevertheless, a small scale military campaign continued throughout 1992.

Full scale military movement was renewed in 1993 when the Croatian army launched offensive operations against occupied areas such as the city of Zadar and Peruca

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[35]Lukic and Lynch, *Europe From The Balkans to The* Urals, 193.

[36]United Nations, "Resolution 743 (1992)," *United Nations,* http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/011/02/IMG/NR001102.pdf?OpenElement (accessed May 14, 2011).

[37]Andrezej Sitkowski, *UN Peacekeeping: Myth and Reality,* (Westport: Praeger Security International, 2006), 130-131.

Hydroelectric Dam.[38] The campaigns successfully drove the Serbs from the area and highlighted the fact that if the Croatian government had armed itself properly in 1991, it could have stood a chance at repelling the Serbs. In June 1993, Krajina, a Serb-dominated area under the protection of the UN attempted to merge itself with Serbia but UN resolution 871 was issued to prevent it.[39]

By 1994, several UN-led negotiations between the Croatian government and Serb leaders in Croatia yielded only limited results. Continued stubbornness by both sides gave the Croatian government reason to launch an offensive operation in 1995. Over the course of the conflict, the Croatian armed forces had gone from an under-supported militia to a sophisticated army with the ability to take on various types of military campaigns. With foreign professionals brought into to train the troops, Croatia was ready for a major push in 1995.[40]

In the year 1995, tensions escalated as the Croatian government put heavy pressure on Serb forces occupying Croatian territory. The administration also asked UN peacekeepers to leave but the international community countered the request by coming up with the Z-4 Plan, which was rejected by the Serbs and ignored by Croatia.[41] The violence erupted in May when Croatian Serbs no longer had the support of Serbia. The Croatian military attempted to take back Slavonia meeting with Serbs retaliation by

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[38] Sitkowski, *UN Peacekeeping: Myth and Reality,* 131.
[39] United Nations, "Resolution 871 (1993)," *UNHCR,* http://www.unhcr.org/refworld/country,,,RESOLUTION,HRV,,3b00f16420,0.html (accessed June 29, 2011).
[40] Global Security, "Croatia - Operation Storm 1995," *Global Security.org,* May 9, 2010, http://www.globalsecurity.org/intell/ops/croatia.htm (accessed May 20, 2011).
[41] Sitkowski, *UN Peacekeeping,* 131.

killing hundreds of civilians in Zagreb.[42] Nonetheless, the Croatian army was better armed and showed the ability to beat the Serbs back on several occasions. The administration no longer wanted to negotiate a cease-fire. Throughout July and August, various Croatian military operations were mounted to reclaim Serb-occupied territories, including the successful seizing of Krajina, the Croatian-Serb stronghold. Serbs fled the reclaimed territories in fear[43] and the following months were marked with small scale armed conflicts that spelled the end of the Serbian-Croatian conflict.

3.2.9 Bosnia and Herzegovina: smaller versions of Yugoslavia

Though considered to have a significant Serb population, Croatia's citizens were only 12% Serb. Bosnia and Herzegovina had much more mixed ethnic groups. Bosnian Muslims accounted for more than 40% of the total population while Serbs and Croats accounted for 31% and 17% respectively in the 1990s.[44] No single group could be considered an absolute majority in Bosnia and Herzegovina. Eventually, the war broke out in Bosnia in 1992, overshadowed somewhat by Serbia trying to reassert its control over Croatia, but the consequences of the Bosnian conflict would be far bloodier than the war in Croatia.[45]

In November 1990, Bosnia and Herzegovina held their first free elections which, similar to other republics, saw the rise of nationalism and self-determination.[46] Even though the polls put Muslims in a dominant position, there was a consensus that power

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[42]Roger Cohen, "Rebel Serbs Shell Croatian Capital," *New York Times,* May 3, 1995, http://www.nytimes.com/1995/05/03/world/rebel-serbs-shell-croatian-capital.html?ref=croatia (accessed June 13, 2011).
[43]Sitkowski, *UN Peacekeeping,* 132.
[44]Lukic and Lynch, *Europe From The Balkans to The Urals*, 201.
[45]Center for Balkan Development, "History of the war in Bosnia," *Center for Balkan Development,* May 1996, http://www.balkandevelopment.org/edu_bos.html (accessed July 1, 2011).
[46]Lukic and Lynch, *Europe From The Balkans to The Urals*, 202.

should be shared among the ethnic groups. Serb acceptance of power sharing, however, did not last long. Serb political elites actively promoted the idea of secession from Bosnia to join Serbia. In September 1991, Bosnian Serbs called in support from the Yugoslav armed forces to safeguard Serb-dominated locations. The Bosnian central government was not able to reclaim the areas with its current weapons and manpower.

Serbia and the Yugoslav army, once again, were fully ready to assert their control through military measures against other ethnic groups to expand the Serbian border. Croat and Muslim government officials were fearful and decided to adopt a „memorandum on sovereignty".[47] The adoption of the memorandum was done without Serbs" consent as they boycotted the session. As in Croatia, the division between Serbs and the rest of Bosnia was a pretext for the war.

The Bosnian referendum in 1992 illustrated that a majority of Bosnians desired independence and international actors were starting to recognise Bosnia as its own state.[48] The recognition worried Bosnian-Serbs and accelerated the war by justifying military operations in the mind of Serbia. War broke out in late March 1992 shortly after the results of the referendum and a declaration of independence.[49]

Initially, Bosnian Croats and Muslims were in close relations at all levels, including their political elite. Croats and Muslims in Bosnia, as well as a small number of Bosnian Serbs jointly fought against the Yugoslav armed forces to defend their newly created nation. Unbeknownst to Bosnian Muslims, however, their allies were also pursuing other strategies. Occasionally, Bosnian Croats sought out negotiations with the

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[47]Lukic and Lynch, *Europe From The Balkans to The Urals*, 204.
[48]Ibid., 205.
[49]Center for Balkan Development, "History of the war in Bosnia,".

Serbs, usually at the expense of their Muslims allies. At the same time, Bosnia and Herzegovina‟s ideal reaction to the Serbian invasion of Croatia served as a fuel for Croatian resentment against Muslims.

The objective of the Serbian military in Bosnia and Herzegovina was to expel non-Serb populations through the defeat of the Bosnian army, similar to the invasion of Croatia.[50] In April 1992 Radovan Karadzic, a Bosnian Serb leader, formulated a plan to partition Sarajevo according to ethnic ratios as well as annex territories to Serb control.[51] The Serbian republic, meanwhile, was ready to commit atrocities to push the agenda. Making matters worse, the alliance forged between Bosnia‟s Croats and the Muslims at the beginning of the war was starting to fail. A UN arms embargo deprived Bosnian Muslims of an effective means to procure weapons, leaving them to depend on support provided by the Croatian government through the Bosnian Croats. The Croats used this dependency as leverage and patronised their allies as a junior partner. Fallout from the inequality proved to be useful for Serbia to exploit.

Furthermore, the Bosnian Croats attempted to cut a separate deal with Serbia to partition Bosnia and Herzegovina. With its superior military might, Serbia brush the proposition aside. The Croats' attempt to forge this separate deal undermined their image as victims. The Graz Agreement between Bosnian Croats and Serbs ultimately proved

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[50]Roger Cohen, "Rebel Serbs Shell Croatian Capital," *New York Time,* May 3, 1995, http://www.nytimes.com/1995/05/03/world/rebel-serbs-shell-croatian-capital.html?ref=croatia (accessed June 13, 2011).
[51]Lukic and Lynch, *Europe From The Balkans to The Urals*, 206.

that they were ready to betray their Muslim allies if needed.[52] The agreement paved the way for the division of Bosnia and Herzegovina into three ethnic areas.

The breaking point between Croats and Muslims was at the lost of the town of Bosanki Brod.[53] In October 1992, Bosnian Croats forces left the town in the midst of a Serbian incursion leaving the Muslims to fight for themselves. Soon afterward, hostilities between the two Bosnian ethnic groups broke out in various cities. By the end of 1992, the Croats joined the Serbs in fighting against their once allies, the Bosnian Muslims.

At the beginning of 1993, the UN led negotiations between the three warring factions. David Owen and Cyrus Vance, two leading negotiators, came up with a plan that would later be known as the Vance-Owen Plan.[54] Owen and Vance proposed that a decentralised federation, divided amongst the three ethnic groups be created. The federation would then be divided into ten cantons with a mixture of ethnic groups. The cantons would be responsible for local administration, much like US state governments. The government in the capital would be responsible for federal policies such as defence and foreign affairs. Backing the proposal, Owen and Vance obtained US commitment to launch airstrikes if the negotiations failed. Bosnian Serbs, despite a direct order from Milosevic to take on the deal, rejected it. The Croatian government then proceeded to accuse their former Muslim allies of being Islamic fundamentalists in order to discredit them and obtain support for their purge. Though the accusation did not gain much traction, the Bosnian Serbs continued to be wary of renewed ties between the Croats and

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[52]*The Prosecutor v. Tihomir Blaškić,* IT-95-14-T (International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of The Former Yugoslavia since 1991, March 3, 2000), 37.

[53]Lukic and Lynch, *Europe From The Balkans to The Urals*, 212.

[54]Cyrus Vance and David Owen, "Vance-Owen Peace Plan," *University of Liverpool,* http://sca.lib.liv.ac.uk/collections/owen/boda/sp13a.pdf (accessed April 20, 2011).

Muslims. The Vance-Owen Plan became a complete failure after none of the ethnic groups saw its merits.

In mid 1993, Bosnian Croats began doing the same as the Serbs had done: expelling Bosnian Muslims from the town of Herzeg-Bosna.[55] The republic's Muslim army retaliated this by driving the Croats from central Bosnia. The situation developed into a full scale war. The inaction of the international community allowed the conflict to worsen as the incentive for territorial conquest and ethnically-pure land increased. A new plan was brought to light, the Owen-Stoltenberg Plan. Again, it was proposed that Bosnian and Herzegovina be partitioned into three ethnic republics. Initially the Bosnian Muslims opposed the idea but eventually agreed when they were given an increased amount of territory.[56] The agreement came at a loss of land for Bosnian Serbs but was counter balanced by a reduction of sanctions. This plan was signed but ultimately collapsed when the Bosnian Serbs broke the cease-fire.[57]

During the war, many areas declared as „safe‟ by the UN continued to see violence as peacekeepers were not able to enforce its mandate.[58] In early 1994, an artillery shot fell into the town of Sarajevo, hitting civilians. The incident sparked international outrage and pulled the US into the scene. The US issued an ultimatum threatening airstrikes on the Serbs if they did not remove their heavy weapons from

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[55]Lukic and Lynch, *Europe From The Balkans to The Urals*, 214.

[56]Melanie C. Greenberg and Margaret E. McGuinness, "From Libsbon to Dayton: International Mediation and the Bosnian Crisis," In *Words Over War*, ed. Melanie C. Greenberg, Margaret E. McGuinness and John H. Barton, (New York: Rowman and Littlefield Publishing, Inc., 2000), 54-55.

[57] Greenberg and McGuinness, "From Libsbon to Dayton," 37.

[58]Andrezej Sitkowski, *UN Peacekeeping: Myth and Reality,* (Westport: Praeger Security International, 2006), 135-140.

Sarajevo. Russia stepped in and agreed to replace Serb forces with Russian peacekeepers averting the airstrikes.

