

# Does the international presence in the Balkans require radical restructuring?

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Dear Nicholas,

Over five years after the end of NATO's Kosovo campaign and nine years after the Alliance intervened in Bosnia and Herzegovina, the international military presence in the former Yugoslavia has been scaled back from a highpoint of about 70,000 troops in 1999 to a little over 25,000 troops today. This is a clear sign that the threat to security has declined and that significant progress has been achieved. As NATO reduces its presence in Bosnia and Herzegovina to a 150-strong headquarters and hands primary responsibility for day-to-day security to the European Union, it is worth asking whether the international presence in the Balkans as currently configured corresponds to the needs of the region today.

I'm pretty sure that both of us agree that the outside world has an important role to play in helping the weaker states and entities of the Western Balkans – Albania, Bosnia and Herzegovina, Kosovo, Serbia and Montenegro and the former Yugoslav Republic of Macedonia\* – overcome the problems they face. Neither of us believes that the region should be left to its own devices or wishes to design an “exit strategy” for outside involvement. I suspect that both of us also want to see outsiders playing a more proactive and imaginative role in helping address the one remaining open status issue, namely that of the future of Kosovo and, related to it, that of Serbia and Montenegro. Moreover, both of us believe that the precondition for progress on the economic and social development front is

the containment of any possible hard-security threat. Any international strategy must, therefore, reassure the citizens of the region that the outside world – whether in the form of a NATO presence or a combination of a NATO and an EU presence – will never again tolerate warfare in the Western Balkans. Aside from this fundamental objective, the benchmark for measuring the success of international intervention should be the progress that these countries and entities make towards European integration in the coming period, that is the extent to which they become capable of meeting the requirements for pre-accession talks with the European Union and eventually for joining it.

Where I suspect we disagree is in our assessment of the capabilities of

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the international institutions and the policy instruments they are currently using to address the region's challenges. Allowing for a wide diversity of circumstances across the region, I believe that parts of the international presence have become ineffective, and in some ways run directly counter to the goals of Europeanisation and economic development.

I see two major problems with today's international presence, which was mostly put in place following the end of different conflicts, and which was designed to deal with very specific post-conflict emergencies.

Firstly, in both Bosnia and Herzegovina and Kosovo, the wide-ranging emergency powers of international organisations constitute an obstacle to genuine democratisation by their very nature. Simply put, as long as a High Representative is able to wield so-called "Bonn powers" in Bosnia and Herzegovina, enabling him to overrule domestic institutions, impose legislation and dismiss local officials, the country will be unable to become a full democracy and will not meet the political criteria that are a precondition for signing a Stabilisation and Association Agreement with the European Union. Since the emergency is over in Bosnia and Herzegovina, the High Representative should give way by the end of this year to a regular EU Special Envoy without special powers. Likewise, in Kosovo, the intrusive nature of the UN Mission there and its powers risk undermining the development of a functioning multi-ethnic democracy, rather than nurturing it and giving it sustenance.

Secondly, much of the international presence in the region distorts the institution-building process that needs to take place for governments and administrations to become more effective. In both Bosnia and Herzegovina and in Kosovo, the international community literally crowds out domestic institutions, hiring many of the most qualified young people at salaries that neither the public nor the domestic private sector can ever pay and setting the policy agenda without assuming real responsibility for the consequences. There is in effect a negative internal brain drain. Across the region most so-called institution-building and democratisation efforts are *ad hoc*, badly designed and ineffective. In the protectorates, fundamental strategy in most areas changes every two years (sometimes sooner) as key people in the international missions change. What is lacking is continuity of the reform process, in marked contrast to the process involved in EU accession.

So how should one deal with this? I have two concrete suggestions. Firstly, we need to bring the protectorate in Bosnia and Herzegovina to an end and reduce its influence sharply in Kosovo. Bosnia and Herzegovina should be treated no differently to the former Yugoslav Republic of Macedonia,\* where a protectorate has never been established. In Kosovo, the reserved powers of the international community should in the near future be exercised rather like the reserved powers of the Allies in Berlin in the 1960s, that is they should be nominal, and fully respectful of the emerging political dynamics. The United Nations should get out of direct management of economic matters and concentrate efforts on core institution-building tasks, such as building a multi-ethnic Kosovo Interior Ministry. It should also focus on pushing Kosovo institutions to meet two key standards, namely the full return of all property to the displaced and the provision of effective security to all of Kosovo's citizens. Above all, it

– and KFOR – must ensure that they are prepared for any repetition of outbreaks of violence such as took place in March. In short, the international presence should give meaning to the notion of substantial self-governance and concentrate on its core mandate of security and minority protection. What the United Nations should not do is manage municipal land or chair the supervisory board of the local telecom provider, waste collector and other businesses.