It became clear that foreign intervention was needed in the deteriorating conflict. A mediation group known as the Contact Group was formed. The group consisted of diplomats from the US, Italy, Russia, France, Germany and Britain. The group knew that before the peace process could begin, the Muslims and Croats in Bosnia would have to cease hostility. This was achieved through combined American-German pressure against both factions that drove them to signing the Washington Agreement, which ended hostility and gave birth to the Croat-Muslim federation. In July 1994, the Contact Group presented a plan that gave 51% of Bosnia to Muslims and Croats and the other 49% to the Serbs. The plan forced the Serbs to give up their former 70% claim of Bosnian territory down to less than 50%.[59] All parties, including Serbia under Milosevic, accepted the plan except the Bosnian Serbs leaders who refused to do so. The discrepancy set off failing relations between Bosnian Serbs and Milosevic.

Throughout 1994 and mid 1995, the situation remained grim in Bosnia and Herzegovina.[60] The conflict dragged on with increasing casualties as the western world was unable to find an acceptable compromise for the warring factions.[61] UN peacekeepers were held hostage on several occasions in retaliation against NATO airstrikes, underlining the chaotic nature of the situation. The US became serious about the situation, demanding a major intervention through larger scale airstrikes. The killing of civilians in the town of Srebrenica in 1994 enforced the necessity and finally the US

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[59]Greenberg and McGuinness, "From Libsbon to Dayton," 58-59.
[60]Anderson, *Collapse of Yugoslavia*, 18.
[61]Ibid.

showed its determination to take action with or without European consent by laying down the framework of the Dayton Peace Agreement. Fighting continued through most of 1995 but eventually ended following a large scale NATO airstrike known as "Operation Deliberate Force" which pushed Serbia and Bosnian Serbs back to the negotiation table.[62] The Dayton Peace Agreement was finally taken on in November 1995. The agreement changed the internal territory of Bosnia and had NATO and UN continue peacekeeping operations in Bosnia and Herzegovina. In 2003, the EU launched a military peacekeeping operation known as "Althea"[63] and a police mission known as "EUPM BiH".[64] Unfortunately, the bloody war in Bosnia was not the last major armed conflict in the now defunct Yugoslavia as Kosovo would follow with its own violence in 1998.

3.2.10 Kosovo War: Continuation of ethnic conflict

Despite the fact that Kosovo showed the first signs for ethnic conflict while Yugoslavia was separating, it was largely neglected from 1990 to 1996 as the western powers were preoccupied with other Yugoslav republics. When Slobodan Milosevic imposed tight control over Kosovo, its locals responded by establishing their own institutions and boycotting all Serb establishments. Up until 1996, the Albanian majority in Kosovo resisted Milsoveic through non-violent measures under the leadership of Ibrahim Rugova.[65] The peaceful resistance was done in the hope that international aid would eventually arrive. Due to the relatively „stable" situation, however, Kosovo was

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[62]NATO, *Operation Deliberate Force,* December 16, 2002, http://www.afsouth.nato.int/factsheets/DeliberateForceFactSheet.htm (accessed May 25, 2011).
    [63]Council of the EU, "Althea/BiH," *Consilium,* http://www.consilium.europa.eu/showPage.aspx?id=745&lang=fr (accessed January 24, 2011).
    [64]Council of the EU, "EUPM/BiH," *Consilium,* http://www.consilium.europa.eu/showPage.aspx?id=585&lang=en (accessed April 4, 2011).
    [65]UNHCR, "Who's Who in Kosovo," *United Nations High Commissioners for Refugee,* August 31, 1999, http://www.unhcr.org/refworld/country,,ICG,,SRB,,3ae6a6cf0,0.html (accessed June 30, 2011).

not seen as having the potential for war. The Dayton Peace Agreement in Bosnia did not even mention the violations of human rights and other Serbian atrocities committed in Kosovo.

The Albanian majority of Kosovo had no choice but to gain international attention. In 1997, the Kosovo Liberation Army (KLA) was assembled to fight for Kosovo Albanians. Public support of the KLA was very high but prompted equal Serbian retaliation which affected both armed personnel and civilians.[66] In spring of 1998, a massacre ensued when Serbian forces killed 51 Kosovo Albanians to retaliate against KLA provocation.[67] Still, western powers did not take notice and Milosevic continued his ethnic cleansing campaign against Kosovo‟s Albanians. In spite of Milosevic‟s display of superior forces, the KLA continued its operation.

The US Special Envoy Richard Holbrooke attempted to forge an agreement.[68] Equipped with a NATO backed threat to instigate airstrikes, Holbrooke negotiated a cease-fire and for unarmed observers from the Organisation for Security and Cooperation in Europe (OSCE) to enter Kosovo. The cease-fire agreement proved to be as ineffective as the UN peacekeepers in Bosnia and Herzegovina. Finally, the Contact Group, led by the US, forced both the KLA and Milosevic into talks towards a peace plan. The resulting Rambouilet Agreement would have Milosevic lower his military presence and restore the autonomous status of Kosovo.[69] The KLA would have to disarm and halt all of the armed

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[66]Center for Balkan Development, "History of the war in Kosovo," *Center for Balkan Development,* April 1999, http://www.balkandevelopment.org/edu_kos.html (accessed March 30, 2011).
[67]Ibid.
[68]Duke, *Elusive Quest for European Security*, 233.
[69]US Department of State, "Rambouillet Agreement: Interim Agreement for Peace and Self-Government in Kosovo," *US Department of State,* http://www.state.gov/www/regions/eur/ksvo_rambouillet_text.html (accessed February 4, 2011).

operations. With Milosevic wanting absolute control and the Albanians wishing for full independence, the agreement ended in failure. The plan collapsed when Milosevic broke the ceasefire agreement.[70]

Milosevic continued his military campaign with increasing intensity, forcing the international observers to leave in late March 1998. Frustrations ran high on the US"s side and an ultimatum was issued, stating that it would carry out airstrikes against the Serbs or completely abandon Kosovo if either side refused to sign an agreement. Eventually, the Albanians opened up to agreement but Milosevic refused. The refusal ushered in major airstrikes led by NATO against Serb military establishments.

On 24 March 1999, NATO initiated an airstrike campaign with the objective of forcing Milosevic to surrender.[71] In retaliation, Milosevic elevated his aggression towards Albanians in Kosovo to a full scale ethnic cleansing. Without any independent journalists left in Kosovo the atrocities committed by the Serbs forces went unaccounted. By April 1999, half a million Albanians were forced out of Kosovo. Though international ground troop deployment had long been avoided, the dire situation necessitated soldiers being sent into Kosovo. The events of 1999 resulted in an imminent refugee problem as expelled Albanians could not return to the now war torn Kosovo.

NATO airstrikes eventually ended in June 1999 when Milosevic accepted previously set terms for negotiation.[72] Most Serbs" forces were deported from Kosovo,

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[70]William Bradford, "The Western European Union, Yugoslavia, and the (Dis)Integration of the EU, The New Sick Man of Europe," *Boston College International and Comparative Law Review* 24, no. 1 (2000): 63.

[71]NATO, "Operation Allied Force," *NATO,* May 26, 2006, http://www.nato.int/kosovo/all-frce.htm (accessed June 10, 2011).

[72]NATO, "Operation Allied Force,".

but the episode served as an illustration of how international intervention could arrive too late as well as how threats not backed by actual military action ccould backfire. After the war, the UN Mission in Kosovo (UNMIK) provided civil administration for Kosovo while NATO provided peacekeepers under UN Resolution 1244.[73] Still, the question of Kosovo final status was left unanswered.

3.3 EU"s involvement in Yugoslavia

"With many others I am convinced that one would have stopped the Serbs in October 1991 with three ships, three dozen aircrafts and three thousand men engaged in Dubrovnik and Vukovar to mark unequivocally the determination of the European Community".[74]

Yugoslavia enjoyed a special relationship with Western Europe dating back to the 1970s by being a non-aligned state. It received economic aid and other types of assistance. In 1989, however, when it stated that it wanted formal ties with Western Europe, it began to disintegrate. Despite Western European support for its federal structure, Yugoslavia was doomed to fall. This part of the thesis will be divided amongst the EU"s involvement with Slovenia, Croatia, Bosnia and Herzegovina, and Kosovo.

3.3.1 EU"s involvement in Slovenia

Before the fight between the Yugoslav armed forces and the Slovenian Territorial Defence Force broke out, the European Community had not even considered the recognition of Slovenia. In spite of a referendum in December 1990 expressing Slovenia's desire for independence, Europe"s first priority was to keep Yugoslavia together for the sake of territorial integrity. European leaders believed that Slovenia's nationalism could

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[73]Richard Caplan, "International Intevention and its Aftermath: Kosovo and East Timor," in *Managing and Settling Ethnic Conflicts*, (London: C. Hurst& Co. (Publisher) Ltd., 2004), 207.
[74]Willem van Eekelen, *Debating European Security,* (Meppel: Sdu Publisher, 1998), 142.

lead to instability on the European continent.[75] This point of view was shared by the US and it pledged not to recognise the breakaway state. The fear of destabilisation in post-Cold War Europe led western Europeans to believe that Yugoslavia as a federal state was the best guarantor of Balkan stability. By advocating the status quo instead of accepting the breakaway republic, Europe forced Slovenia to stay in Yugoslavia against its will.

Once the Yugoslav armed forces began military action to reassert federal control in Slovenia, however, the European Community's (EC) opinion started to swing towards sympathy for Slovenia. The more the EC wanted to keep Yugoslavia together, the greater the chance it would turn into violence. One last few deterrents against recognising Slovenia was that several EC member states had their own separatist movements, so they feared that the break-up of Yugoslavia would encourage Northern Ireland to separate from Britain and the Basques and Catalonians to secede from Spain. The soon-to-be European Union viewed the Yugoslav crisis as a European issue and acknowledged the need to formulate a coherent policy.

Well-prepared for battle, Slovenian forces drove the Yugoslav armed forces back in less than two weeks. After that, the EC dispatched missions to Slovenia to obtain a cease-fire agreement. The Brioni Agreement cease-fire was reached on 7 July 1991, ending all troop movements by both Slovenia and the Yugoslav state.[76] At the same time, the EC pressured Slovenia as well as Croatia to postpone their declarations of independence for three more months to allow a plan for lasting peace to be formulated. The Conference for Security and Cooperation in Europe (CSCE) also attempted to solve

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[75]Lukic and Lynch, *Europe from The Balkans to The Urals*, 252.
[76]Organization for Security and Cooperation in Europe, "Brioni Agreement," *Organization for Security and Cooperation in Europe,* http://www.osce.org/item/58326 (accessed May 27, 2011).

the new crisis through the establishment of a new constitutional order for Yugoslavia. The Yugoslav governing body rejected the efforts, brushing them off as outside interference. It was found that the EC‟s fewer members made it more effective as a negotiation mediator than the CSCE which had more members. Fifty observers were sent to monitor compliance to the cease-fire which proved to hold.

The first cease-fire agreement obtained under the leadership of the EC was so encouraging. It prompted Jacques Poos‟ statement of „Europe‟s finest hour‟.[77] The initial triumph proved that the EC member states could coordinate their policy. The coherent approach early on, however, would not extend to later crises in Yugoslavia. The relatively minor conflict between Slovenia and the central Yugoslavian government may have created a false sense of accomplishment. Slovenia's own ability to fend off the Yugoslav army may have helped the central government to concede to the ECs proposals. Moreover, Slovenia did not have a large enough Serb minority to threaten stability, dashing the Yugoslav armed forces‟ usual tactic of creating internal turbulence. This initial conflict saved the face of the EC after its previous support for Yugoslavia.

3.3.2 Croatian War for independence: a real test of the EU

The Croatian War soon proved Jacques Poo‟s statement to be premature. Throughout the summer of 1991, the EC put pressure on Serbia with the threat of aid suspension if military operations were not halted in Croatia. On 8 November 1991, the EC imposed sanctions on Serbia by eliminating all its preferential trade statuses. Serbia

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[77]Ekelen, *Debating European Security*, 143.

brushed off the sanctions as it was more intent on territorial conquest than economic aid.[78]

After an agreement was reached in the Slovenia conflict, the Yugoslav armed forces turned offensive towards Croatia. The war broke out in Croatia when the Serbs in Croatia started an uprising backed by the Yugoslav armed forces. This time, the EC adopted a two track diplomatic effort. Observers were deployed to monitor cease-fires while negotiations took place in The Hague led by Lord Carrington in September 1991. Lord Carrington tried to address the three problems of constitutional arrangement within Yugoslavia, minority rights and economic relations.[79] As soon as mid September 1991, however, the ECs unarmed observers in Croatia realised that the cease-fire did not hold. The Yugoslav armed forces were gaining territory, which allowed Serbia to summarily reject an EC proposal for Yugoslavia to be a loose confederation in October 1991.

Shortly thereafter, Serbia agreed to a new cease-fire but there were doubts that it would comply. The frequent cease-fire failures implied that the EC needed a credible military force to back up diplomatic efforts. In late 1991 it became evident that EC‟s coherency was falling apart over the divergence of national interests on armed intervention.[80] Questions of what force should be employed, who should be in command and when military action should be employed were yet to be answered despite the EC realising that the deployment of peacekeepers was meaningless in areas where peace was nonexistent. Though it was widely accepted that a foundation of peace would have to be

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[78]Lukic and Lynch, *Europe from The Balkans to The Urals*, 262-263.
[79]Ibid., 265.
[80]Lukic and Lynch, *Europe from The Balkans to The Urals*, 266.

planted before any further progress could be made, EC nations would only deploy combat-ready forces to instill peace if their own national interests were at stake.

Divergence of national interests started to take a toll and reduce EC"s capability in the Yugoslav crisis. Italy and Germany were greatly concerned by the issue as they were in close proximity with Yugoslavia and took on masses of refugees. Germany, nonetheless, was unable to deploy armed forces abroad due to historical and constitutional reasons. France, while wishing to free European security from dependency on the US, did not have the desire to go to war with Serbia. Britain did not want to deal with what it considered a second Northern Ireland; thus, it refused to consider armed intervention. Even though Britain agreed to send peacekeepers to watch over cease-fires, it did not commit itself to peace-making. Ultimately, France and Britain were the only two countries in the EC actually capable of the military operations needed yet both refused to take the lead while fighting in Croatia continued.[81] Although there was a discussion about requesting the WEU to take action in September 1991, the line of thought was not pursued and the WEU was excluded.[82]

With the failure of the EC-sponsored Hague Conference led by Lord Carrington, there was a need for a new international actor that was more capable than the EC. All eyes turned towards the United Nations (UN) which joined the process to find a solution for the conflict from November 1991 onward.[83] The UN"s arrival marked the end of the EC leading efforts to end the Croatian war. However, the UN did not fare much better than the EC. UN-led cease-fire agreements were constantly ignored and their

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[81]Lukic and Lynch, *Europe from The Balkans to The Urals,* 267.
[82]Ekelen, *Debating European Security*, 144.
[83]Duke, *The Elusive Quest for European Security*, 207.

peacekeepers met with the same problems as those deployed by the EC. Nonetheless, the continuation of the war in Croatia and the inability of the EC to take a lead role in ending it discredited the newly-born CFSP.

The CFSP process was further undermined by early German recognition of Slovenian and Croatian independence on 23 December 1991 ahead of the agreed deadline set for 15 January 1992.[84] The recognition undermined a peace settlement established by Lord Carrington since there was to be no recognition of independence before the agreement between the warring parties was settled.

3.3.3 Bosnian War: exclusion of Europe

EU credibility remained poor when the conflict in Bosnia erupted and the arrival of the UN only served to further erode the Community's role. After the EUs failure to take decisive action in Croatia, the Bosnian crisis broke out. Once again, the deployment of forces was a sticking point among member states. The divergence made the EUs response to the deteriorating situation unclear and indecisive. By 1992, it was clear that a consensus for military intervention in Bosnia would be reached by neither the EU nor the WEU.

Thus, the EU turned to the UN, arranging a joint EU-UN conference in London led by Cyrus Vance from the US and Lord David Owen from Britain. Despite being deemed a joint effort, it would become obvious that the role of the EU was diminishing. The imposition of sanctions on Yugoslavia was largely carried out by the UN and NATO. In January 1993, the EU supported the Vance-Owen Peace Plan to be proposed but a lack

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[84]Duke, *The Elusive Quest for European Security*, 204.

of the US interest left it unused. The short life of the plan illustrated how much the EU depended on the US support. Specific to the Vance-Owen Plan was the fact that it required a large amount of military intervention, which the EU itself was neither equipped with nor willing to provide. In April 1993, Bosnian Serbs brushed off the plan over issues of territory loss. After its failure, the effort was continued through the Contact Group without much of influence from the EU.

Yet, despite a high degree of incapability and low degree of willingness, the EU displayed some potential during its involvement. The EU helped to expose the abuse of Bosnian women by Serbs" forces through the report of 1993 which considered such abuse to be part of the Serbs" ethnic cleansing campaign. Consequently, the committee was formed and this led to the creation of an international war crimes tribunal. Moreover, the EU through WEU was able to mount civil intervention in the city of Mostar in Bosnia in October 1993 to train police force.[85] Although, the personnel involved were only about 180, at least the EU members were able to find a consensus of action.

Also, the EU through WEU conducted the maritime operation to enforce the embargo in compliance with UN resolution in the Adriatic Sea. The mission was adopted in July 1992 within WEU council but NATO also conducted its own operation for the same purpose. Eventually, in June 1993, NATO and WEU agreed the joint operation to impose a full scale economic blockade against Serbia and Montenegro in accordance with UN resolution 820.[86] Some friction occurred (especially with France) but a compromise was reached through the joint control of both WEU and NATO. The consensus between

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[85]Western European Union, "Police contingent in Mostar," *Western European Union*, http:www.weu.int/History.htm#4B (accessed April 20, 2011).
[86]Western European Union, "WEU/NATO Operation Sharp Guard in the Adriatic," *Western European Union*, http:www.weu.int/History.htm#4B (accessed April 15, 2011).

NATO and WEU, however, did not last very long. The US wanted the Bosnian Muslims to be able to acquire arms and defend themselves while the EU disagreed. This divergence of opinions eventually caused the US to withdraw from the embargo in November 1994.

Another operation was in the area of embargo enforcement which occurred in a different area, the Danube River. The EU needed to involve itself in and mount the support operation for Hungary, Romania, and Bulgaria as those countries were not able to monitor the embargo effectively.[87] Thus, the operation was coordinated by an Italian commander whose headquarters was based in Romania while the German deputy was in Hungary. This operation was necessary because Serbia was able to acquire arms through Macedonia via the Danube River.[88] Unfortunately, Hungary, Bulgaria, and Romania lost much of its revenue during the operation without any proper compensation afterward. The operation helped greatly to reduce the weapons being sent to Serbia but other supply routes were also available causing the efficiency of the operation to be questioned.

3.3.4 Kosovo: Old wine in a new bottle

"The European Union should prove it has learnt the lessons of Bosnia by acting decisively to bring about peace in the southern Balkans."[89]

Unfortunately, the statement above by Carl Bilt, former Swedish diplomat, was not taken into account. The EU, again, failed to take the lead in resolving the conflict before it escalated into a full scale war. It was the Contact Group which met in mid June

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[87]Western European Union, "WEU Danube Operation," *Western European Union*, http:www.weu.int/History.htm#4B (accessed April 15, 2011).
[88]Duke, *The Elusive Quest for European Security,* 218.
[89]Carl Bildt, "Deja vu in Kosovo," *Financial Times*, June 9, 1998.

1998 instead of the EU leadership.[90] All the EU could manage to do was freeze the entire fund held aboard by Serbia.[91] The WEU was not even considered to take any action regarding Kosovo. NATO, once again, had to intervene and end the armed conflict. Even after the conflict ended, NATO and the UN were playing major roles in reconstruction and peacekeeping operations.

3.4 Conclusion

Even though the disintegration of Yugoslavia could be perceived as an internal affair with no justification for outside intervention, the consequences of the situation were not limited to its borders. Regional and international ramifications such as the massive flight of refugees, arms transactions and the interruption of economic activities were sure to follow a total breakdown of Yugoslavia. Germany received up to 300,000 refugees as a result of the Yugoslav war[92], a much larger amount than would have usually been needed to set off an international response. The international community, including the EU, could have actually justified its intervention at the first sign of violence. When the Slovenian War broke out, it was apparent that more conflict would follow. By not acting then, the international community allowed the situation to eventually spiral out of control.

Yugoslavia proved that the CFSP had the potential to project a common EU voice and serve as a forum to find diplomatic resolutions. Beyond these matters, however, results of the policy"s use were mixed and even possibly negative. The first group

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[90]Duke, *The Elusive Quest for European Security,* 227.
[91]Derek Fatchett, "Kosovo: EC Measures Against The Federal Republic of Yugoslavia (FRY)," *United Kingdom Parliament,* October 15, 1998, http://www.publications.parliament.uk/pa/ld199899/ldselect/ldeucom/24/2421.htm (accessed June 14, 2011).
[92]Terry Stiastny, "World: Europe Refugees arrive in Germany," *BBC,* April 9, 1999. http://news.bbc.co.uk/2/hi/europe/314948.stm (accessed May 20, 2011).

affected by sanctions imposed under the CFSP was an unintended target. The embargo that was to reduce the ability of warring parties to continue fighting ended up weakening the already embattled Bosnian Muslims while Yugoslav armed forces continued to be among the largest armed forces in Europe. By implementing trade sanctions, the Bosnian Muslims were prevented from acquiring weapons for self-defence. Bosnian Serbs backed by the Yugoslav armed forces gained huge advantages.

The complexity of the Yugoslav conflict in the area of ethnic division (like in Bosnia and Kosovo) would require a long-term peacekeeping effort. Air strikes which were able to force Milosevic back to the table did not address the underlying problem of lasting peace. Tactical airstrikes were an attractive option due to their ease to mount and low risk but were not without negative consequences as they often caused collateral damage. Thus, there was no way to force a quick solution to the conflict. The airstrikes had to be accompanied by long-term plans to avoid the risk of deterioration in the future.

Overall, the EUs ability to act collectively during the Yugoslav crisis was problematic. The political will to mount necessary actions was not there and the divergence of national interests fueled division rather than unity. The only matter the members could „unanimously" agree on was that no major military intervention would take place, a belief that continued even in times when military action were clearly needed. Different opinions kept Europeans from taking serious action. By the time the cease-fire agreement was violated and force had to be employed, all the EU could muster was unarmed observers who could not even provide themselves with security.

Europe"s security institutions were designed for the containment of nuclear threats and to counter territorial incursion but not for an internal armed conflict. The case of

Yugoslavia served to underline the need for comprehensive crisis management policies as well as conflict prevention mechanisms to later be seen in the ESDP.

CHAPTER 4

RATIONAL CHOICE INSTITUTIONALISM AND EU'S SOLIDARITY UNDER ESDP

4.1 Introduction

After having explained the disintegration of Yugoslavia coupled with EU's involvement and consequential complications, this chapter proceeds with the theoretical framework of Rational Choice Institutionalism and EU's solidarity. An overview of "old" and "new" institutionalism will be provided prior to moving on to Rational Choice Institutionalism and the general interests of the EU and specific countries which oppose Kosovo's independence. Then, the application of Rational Choice Institutionalism to the decision making process of launching the ESDP rule of law mission in Kosovo will be presented.

4.2 From „Old" Institutionalism to „New" Institutionalism

Rational Choice Institutionalism is part of the movement known as New Institutionalism. The term „New Institutionalism" suggests the existence of „Old Institutionalism" comparable to realist and neo-realist theory. The accession of the word „new" denotes the acknowledgement of a contemporary movement and the notion of differentiation from the old approach.

4.2.1 Old Institutionalism

For New Institutionalism and Rational Choice Institutionalism to exist, it is safe to assume that the Old Institutionalism contributed to the world of academia. Throughout

the history, the pioneering question was how governing institutions could affect and influence the behavior of individuals within the society. It is rather difficult to attempt to predict the behavior among individuals and more so in the case of guiding them to act collectively for their own benefit. The answer to the noted question lies with the formation of political institutions. Thomas Hobbes, a well known English philosopher, argued for absolute monarchy in order to prevent an anarchic society. John Locke developed a greater conceptual entity of public institutions based on democratic principle. Despite the different points of view from these two thinkers, a common philosophy prevailed: political thinking has its roots in the analysis and design of institution.[1]

At the onset of the late 19th century, political science began to establish itself as a separate field of study. Political science used to be part of the study of history reflecting the past in order to understand political trends.[2] This field of study embodied formal aspects of government including its law and governing system in comparative terms. Examples can be seen from British-American political traditions; their traditions were undoubtedly in sharp contrast with each other. Britain was in favor of strong formal government while the US, as a young country, which in the wake of repressive experiences with absolute monarchy preferred otherwise.

Woodrow Wilson, former President of the US, engaged in an attempt to reform the US governmental institutions. His aim was to remove the detrimental effects arising from partisanship through independent regulatory organisations, non-partisan election,

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[1]B. Guy Peter, *Institutional Theory in Political Science: The New Institutionalism,* (Hampshire: Ashford Colour Press Ltd., 2005), 4.
[2]Ibid.

and professional public management.[3] Although the US political views are less state-centred compared to their European counterparts", it is worth noting that leading figures of early political science theory such as Woodrow Wilson[4] and T.D. Woolsey[5] scrutinised the government via formal and legal approaches. The progress in Europe differed from the US as political science remained more associated with other areas of study and did not emerge as a separate field of study as quickly as in the US.[6] Greater weight was, thus, given to formal institutions and legal systems. In short, the overriding concept of government in Europe was the creation and application of law through public institutions with little regard to politics. Most European citizens in the past did not have the right to participate in politics. The right to participate primarily hinged on an individual"s social status reinforcing the dependency on scholars to base one"s analysis on formal institutions and legal system. By placing such a large degree of emphasis on formal institutions, those institutions in turn bear a tremendous influence over society. The legitimacy of social structures under the support of the state is analogous.

According to B. Guy Peters, there are five characteristics embedded within the Old Institutionalism: legalism, structuralism, holism, historical foundation and normative analysis.[7] Firstly, legalism states a simple fact that law is an essential part of government which implies its influence. The method of influence can be derived from amalgamated French concepts of civil law and British concepts of common law. The former advocates

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[3]B. R. Rice, *Progressive Cities: The Commission Government Movement in America, 1901-1920,* (Austin: University of Texas Press, 1977).

[4]Woodrow Wilson, *The State: Elements of Historical and Practical Politics,* (Boston: D.C. Heath, 1898).

[5]T.D. Woolsey,"Political science: or The state theoretically and practically considered," *Google Book,* http://books.google.com/books/about/Political_science.html?id=WARAAAAYAAJ (accessed July 1, 2011).

[6]Peter, *Institutional Theory in Political Science*, 5.

[7]Ibid., 7-11.

law as the outcome of intentional processes designed to create a state. The latter believes that law is an evolutionary process which leans more towards an empirical approach. Secondly, the doctrine of structuralism of Old Institutionalism advocates that the structure of political systems determines behaviors. It tends to focus on formal institutional features such as presidential or parliamentary systems. Accordingly, the concept is criticised for a lack of consideration for informal components existing within political system. For example, the US president formally has no power to force Congress to pass a bill he proposes. However, he has the function as an enforcer of law; therefore, Congressmen are bound to take the president"s proposal into account. Thirdly, there is the idea of holism which believes any individual part of the whole system cannot be understood except through understanding the whole system. For example, the Old Institutionalists will not only look at bureaucracies or legislators but at the system as a whole then compare those to other systems. Fourthly, the Old Institutionalists also believe in historical foundations or in other words, history must not be ignored; thus, the implication is that one cannot fully understand politics unless one studies the development pattern that has produced the system. Lastly, the Old Institutionalists employ a normative component in their analysis. By definition, emphasis is placed on values and norms. This is in sharp contrast to Rational Choice Institutionalism.

4.2.2 The reaction from behavioral and rational movement

While the Old Institutionalists focus on formal institutions, rational choice theory and behavioral theory followers tend to think otherwise. Despite different focal point between behavioral theory and rational theory, they have certain elements in common which differ from the idea of the Old Institutionalism. These elements are the concern of

theory and methodology, anti-normative bias, assumptions of individualism, and inputism. These features will later contribute to the background of New Institutionalism.

Firstly, the concerns with theory and methodology give rise to the emphasis on theory development. The argument is that if political science is to become a real science, it has to develop theories. The development of general and internally consistent statements can explain politics in various settings as opposed to the descriptive approach employed by the Old Institutionalists. Secondly, both behavioralist and rationalist theories do not believe that norms matter. They seek to eliminate normative elements from their research. In other words, they devote themselves to making the government function well rather than the concept of „good" government. Thirdly, they emphasise methodological individualism, which means that the only actors in political settings are individuals. Therefore, the way to obtain relevant information was to acquire it from those individuals and subsequently understand their behavior. On the other hand, the Old Institutionalists still believes that different setting can influence the individual behavior. Lastly, both rational choice theorists and behavioral theorists believe in the so-call inputism. The old institutionalists, as noted previously, tend to focus on formal institutions of government which are the products of higher law such as constitutions. On the contrary, rational choice theorists and behavioral theorists tend to concentrate on output from society into the political system.[8] For example, the voters provide input into the political system through voting, which the government then „magically" exchanged into policies. In effect, this reduces the policy process to the „black box". Scholars, such

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[8]David Easton, *The Political System: An Inquiry into the State of Political Science,* (New York: Knopf, 1953).

as Thomas Dye, argue that politics occurring in formal procedures are unable to explain policy choices as well as indicators of the socio-economic environment.[9]

4.2.3 The birth of New Institutionalism

It was the success of the behavioralist theory and rational choice theory which provides the background for „New Institutionalism".[10] The Scholars James March and Johan Olsen named the movement of New Institutionalism.[11] They criticise the characteristics embedded within behavioralist and rational theories which are the elements of contextualism, reductionism, utilitarianism, functionalism, and instrumentalism.

Firstly, the element of contextualism asserts that the political environment depends on society as a uni-directional relationship; the state no longer holds the central position within society. It is assumed that class, geography, climate, ethnicity, language, culture, economic conditions, demography, technology, ideology and religion have an effect on politics but not vice versa.[12] However, March and James argue against that notion and claim as politics can affect various aspects of society as well.

Secondly, the element of reductionism also raises concern for March and Olsen. Reductionism tends to see political phenomena as aggregate consequences of individual behavior rather than taking impact from the larger structures in society and politics into

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[9]Thomas R. Dye, *Politics, Economics and the Public: Policy Outcomes in the American States,* (Chicago: Rand Mcnally, 1966).
[10]Peter, *Institutional Theory in Political Science*, 16.
[11]James G March and Johan P. Olsen, "The New Institutionalism: organizational factors in political life," *American Political Science Review* 78 (1984): 734-749.
[12]March and Olsen, "The New Institutionalism," 735.

account.[13] For example, rules of appropriate behavior are never in consideration when considering individuals under organisational structures.

Thirdly, the element of utilitarianism inclines to see an political action as a product of calculated self-interest from political actors. In effect, political actors only act for their own benefits without any consideration given to obligation and duties. This principle can be more clearly linked with rational choice theory which views individuals as utility maximisers.[14] March and Olsen argue that when individuals act within an institution, it involves commitments to values containing normative elements as well.

Fourthly, the element of functionalism is also criticised by March and Olsen for its view of history as an efficient process.[15] Functionalism views history as an efficient process without acknowledging the reality that political environments throughout history have been volatile. It views a history process by assuming that societies are somehow continually moving from lower to higher forms of political organisation.

Lastly, the element of instrumentalism views the decision making and allocation of resources as important concerns of the political process while the aspect of symbolism, rituals and ceremonies are given little regard.[16] The aspects of symbols, ceremonies and rituals are seen as part of manipulating the outcome rather than vice versa.

On the basis of these criticisms affirmed by March and Olsen, they argue for the concept of New Institutionalism. They attempt to tackle the five fundamental weaknesses mentioned above by focusing more on the aspect of collective action. They covetted

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[13]March and Olsen, "The New Institutionalism," 736.
[14]Peter, *Institutional Theory in Political Science*, 17.
[15]March and Olsen, "The New Institutionalism," 736.
[16]Ibid., 737.

collective action to be at the core of understanding political life. Also, the relationship between politics and society should be recognised as two-way relationship as politics can affect society as well.

4.2.4 Types of New Institutionalism

The title of New Institutionalism can be misleading as a single theory but the name of this theory consists at least of six categories of the new institutional theory. To complicate matters, the definitions of institutions vary from theory to theory. Understanding that New Institutionalism can be divided into more categories greatly helps one to understand its implication. According to B. Guy Peter, here are the six types of New Institutionalism: Normative Institutionalism, Rational Choice Institutionalism, Historical Institutionalism, Empirical Institutionalism, Societal Institutionalism and International Institutionalism.[17] All of these pose very different assumption as well as characteristics.

Normative Institutionalism, as suggested by its name, concerns with norms within the institutions and the extent to which it can determine or shape individual behavior. An example is given by March and Olsen who focus on the logic of appropriateness which shapes the behavior of members in certain institutions.[18] However, these values may prove difficult when dealing with individual with self-interest who seeks to maximise his/her gain.

Rational Choice Institutionalism differs from normative institutionalism. Instead of placing emphasis on norms and values to guide an individual's actions, scholars under

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[17]Peter, *Institutional Theory in Political Science*, 19-21.
[18]James G March and Johan P. Olsen, *Redisocvering Institutions,* (New York: Free Press, 1989).

this paradigm argue that behavior is a function of rules and incentives. For these scholars, institutions are systems of rules and inducements to behavior in which individuals try to maximise their own utility.[19] This model then argues that institutions emerge to meet the necessities arising from the society.

Historical Institutionalism focuses on the analysis of choices that are made throughout history such as the choice of governmental systems. Their proponents believe that these previous choices which give way for institutions to grow will affect future decisions as argued by Paul Pierson.[20] Moreover, they believe that there is a need to study choices taken in the past in order to understand the logic of policy development. Furthermore, the historical institutionalists believe that policies or institutions are „path dependent".[21] Once the policies or institutions come into existence, they will persist until tremendous political pressure forces them otherwise.

Empirical Institutionalism is in the realm of the New Institutionalism with many characteristics close to the Old Institutionalism. Their scholars argue that the structure of governments actually affect the policy processes. The focal point can be, for example, the system of parliamentary versus presidential governments. The comparative nature of Empirical Institutionalism can provide very useful descriptive insight to understand different systems. However, difficulties emerge when trying to demonstrate the effect of the different structures in a particular country as not many countries undergo such significant changes.

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[19]B. R. Weingast, "Rational Choice Institutionalism," In *Political Science: State of the Discipline*, ed. I. Katznelson and H. V. Milner, (New York: Norton, 2002).
[20]Paul Pierson, "The path to European integration: a historical institutionalist," *Comparative Political Studies* 29 (1996).
[21]Pierson, "The path to European integration: a historical institutionalist,".

International Institutionalism attempts to explain that nation states in international systems are guided by the structural constraint of international politics. Upholders of International Institutionalism state that a number of international organisations such as the EU, NAFTA or WTO serve as effective governments for their member states to a certain extent. This is even more so in the area of trade and economics while international security organisations remain elusive as international systems do not have established enforcement mechanisms.

Sociological Institutionalism focuses on less formal interaction between the government and society. Furthermore, campaigners argue the forms which the institutions take are not always the result of rational thinking advocated by Rational Choice Institutionalism but they can be seen as culturally specific practices such as cultures or ceremonies devised by various societies.[22] They are interested, for instance, in explaining the striking similarities in organisational forms and practices that Education Ministries display throughout the world.[23]

Clearly, all of the theories above, which are parts of the New Institutionalism movement, are different in many aspects of their theories. Of course, they possess both strengths and weaknesses within themselves. It is solely up to the situation to which these theories are applied as different situations will undoubtedly require different theoretical applications. For example, the issue of the Common Agricultural Policy (CAP) in which there was tremendous pressure to call for changes but the past decisions taken made it

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[22]Peter A. Hall and Rosemary C.R. Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44, no. 5 (1996): 950.
[23]Ibid.

almost impossible to reform. However, the CAP proved to be very resistant to change due to decisions taken in the past, advocated by historical institutionalism.

4.3 Rational Choice Institutionalism

This type of New Institutionalism tends to be, as noted before, on the other side of normative institutionalism. However, the notion of individuals who seek to maximise their gain but are constrained by institutions is rather contradictory. Yet, George Tsebelis seems to understand that most of the political activities occur in their respective institutions.[24] Therefore, to understand politics, the theory must address the nature and roles of political institutions. Rational Choice Institutionalism, as a chosen framework, is dealt with in greater specificity in the following sub sector.

4.3.1 The rationale behind institutions

As noted above, it is complicated how an individual whose goal is to maximise his or her preference can be controlled by institutions. The answer is that other goal-seeking individuals are subjected to the same control as well.[25] Usually the existence of the rules ultimately benefits the members or participants within those organisations. In this case, business sectors would benefit from regulatory laws created by the government. All business owners would have the same operation procedures and gain protection from unfair practices of competing business owners.

Central to Rational Choice Institutionalism is the fact that the institution can produce collective rationality from rational individuals. This is unattainable without institutions.[26] In effect, this branch of New Institutionalism is also interested in the design

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[24]George Tsebelis, *Nested Games: Rational Choice in Comparative Politics,* (Berkeley: University of California Press, 1990).
[25]Weingast, "Rational Choice Institutionalism,".
[26]Peter, *Institutional Theory in Political Science*, 49.

of institutions. For example, an individual who seeks to maximise his or her own gain will end up exploiting on other individuals; thus, some restrictive institutions must be be erected to mitigate that type of behavior. Ultimately, the institutions, under Rational Choice Institutionalism, will produce the outcome envisaged by their creators.

4.3.2 Characteristics of Rational Choice Institutionalism

Characteristics generally being held by Rational Choice Institutionalism include the following:

- Individuals are assumed to be at the heart of political processes and those individuals act rationally for their own personal utility. Thus, the institutions contain rules which will shape the behavior of the individuals and those individuals respond by reacting rationally to those rules. Those rules may encourage or discourage the individuals from certain actions.
- It is that the rational individuals" actions can potentially produce collective irrationality. For example, if a fisherman wants to maximise his own income, he will have to catch as many fish as he can. The problem, however, is that if all the fishermen do try to maximise the amount of fish they catch, fish stocks would be depleted. This calls for a long term solution through the creation of institution which will benefit all the fishermen.
- It is assumed that the institutions are created to serve the purpose of their creators. Thus, the process of institutional creation would usually derive from voluntary agreements by the individual stakeholders. If the institutions are subjected to competition, it survives due to its collective beneficial properties over other forms.

4.4 Solidarity within the ESDP through the lenses of Rational Choice Institutionalism

A key characteristic of the ESDP is the feature of consensus-based decision making which means that in order to take action under the ESDP, all of the member states must be in agreement. It takes only a sole country to say no and the ESDP mission is dead. One might argue that to take the action under the statues of the ESDP is extremely difficult. However, the EU and its members seem to suggest otherwise through the launch of various missions to third party countries. The missions launched did not seem to hold much controversy, that is, until the case of Kosovo. Kosovo"s unilateral

declaration of independence seemed to split the EU but the split over the issue of recognition did not prevent the EU as a whole to mount the mission of EULEX Kosovo.

4.4.1 General interests of the EU towards Kosovo

"With the new threats, the first line of defence will often be abroad."[27]

Under the assumption of rational choice institutionalism, the central actors in the process are individual actors, in this case, the EU member states. The ideas and interests of the member states in general have to be taken into account in order to understand the actions taken by them. Thus, this part of the thesis will try to unravel the issues related to Kosovo that affected the member states.

The first issue that poses a challenge to the continent is the possible renewal of ethnic violence which can potentially destabilise Kosovo once more. Since the end of NATO˚s air campaign against Serbia in June 1999, Kosovo was taken under the wing of the international protectorates of NATO and the UN. NATO and its troops˚ presence were for peacekeeping purposes while the UN was present to oversee the establishment of civil services for the war-torn area. These organisations were supposed to be equipped to bring peace and stability in the region and prevent any renewal of ethnic conflict.

After the end of NATO airstrikes, Kosovo˚s institutions were clearly devastated by the war and all-important personnel such as lawyers or police, whose tasks were to provide basic needs, were not sufficient in number.[28] This provided a fertile breeding ground for even more ethnic violence as the effective law enforcement mechanisms were

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[27]European Council. "A Secure Europe in a Better World: European Security Strategy." *Consilium.* December 12, 2003. http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf (accessed December 15, 2010), 7.
      [28]Richard Caplan, "International Intervention and its Aftermath: Kosovo and East Timor," In *Managing and Settling Ethnic Conflicts*, ed. Ulrich Schneckener and Stefan Wolff, (London: C. Hurst & Co. Ltd., 2006), 211.

nowhere to be found. In the worst case, a state of anarchy may ensue. So far, despite the fact that both the UN and NATO were present in Kosovo, the problem of ethnic violence has not been sufficiently dealt with.

By 2000, the vast majority of Albanian Kosovars returned to their home after the establishment of NATO peacekeepers. Despite the presence of peacekeepers, the UNHCR report warned about the possible risk of violence which might be committed against minorities or people who were associated with the old regime.[29] This was an indication of the volatile situation in Kosovo even in the post-war time. In 2001, the UNHCR assessment was not revised as "non-ethnic Albanian Kosovars continued to endure severe security threats that compelled many to leave the province to avoid placing their lives and fundamental freedoms at risk."[30] Thus, two years have passed since the end of the war but the multi-ethnic society has yet to emerge. The Kosovo Serbs in the northern area still depended on NATO"s protection if they wished to go outside that area. The members of the Kosovo Serbs continued to be affected by ethnically motivated crimes which were committed to force the Kosovo Serbs to leave. In February 2001, seven NATO-escorted buses carrying Kosovo Serbs were bombed.[31]

In 2003, the UNHCR reported very limited improvement as Kosovo Serbs still faced serious security threats.[32] It was clear that the ethnic tolerance from the Kosovo Albanians was very low and the presence of NATO and the UN did not help. The Kosovo

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[29]UNHCR, "Kosovo Albanians in Asylum Countries: UNHCR Recommendations As Regards Return," *UNHCR,* March 1, 2000, http://www.unhcr.org/refworld/country,,,COUNTRYPOS,SRB,,3ae6b33b14,0.html (accessed July 10, 2011).

[30]UNHCR, "UNHCR Position on the Continued Protection Needs of Individuals from Kosovo," *UNHCR,* March 2001, http://www.unhcr.org/refworld/pdfid/3d64e6934.pdf (accessed July 10, 2011).

[31]Ibid.

[32]"UNHCR, Position on Continued Protection Needs of Individuals from Kosovo," *ReliefWeb,* January 2003, http://reliefweb.int/node/118260 (accessed July 12, 2011).

Serbs remained the primary target for ethnically motivated crimes such as grenade attacks, arson, and drive-by shootings.[33] Clearly, rationally thinking ethnic minority would not return to Kosovo. The continued need of NATO''s protection was still much needed. Up to this point, the EU had spent considerable resources in order to stabilise Kosovo and Kosovo should have been moving towards European standards with a multi-ethnic society as expressed in Javier Solana''s article.[34]

Turning to March 2004, the ethnic tension reached a new height. For three days the Albanian Kosovars raided and forced the Kosovo Serbs out of their homes. The violence sparked from a report of a group of Kosovo Serbs being responsible for drowning Albanian kids.[35] Of course, the report was not accurate but it was more than enough to fuel ethnic tension which led to large scale violence. In addition, the Kosovo media had incited this event which raised even more tension. The NATO peacekeepers and UN almost lost complete control of the situation as violence spread across Kosovo.[36] This illustrated the unpreparedness and lack of coordination of both the UN and NATO. It revealed that large scale ethnic conflict was still possible if not stamped out quickly. The concern was clearly illustrated by a High Representative for Common Foreign and Security Policy, Javier Solana.[37]

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[33]"UNHCR, Position on Continued Protection Needs of Individuals from Kosovo."

[34]Koha Ditore, "Towards a European Kosovo," *Consilium,* October 24, 2003, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/articles/77762.pdf (accessed July 2, 2011).

[35]Human Right Watch, "Failure to Protect: Anti-Minority Violence in Kosovo, March 2004," *Human Right Watch,* July 26, 2004, http://www.hrw.org/en/news/2004/07/26/kosovo-failure-nato-un-protect-minorities (accessed July 6, 2011).

[36]Human Right Watch, "Failure to Protect: Anti-Minority Violence in Kosovo".

[37]Javier Solana, "Javier SOLANA, EU High Representative for the CFSP, strongly condemns the inter-ethnic violence in Kosovo," *Consilium,* March 17, 2004, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/declarations/79457.pdf (accessed July 12, 2011).

In 2005, one year after the large scale ethnic violence ended, the UNHCR stated that the situation improved slightly. However, minorities such as Kosovo Serbs still needed international protection.[38] The freedoms of movement of the minority were still restricted as the situation was still volatile. Minority groups were still vulnerable and they did not want to report the crime as they feared the Albanian Kosovars" reprisals. Javier Solana, on behalf of the European Union, condemned a drive-by shooting incident causing the death of two Kosovo Serbs.[39]

In 2006, the situation in Kosovo remained fragile even though crimes under ethnic motivation had decreased. However, suffering continued from various crimes such as arson or intimidation and even murder. Again, many of these crimes were left unreported as the victims feared that the Albanian Kosovo would retaliate. Moreover, the return of minority refugees up to 2006 was a mere 10% of those who fled from Kosovo and became almost negligible when Kosovo unilaterally declared its independence.[40] This is further illustrated by Julia Hinz in *Is the Return of Kosovo Serbs to Their Homes Sustainable?*[41]

From 2007 to 2008, the situation of violence was lower but it was not due to more tolerance from the Albanian majority. Decreasing of violent stemmed from the fact that

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[38]UNHCR, "UNHCR Position on the Continued International Protection Needs of Individuals from Kosovo (March 2005)," *UNHCR,* March 31, 2005, http://www.unhcr.org/refworld/docid/42550aa94.html (accessed July 4, 2011).

[39]Javier Solana, "Javier Solana, EU High Representative for the CFSP condemns violence in Kosovo," *Consilium,* August 29, 2005. http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/declarations/86080.pdf (accessed July 1, 2011).

[40]Erin K. Jenne, "Barrier to Reintegration after Ethnic Civil Wars: Lessons from Minority Return and Restitutions in the Balkans," *Civil Wars* 12, no. 4 (2010): 383.

[41]Julia Hinz, *Is the Return of Kosovo Serbs to Their Homes Sustainable?* (Berlin: University of Münster, 2010).

the minority started to go to an area where they constituted a majority.[42] In effect, this was the last thing EU and other international actors wanted, the separation of Kosovo, as it could lead to further violence if Kosovo wanted to take those areas back. The ethnically-mixed areas were still prone to violence comparable to previous years.

Clearly, the situation in Kosovo regarding ethnic minorities must be improved. The riot of 2004 against ethnic minorities has proven that ethnic tensions still thrive. Fortunately, the violence was short-lived and ended in a couple of days. However, if the violence had continued, the conflict could have spread and renewed possible war. According to Gordon Bardos, Kosovo has a „spill over" effect emphasising consideration that Yugoslav conflict started in Slovenia and ended in Kosovo.[43] In effect, Kosovo instability could spread to the rest of the Balkan. Moreover, as Karen E. Smith pinpoints, the conflicts are extremely costly which undermine the EU"s interests and provide fertile ground for terrorism and organised crimes.[44] This argument is in line with the European Security Strategy, adopted by all EU countries, which states that "conflict can lead to extremism, terrorism and state failure; it provides opportunities for organised crime."[45]

The second issue of concern with Kosovo is drug trafficking. Out of all forms of organised crimes, drug trafficking seems to be the most serious problem stemming from Kosovo for Europe. This problem is new. A report shows that Kosovo became a smuggler paradise as of the year 2000, after NATO and the UN"s occupation of

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[42]Human Right Watch, "A Human Rights Agenda for a New Kosovo," *University of Essex,* February 2008, http://www.essex.ac.uk/armedcon/story_id/HRAgendaforanewkosovo.pdf (accessed July 10, 2011).

[43]Gordon N. Bardos, "Containing Kosovo," *Mediterranean Quarterly* 16, no. 3 (2005): 37.

[44]Karen E. Smith, *European Union Foreign Policy in a Changing World,* (Cambridge: Polity Press, 2008), 177.

[45]European Council, "A Secure Europe in a Better World: European Security Strategy," *Consilium,* December 12, 2003, http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf (accessed December 15, 2010).

Kosovo.[46] Without proper police and legal systems, the Albanian drug mafias were free to run their operations. According to Marko Nicovic, "Kosovo is set to become the cancer centre of Europe as the Western Europe will soon discover."[47] With prices on the decline, there was more incentive for the „consumers" to obtain drugs. Moreover, the price was relatively high when drugs were sold to the developed western Europeans. Kosovo was devastated from both NATO airstrikes and Serb raids making it even more vulnerable and a haven for drug distribution. The European Union showed its interest in dealing with the drug problem comprehensively by the adoption of EU action plans on drugs 2000-2004 which was adopted in June, 2000.[48] The plan also called for reduction of illegal drug trafficking. It acknowledges that Balkan, including Kosovo, was the main source for heroin to the EU. This implied that the traditional way of fighting crime as a pure domestic means was no longer possible.

A new action plan for 2005-2008 was adopted in June, 2005 by the Council as a new plan to combat against drugs.[49] It focused on four policy domains which were demand and supply reduction as well as international cooperation and research, information and evaluation. The attention was explicitly on the Balkans as the main region which acted as a supply line of drugs to Europe.[50] This clearly showed that the EU members were willing to act collectively as they realised a common interest. The drugs were not produced in Europe but transferred largely from the Balkans which received

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[46]Maggie O'Kane, "Kosovo durg mafia supply heroin to Europe," *The Guardian,* March 13, 2000, http://www.guardian.co.uk/world/2000/mar/13/balkans (accessed May 31, 2011).
[47]Ibid.
[48]European Council, "The EU action plan on drugs (2000–2004)," *European Monitoring Center for Drug and Drug Addiction,* December 3, 2009, http://www.emcdda.europa.eu/html.cfm/index1338EN.html (accessed May 20, 2011).
[49]Council of the European Union, "The EU drugs action plan (2005-2008)," *European Monitoring Centre for Drug and Drug Addiction,* May 17, 2006, http://www.emcdda.europa.eu/attachements.cfm/att_10512_EN_en.pdf (accessed June 1, 2011).
[50]Ibid., 13.

them from Afghanistan. Moreover, in December, 2004, the European Council adopted an

EU drugs strategy for 2005-2012.[51] The strategy acknowledges, once again, the

comprehensive approach to solve the drug problem. It further illustrates the need for

cooperation with the third countries to achieve the reduction of the drug supply and

unsurprisingly, the Balkans is still on the list.[52]

Predictably, the Balkans is on top of the EU drug problem. The close proximity of

the Balkans makes it an ideal place to supply drugs for the EU. Kosovo has a long

tradition of having very inefficient law enforcement regimes.[53] Since the 1990s, Kosovo

has been through the experience of law enforcement particularly with respect to

organised crime.[54] A condition like this provides ideal situation for drug dealers.

Moreover, the Kosovo Liberation Army (KLA) has been involved in heroin trafficking

and profits from contributions from Albanian traffickers.[55] A situation like this makes it

nearly impossible to create a civil society.

To blame the KLA alone would be unfair as the regime of Milosevic also

cultivated the seed for organised crimes as well. He merged law enforcement institutions

with organised crimes syndicate to set up an extensive system of black market economies

[51]"EU drugs strategy (2005-2012)," *European Monitoring Center for Drug and Drug Addiction,* April 27, 2006, http://www.emcdda.europa.eu/attachements.cfm/att_10375_EN_EU%20Drugs%20Strategy_EN.pdf (accessed June 16, 2011).

[52]"Ibid., 19.

[53]Selvete Gerxhaliu, "Human Security, Organised Crime and Terrorism Challenges in Kosovo's Perspective," *First Annual Conference on Human Security, Terrorism and Organised Crime in the Western Balkan Region,* (Ljubljana: HUMSEC, 2006), 4.

[54]Letizia Paoli, Victoria A. Greenfield, and Peter Reuter, *The World Heroin Market,* (New York: Oxford University Press, 2008).

[55]Letizia Paoli and Peter Reuter, "Drug Trafficking and Ethnic Minorities in Western Europe," *European Journal of Criminology* 5, no. 13 (2008): 28.

to circumvent international sanctions.[56] He did so to force the population to depend on black market economies to prevent a populist uprising.

As can be observed, the trauma endured by Kosovo makes it very difficult for it to emerge as a civil society without outside help. Moreover, the entanglement of organised crime figures and political classes make the solution even more elusive without effective intervention.

All in all, the only way to limit the flow of drugs into the EU is for it to take a more active role in suppressing the Balkan"s organised crime network. Like it or not, the ethnic Albanians are deeply entrenched within Europe and the best way to stop the flow is to tackle its source. Taking serious measures to crack down on these organised crime groups will also improve the economy in Kosovo, allowing the EU to preserve its financial assets.

The last issue concerning the EU"s interest is the possibility of terrorist infiltration. The war in recent years opens the door for Islamic fundamentalists to infiltrate the region and recruit people to join their course. During the 1990s, Osama Bin Laden began to set up terrorist training camps in Northern Albania where KLA members were trained.[57] Some of these recruits joined the Mujahedeen group and participated in violent acts in Kosovo.[58] Robert Gelbard, the former US special envoy to the Balkans, noted that the KLA was "without a doubt a terrorist group."[59] The relationship towards well-known terrorist groups like this is very troublesome. The US military raid of Al

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[56]Dejan Anastasijevic, "Oranised Crime in the Western Balkan," *First Annual Coneference on Human Security, Terrorism and Organised Crime in the Western Balkan Region,* (Ljubjana: HUMSEC, 2006), 5.

[57]Michel Chossudovsky, "Kosovo: The US and the EU support a Political Process linked to Organised Crime," *Center for Research on Globalization,* February 12, 2008, http://www.globalresearch.ca/index.php?context=va&aid=8055 (accessed June 20, 2011).

[58]Bardos, "Containing Kosovo," 28.

[59]Christ Hedges, "Kosovo Next Master?" *Foreign Affair* 78, no. 3 (1999): 36.

Qaeda camps in Afghanistan from October – November, 2001 revealed the disturbing truth. The raid party found evidence that Bin Laden and Al Qaeda volunteers had a close relation. One of the letters written by an Albanian Kosovar suggested new targets of opportunity in Europe as follow:

"I am interested in suicide operations. I have Kosovo Liberation Army combat experience against Serb and American forces. I need no further training. I recommend operation against amusement parks like Disney."[60]

Kosovo, indeed, can potentially be transformed into a terrorist safe haven as the situation makes such transformation possible. Since 2000 onward, Kosovo has attracted close attention from Saudi and Iranian-based charity groups which are active in the development of school networks of teaching extremist versions of Islam.[61] The possibility not to be underestimated is that Albanians in Kosovo can potentially embraced these radical groups.[62] It is preferable for the EU to prevent radical groups from gaining a foothold in Kosovo rather than try to root them out after they succeed. Selvete Gerxhaliu, previously employed in Kosovo by the OSCE, has advocated that the threat of terrorism cannot be underestimate as they are attempting to infiltrate Europe through instable region such as Kosovo.[63] This intention is also illustrated by the anti-terrorist strategy "to prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment, in Europe and internationally."[64]

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[60]Jack Kelley, *Bin Laden's Training Camps Teach Curriculum of Carnage,* November 26, 2001, http://www.usatoday.com/news/sept11/2001/11/26/cover.htm (accessed May 30, 2011).

[61] Bardos, "Containing Kosovo," 29.

[62]*Competing for the Albanian Soul: Are Islamic Missionaries Creating a Lebanon in the Balkans?* 25 September, 2002, http://www.wilsoncenter.org/event/competing-for-the-albanian-soul-are-islamic-missionaries-creating-lebanon-the-balkans (accessed July 1, 2011).

[63] Gerxhaliu, "Human Security," 5.

[64]Council of the European Union, *EU Strategy,* December 2005, http://www.consilium.europa.eu/policies/fight-against-terrorism/eu-strategy.aspx?lang=en (accessed July 15, 2011).

The issues above can, as the European Security Strategy words it, be "in contrast to the massive visible threat in the Cold War, none of the new threats is purely military nor can any be tackled by purely military means."[65] Although these issues may be of an outside the EU origin, they can potentially and ultimately will greatly affect the EU. Ethnic tensions, drug trafficking, and possible terrorist infiltration have to be tackled at their sources. Despite the fact that the EU was the largest financial aid donor to Kosovo with 2.3 billion Euros since 1999 to 2008,[66] actions must be taken for the money to be effective.

4.4.2 Interests of the five member states in dissent

After having established the general interest of the EU as an entity, let"s focus on the interest of Slovakia, Romania, Spain, Cyprus, and Greece which are the countries that oppose the recognition of Kosovo"s independence after briefly addressing Denmark"s position. Denmark is the member which opted out of the ESDP with respect to military and defence obligations yet is allowed to participate in civilian roles.[67] Moreover, Denmark has agreed that there is a need for civilian intervention to further stabilise Kosovo.[68] The purpose of Denmark"s inclusion is to provide the fact that different opinions do not necessarily cripple the whole EU from taking collective action under the directive of the ESDP.

Slovakia, out of the five countries failing to recognise Kosovo"s independence, is probably the country that has the most vested interests in Kosovo stability. In addition,

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[65]European Council, "A Secure Europe in a Better World," 7.

[66]Vedran Dhizic and Kramer Helmut, *Kosovo After Independence: Is the EU's EULEX Mission Delivering on its Promises?* International Policy Analysis, (Berlin: Friedrich Ebert Stiftung, 2009), 14.

[67]Ministry of Foreign Affair of Denmark, *Factsheet Denmark.* Factsheet, (Copenhagen: Ministry of Foreign Affair of Denmark, 2009), 4.

[68]Ulrik Federspiel, "The International Situation and Danish Foreign Policy 2008," In *Danish Foreign Policy Yearbook 2009*, by Ulrik Federspiel, et al., ed. Nanna Hvidt and Hans Mouritzen, (Copenhagen: Danish Institute for International Studies, 2009), 29.

there is a substantial amount of Slovak minority living in Serbia further deterring it from

pursuing policies against Serbia.[69] The foreign ministry of Slovakia expresses its concern

that the Western Balkans is the priority of Slovakia as well as the preparation for civilian

missions for Kosovo.[70] Slovakia‴s interest does not just come out of the blue as it has

showed the intention since 1999.[71] To further illustrate its interest, the Slovak policy of

development and assistance project had given financial aid to the Western Balkans,

including Kosovo, since 2003.[72] In 2006, Slovakia allocated approximate 5.3 million

Euros to help Serbia and Kosovo, which later increased to 5.6 million Euros in 2007.[73]

This clearly showed that Slovakia had no interest of seeing Kosovo destabilise or become

a lawless society. The reason for opposition against Kosovo‴s independence was largely

due to domestic politics as politicians used Kosovo as a tool for election campaign and

minor Hungarian separatist movements on its southern border.[74]

For Spain, Kosovo is a distant and means little in geostrategic terms; traditionally,

it has neither linguistic nor historical links.[75] For these reasons, Kosovo has very low

rank of significance in terms of international or national politics. Kosovo has crept into

the Spanish foreign policy agenda since its independence became an issue in 2007 when

UN-led negotiations failed to find a solution regarding Kosovo‴s status. Kosovo‴s

[69]Milan Sagat, "Slovak Foreign Policy towards the Western Balkans," *International Issues and Slovak Foreign Policy Affairs* 17, no. 3 (October 2008).

[70]Slovakia Ministry of Foreign Affair, "Slovakia's Foreign Policy Orientation for 2007," *Slovakia Ministry of Foreign Affair,* http://www.mzv.sk/App/wcm/media.nsf/vw_ByID/ID_7BF86733773D5A4CC125764800428721_SK/$File/preklad-AJ-Zameranie%2007.pdf (accessed July 4, 2011), 9.

[71]Milan Sagat, "Slovak Foreign Policy," 46.

[72]Ministry of Foreign Affair of Slovakia, "Slovak Aid," *Ministry of Foreign Affair of Slovakia,* http://www.foreign.gov.sk/en/foreign_policy/slovak_aid (accessed July 3, 2011).

[73]Milan Sagat, "Slovak Foreign Policy," 55.

[74]"Hungarians in the Slovak Republic," *The Guide to the Slovak Republic,* http://www.slovakia.org/society-hungary2.htm (accessed July 10, 2011).

[75]Elisabeth Johansson Nogues, "The Kosovo Juggling Act? Zapatero‴s delicate balance act between Spanish constraints and European imperatives," *The Elcano Royal Institute,* February 2008, http://www.iuee.eu/pdf-publicacio/129/Li92fMCwNkU5iOoiL2SM.PDF (accessed July 10, 2011).

independence has significant implication as the Basque separatists and, to a lesser extent, Catalonians openly seek independence from Spain. This is why the Spanish government fear that recognition of Kosovo would further encourage the secessionist movement in Spain. As a result, Spain is caught in the middle between the path of European and domestic politics. Undeniably, domestic politics prevailed and Spain"s refusal to recognise Kosovo was a unilateral action. This, however, does not mean that Spanish foreign policies advocate instability in Kosovo or the Balkans in general. According to Sofía Sebastián , a researcher at FRIDE, "Spanish participation in the Balkans has been guided by its interest in maintaining peace and stability in the region."[76]

Greece, unlike Spain, has historical ties with Serbs as they were allies in both World Wars. There are largely three factors for Greece over the issue of Kosovo which are spread of instability, relationship with Serbia, and internal separatist movement. Greece would like to maintain good relationship with Serbia so it will be self-defeating to recognize Kosovo. In addition Greece fears that by recognising Kosovo, such action will set precedent for Macedonia. The concern can also be seen from Greek"s policy toward Cyprus where Greece staunchly opposes Turkish separatist movement. During the Kosovo War, Greece was forced to deal with a refugee crisis as a consequence of the conflict.[77] The rise in illegal immigration and cross-border crimes during the war directly affected Greece.[78] Thus, the implication revealed that events that occur in the Balkans or Kosovo were felt by Greece. Even though Greece did not agree with the status of an

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[76]Sofía Sebastián, *Spanish Foreign Policy in the Balkans: Wasted Potential,* FRIDE Policy Briefs, (Madrid: FRIDE, 2010).

[77]Carol Migdalovitz, *Kosovo: Greek and Turkish Perspectives,* CRS Report for Congress, (Congressional Research Service, 1999), 3.

[78]Ioannis Pattas, *The Kosovo Conflict: Emerging Relationship and Implication for Greece,* Masther Thesis, (Piraeus: Hellenic Naval Academy, 2002), 71-82.

independent Kosovo, it did not mean that Greece was not interested in Kosovo. Since the end of the Kosovo War, Greece had more than 600 personnel in Kosovo under NATO and UN command.[79] As George Papandreou argues, "our goal was and is to safeguard our national interests in such a way that we contribute to the solution of regional problems."[80] The central point of this approach is to collaborate with the other Balkan countries in order to achieve the desired outcome of stability and security. Greece seemed to understand that the security of its neighbours would contribute to its own security.[81]

Similar to Greece, Romania is in very close proximity to Kosovo and holds a long standing relationship with Serbia. Of course, Romania"s relationship with Serbia might deter it from recognising Kosovo but the real fear of Romania was that its recognition of Kosovo would raise potential conflict elsewhere.[82] The potential zones were also in the Balkans and former Soviet Union which were close to Romania geographically. Moreover, Romania had a concern regarding its own minority group, the Hungarians, who would take the opportunity to follow in Kosovo"s footsteps. The concern is further illustrated by Romania"s policy toward Transnistria where the Romanian government pledge its full support for the Moldovan government. The territory of Transnistria officially belong to Moldova that unilaterally declare independence. Again, it was by no means true that Romania would like to see Kosovo destabilise. Romania confirmed that it would commit to the Western Balkans, including Kosovo, on the issue of post-conflict

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[79]Jens Bastian, *Greece in Southeastern Europe: Political Opportunities and Economic Challenges,* International Policy Analysis, (Bonn: Friedrich Ebert Stiftung, 2010), 2.

[80]George A. Papandreou, "A Total Balkan Approach," *Seton Hall Journal of Diplomacy and International Relations*, Summer/Fall (2000).

[81]Pattas, *The Kosovo Conflict,* 39.

[82]Sorin Denca, "Romania and EU Foreign Policy," *CFSP Forum* 7, no. 5 (September 2009): 6.

reconstruction.[83] Moreover, Romania had a burning interest in various CFSP and ESDP initiatives in which it participated vigorously as they coincided with Romania's wish for stability in its neighbourhood. The threats stated in the European Security Strategy were also high on the Romanian agenda making it irrational for Romanians not to participate in CFSP and ESDP ambitious along with other Europeans.[84]

For Cyprus, the issue of recognition of independence was probably the most worrying amongst all European countries which did not recognise Kosovo. The northern part of Cyprus is currently dominated by a Turkish minority which proclaims itself as the Turkish Republic of Northern Cyprus[85]; however, it is only acknowledged by Turkey but if the Cyprus mainland are to recognise Kosovo, then it indirectly sanctions Northern Cyprus as a new country as well. Compared to its four counterparts, Cyprus has the earmarks of having the worst trouble with its ethnic minority. Yet, this did not make Cyprus yearn to see Kosovo destabilise. Ideally, Cyprus would not like to see Kosovo exist but it is there regardless. In fact, Cyprus expressed its will that it would like to see the Western Balkans move towards European integration.[86] However, it illustratesd that any territorial dispute must be resolved before the negotiation.

4.4.3 Rational choice institutionalism and solidarity under ESDP

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[83]Jan Techau and Alexander Skiba, "Transatlantic Relations 2009 European Expectations for the Post-Bush Era," (European Policy Institute Network), no. 20 (November 2008): 13.

[84]Mircea Micu, "Romania Security Policy in an Evolving European Context," *Romanian Journal of European Affair* 10, no. 2 (2010): 87.

[85] Simon Tisdall, "Turkish Cypriot appetite for united island dwindles as hostility grows," *The Guardian,* January 26, 2010, http://www.guardian.co.uk/world/2010/jan/26/turkish-cypriot-separatism-greece-un (accessed July 14, 2011).

[86]Cyprus Institute of Mediterranean, European and International Studies , "Western Balkans to join the European family, Turkey to open its ports and airports," *EU-27 Watch,* http://www.eu-27watch.org/?q=node/701 (accessed July 20, 2011).

Rational choice institutionalism assumes that the individuals (from now on refer to as member states) are at the centre of political processes. These member states will act to maximise their gain under constraints imposed by the institution, in this case, the ESDP. The ESDP primarily imposes two constraints upon its members which are unanimity and peer pressure. To take any action under the ESDP, every member state has to be in accordance. However, since the adoption of the Amsterdam Treaty, any member state can recourse to constructive abstention. The constructive abstention is "the idea of allowing a member state to abstain on a vote in Council under the common foreign and security policy (CFSP), without blocking a unanimous decision."[87] This rule allows the EU members more flexibility. Regarding the constraint of peer pressure, it is not actually a formal institution since it is not codified like the requirement for unanimity or constructive abstention. In fact, it is a situation in which an EU member feels the pressure to cohere on various issues in the fear of alienating itself from other member states. If one member state crosses the others, such action will be heeded. The next time this member state has vital interest in a policy or amendments, it can be predicted that the other member states will block the authorisation and ratification of such. This is in accordance with Mark A. Pollack who postulates that the trend in EU decision making has a very high possibility to head towards consensus rather than a minimum-winning coalition.[88]

Under these conditions, the five member states which do not agree with Kosovo"s independence have three choices: to vote in favor of the ESDP mission, invoke the

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[87]"Abstention, constructive (positive abstention)," *Summary of the EU legislation,* http://europa.eu/legislation_summaries/glossary/abstention_en.htm (accessed June 20, 2011).
[88] Mark A. Pollack, "New Institutionalisms and European Integration." In *European Integration Theory*, ed. Thomas Diez and Antje Wiener, (Hampshire: Oxford University Press, 2009), 130.

constructive abstention clause, or utilise their veto power. For Spain, Slovakia, Romania, Greece and Cyprus, the veto option appears infeasible.

The ESDP mission EULEX Kosovo "is to assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas. The mission in Kosovo is not to govern or rule. It is a technical mission which will mentor, monitor and advise whilst retaining a number of limited executive powers."[89] The mission itself helps to deal with all general previously discussed issues such as possible terrorist infiltration, ethnic tensions and drug trafficking. Every country is bound to gain from more stable Kosovo. There is a desirable absence of negative consequences as the mission itself does not contain the implication of Kosovo"s status. Spain can help regain its standing among its peers after having obstructed EU"s position on Kosovo status by voting in favor of the mission. Slovakia, Romania, and Greece can convince the other member states to help contribute to Kosovo"s stability which will be mutually beneficial for all. However, the case differs with that of Cyprus as Kosovo poses very serious implications on Cyprus" own problems. Although, Cyprus does share the interest of seeing Kosovo stabilise, its formal recognition would create some backlash from the Turk dominated area of Northern Cyprus. If Cyprus had voted in favor of this mission, it could be seen as accepting the existence of Kosovo. To wash its hands clean, it opted for the constructive abstention. This option allows the other EU members to proceed with the mission and prevents the risk of future reprisal from other EU members while Cyprus will not be bound by further decisions regarding Kosovo issues.

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[89]Council of the European Union, "Eulex Kosovo," *Consilium,* http://www.consilium.europa.eu/eeas/security-defence/eu-operations/eulex-kosovo.aspx?lang=en (accessed April 19, 2011).

The second assumption of rational choice institutionalism is that individuals acting in their own interests will result in collective irrationality. The institution can be established to mitigate this problem and the ESDP is created specifically to solve this problem. The EU member states would rationally pursue their own security and defense policy but the result would be collectively irrational as the actions of all member states would result in an excessive and redundant build-up of costly forces and facilities. The collective defense budget of the EU may equal to half of the US budget but the outcome of it is not half of the US capability. This is the result of duplication and independent national policy. However, the ESDP allows the member states to share and pool resources to gain more despite spending less. In the cases of terrorist infiltration, ethnic tension, and drug trafficking, it is possible that each member state could adopt various national policies. Yet, that would be extremely irrational as their policies may conflict with each other resulting in more harm than good. For example, terrorists are able to move freely if one member state does not keep the others informed. In this example, to solve the problem of Kosovo on the basis of national approach is thus irrational. The EU operates on the basis of open borders; hence, any criminal or terrorist who is able to arrive within the EU could operate and move freely. Moreover, to tackle the problem at borders is no longer viable. To create rule of law in Kosovo would require thousands of police personnel, the strategy which even the wealthiest EU countries such as France and Britain are not able to implement.

The third assumption of rational choice institutionalism is that the institution is created to serve the purpose desired by its creators. At this point, the EU member states are rational and the years of spending vast amounts of funds have left the tasks at the

hands of the UN resulting in minimal progress. Undoubtedly the need for more action is paramount. EU tool is financial assistance which is supposed to help improve the designated country. When this tool proved to be inadequate, there is a need to employ the ESDP as another tool. Another organisation such as the WEU is not designed to perform the tasks of the ESDP which has both civilian and military aid to help the troubled country. Therefore, it is only rational to collectively employ all the tools available to solve a collective problem.

In the end, the EU member states would be able to show their solidarity by agreeing to launch the largest civilian rule of law mission under the decree of ESDP, EULEX Kosovo, even when Kosovo's question of status and related issues remain unresolved. The EU should operate under the awareness that rational actors despite different interests, preference, or opinion can overcome all the barriers if the affiliated parties seek to find compromise. Extreme nationalistic positions are not welcome within the EU.

4.5 Conclusion

Rational Choice Institutionalism enables the examination of rationality for collective involvement with Kosovo despite different views towards its independence. The issues arising from Kosovo are of common interest to all the EU members and they are too complicated to be tackle by any single country, be it France, Britain or Germany. The interests of the five member states which do not agree to Kosovo's independence do not amount to stop the EU from collectively launching the Kosovo mission. The problems in Kosovo can be highly detrimental if left to grow without proper measure.

This is clearly stated in the European Security Strategy as "the new threats are dynamic. The risks of proliferation grow over time; left alone, terrorist networks will become ever more dangerous. State failure and organised crime spread if they are neglected – as we have seen in West Africa."[90] Certainly, none of the EU member state has the interest of seeing Kosovo turn into another Colombia or Afghanistan. The requirement for consensus does not prevent the EU from rationally tackling common problems through the means of ESDP. On the contrary, it actually helps the EU member states to realise that there is no need for „single" interest but just a broad consensus that allows the member states to gain from a collective action. Without the ESDP, the member states will have to solve the problem nationally or form a coalition of the willing which will undoubtedly decrease effectiveness.

Will this solidarity always prevail? Of course, the different interests of the member states within the EU will certainly continue to reveal themselves. However, these different national interests do not necessarily mean that they cannot be attained through collective means. The EU under the ESDP is acting as collection of sovereign states. It is fair to render the judgment through the lens of nation-state when the EU is not a nation-state. The EU will undoubtedly increasingly act through the ESDP since it is the only way to act effectively. The ESDP is created to provide comprehensive security and will continue to do so. Furthermore, Kosovo has always been on top of the agenda for the EU due to its past experience and geographical location.

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[90]European Council. "A Secure Europe in a Better World: European Security Strategy." *Consilium.* December 12, 2003. http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf (accessed December 15, 2010), 7.

CHAPTER 5

CONCLUSION

An attempt to create viable security institutions is nothing new in Europe. Since the end of the World War II, Britain and France began to form a security cooperation which finally resulted in Treaty of Brussels. The progress of European army creation, however, was met with failure as the idea was too radical and the fear of German domination was paramount. Auspiciously, the US was willing to provide European security through NATO, reducing the incentive for Europe to form any stern collective security institutions. The WEU receded to the background as soon as German rearmament was completed and the leading roles were taken by NATO. The formation of the EPC made some progress for Europe but ultimately left out any military security out of its competence. It was not until 1980s that the WEU was subjected to revival but it was left outside of the EU‟s structure. The adoption of Petersberg Task for crisis management did contribute much to the real world of European security. The birth of CFSP allowed for possible common defence but the progress was nowhere to be seen. The arrival of ESDP transformed the security of the EU into the new level as the objectives were clearly set compared to the vague ones in the past.

The violent dissolution of Yugoslavia clarified the need for EU‟s solidarity as well as the need for better capability to intervene effectively. The different opinions towards dissolution of Yugoslavia seriously hampered the effectiveness for the EU to project a common voice and mount a common action. The inaction of the EU allowed the conflict to escalate into a full scale ethnic war. Also, the power of diplomatic tools and

political dialogue were not to be overestimated as the warring parties were more interested in victory rather than political settlement. An existing security institution such as the WEU was not able to unite its members and eventually found itself excluded from the scene. The EU"s involvement with Yugoslavia during its dissolution was rather disappointing compared to the expectation from outside audience. The ability to negotiate cease-fire agreement for Slovenia and Yugoslav armed forces initially allowed for optimism. However, the war in Croatia proved EU"s inability to end the conflict which eventually spread to the rest of Yugoslavia. The US, once again, was pulled back to Europe to solve European problems. Conversely, it was not certain if the US wanted to involve itself with Europe any longer after the Cold War had ended. The help from the US might not always be forthcoming so it was up to Europe and the EU to provide themselves with security. To achieve that objective, unity is a pre-requisite.

After the end of the war in Kosovo, the territory fell under the wing of international protectorate, the UN and NATO, without properly answering the question of final status. The failure of negotiation for final status issue caused Kosovo to move towards its independence unilaterally. The move split the EU as some countries did not recognise Kosovo unilateral independence. This was threatened to spill over decision to mount the ESDP mission EULEX Kosovo. However, the EU was able to adopt the mission without any country resorting to veto. The member states that did not agree with Kosovo independence realised that Kosovo was in close proximity and would have effect on the EU as a whole if it became destabilised. The EU member states do not wish to see Kosovo turn into Afghanistan or Colombia in the middle of Europe and understood that the stabilisation of Kosovo could only be achieved through a collective action.

It is certain that the EU as a collection of sovereign states with different capabilities as well as political backgrounds will continue to have different opinions towards specific issues. However, those differences in opinions will not necessarily lead EU members to the state of being unable to find a common ground to work together. Again, neither the EU nor ESDP should be judged on the nation-state basis. An extreme national position is not viable at EU level as it will cause some backlash not only against the EU but also against a country which holds an extreme position. The EU has always been based upon consensus and it always will be. The notion that EU nations have to choose between the national interests and EU interests is not acceptable. The EU and ESDP were born out of national interests as all parties agreed that their interests could best be guarded by working together.

Moreover, national interests have been transformed in the modern world. The problems today, such as organised crime, can no longer be defined as a pure national or internal problem which can be solved by a simple solution. No single country can unilaterally solve such a problem. In this sense, national interests and those of EU are undoubtedly linked. In this respect EU member states should not try to eliminate their differences. Rather they should embrace them and realise that those differences can be overcome. In actuality, the progress achieved by the EU under ESDP is also significant as the ESDP is rather young but is gradually helping the EU to become a security actor. This project cannot be completed in the short term but with enough time the EU will further advance under the ESDP.

For critics that who think that the actors in the EU do not necessarily have converging preferences or desires, they need to focus on the fact that the ultimate goal of

European integration has been about security in the first place. The EU cannot achieve its stability without the stability of its neighbours. EU integration and cooperation are the act of rationality from the beginning as well as security. Criticising that the EU does not have the solidarity under the ESDP is underestimating the rationale.

Rationale behind the solidarity in the case of EU"s involvement with Kosovo can be divided into several issues. First, Kosovo posed itself as a common threat in the EU"s periphery making it irrational for the EU not to intervene. Certainly, there was no single EU member state that has the desire to see Kosovo turned into another Colombia of Europe. Second, the issue was linked to the image and reputation of the EU. Large and economically powerful, if the EU failed to aid Kosovo, the effects could be detrimental. The reputation and image of the EU as force for good would vanish. Third, to deal with a common threat, the EU member states needed a common action. No single state had enough resources to prevent Kosovo from turning into another Colombia especially when the budgets of each member state were diminishing at the time. Therefore, it was more financially feasible to pool and share resources. Fourth, the EU is more or less comprised of the old powers like Spain, France and Britain which used to be extremely powerful in the past. In the modern day, however, they are no longer capable of unilateral intervention like the US. By taking a common action, it enables the EU members to mount a large scale intervention as well as create justification. Fifth, EU under the ESDP is equipped with civilian instruments to mitigate the limitation of military prowess. By resorting to pure military power, controversy ensues. Civilian intervention is the actual strength of the EU and this does not lead to controversy in EU"s internal politics. Civilian instruments are also directly linked with the image of the EU which is undoubtedly

suitable with EU identity. Being able to launch the largest civilian mission undeniably proves the point. Lastly, international power structure required EU to take more active roles when the US role in the world is more or less diminishing. The EU has no choice but to act collectively to ensure its own security. If the EU fails to act in Kosovo once again, the issue of image and reputation previously mentioned will be seriously damage as well. In addition, these rationales clearly reveal that the EU intends to move forward with an economic integration. For those who view the ESDP as merely a symbolic integration, they have to consider the fact that the EU aspires to be a security actor with civilian instruments as primary tools.

As for the existing regional integration in general, the consideration must be taken into account. Members of regional organisation, be it ASEAN or other organisations, should attempt to find common rationales to cooperate and opt to exploit those common gains. Taking up different views of each member is not entirely wrong as the real world is undoubtedly diverse but those differences should not be factors impeding cooperation and integration. Besides, the focus on integration does not need to be only in the field of economic. Economic rationale of integration is rather simple and attractive but the field of security must not be forgotten.

Trade liberalization does not only bring positive effect but it also brings some negative effect such as organised crimes or contagious diseases which are as deadly as military threats. These threats, again, are not military and require more than one country to comprehensively resolve them. Instability of one country will spread to its neighbors. Stable as the EU might be, it still interacts and trades with the outside world which is why

the ESS states the desire to have stable neighbourhood and its title of "A Secure Europe in a Better World".

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