Thirdly, we should replace the current *ad hoc* international arrangements in the different countries with a much clearer European-driven pre-accession process, even if the countries are not yet able to begin full membership negotiations. This would entail a stronger Commission presence in each country, a focus on issues of economic and social cohesion and pre-accession financial instruments to target causes of structural underdevelopment and national absorption capacity (such as the Special Accession Programme for Agriculture and Rural Development or the Instrument for Structural Policies for Pre-Accession). From 2007, every South-eastern European state that concludes a Stabilisation and Association Agreement should be offered full access to pre-accession programmes. Assistance levels and funds should be sufficient to ensure that the gap between present candidate countries in the region, such as Bulgaria and Romania, and future candidate countries does not widen.

The lasting stabilisation of the region will come with its Euro-Atlantic integration. The immediate stabilisation will come when the local elites realise

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that this prospect is real, and follow their neighbours – Bulgaria, Croatia, Romania and most recently the former Yugoslav Republic of Macedonia\* – in forging a cross-party, cross-entity consensus that integration and economic reform are the central political issues.

Yours,  
Gerald

Dear Gerald,

As ever, there are points of agreement and disagreement between us. I don't differ with you on the medium to long-term strategic aim of the international community in the Balkans – full integration into the Euro-Atlantic institutions, both the European Union and NATO. Would that such a firm anchor of future stability were available to other troubled parts of the world!

However, I think you have underplayed the importance of the remaining hard-security threats in the Balkans. In Bosnia and Herzegovina, so long

as the most notorious war criminals remain at large, it seems a little premature blithely to declare that “the emergency is over”. This is not a mere technicality. It is fundamentally important not just to prevent future warfare, but also to establish that the credibility of Bosnia and Herzegovina as a state will not be challenged again, and that those who were responsible for the worst of the wartime atrocities will be punished. The emergency is certainly in a different phase, but while state structures are protecting these people I do not think it is completely over.

I agree that other things are going in the right direction in Bosnia and Herzegovina. State-level defence, intelligence, police and indirect taxation institutions are all essential before the international community can start scaling down its presence. These welcome developments now appear imminent and the country is close to joining NATO's Partnership for Peace programme – but this could not have been achieved without the sort of muscular international intervention that we have had since Dayton. You imply that the presence of a High Representative with “Bonn powers”, able to impose legislation by internationally backed fiat, has been a brake on recovery. I think it was essential to get us this far. Do you really think that an international withdrawal from Bosnia and Herzegovina in 1997 would have resulted in a peaceful, democratic and prosperous country by 2004?

I have greater sympathy with your remarks on Kosovo, where economic powers were assumed by the international community right from the start, and indeed should be transferred to local actors as soon as possible. Nobody should underestimate the potential explosiveness of the demographic time-bomb represented by Kosovo's two million population, half of whom are under the age of 20, in a situation where unemployment is endemic and the traditional safety valve of emigration, whether tempo-

rary or permanent, is blocked by the European Union's Schengen frontier. It seems strange to me that we insist on the peoples of the Balkans acquiring European values, yet block them from coming to the European Union to learn about those same values.

Unfortunately, to most Kosovo politicians, these economic matters are mere window-dressing compared to the burning issue of future relations with Belgrade – and if their voters really think differently, they have failed to indicate it in elections, which are the only opinion polls that count. To talk of downsizing the international presence in Kosovo without factoring in the single most important reason why we are there – the dispute over its sovereignty – is really to ignore the elephant in the living room. Transfer more powers to locally elected representatives by all means. But the real test of credibility of the UN Interim Administration Mission in Kosovo (UNMIK) will be its ability to manage the path to final status over the next year or so. And the big test for the international presence there in the next few months may well simply be to maintain the security situation rather than its record in delivering on economic development. That will require a hands-on rather than a hands-off approach.

The Macedonian example is instructive of the value of a sustained and serious international engagement. Without the direct personal involvement of EU and NATO officials at the very highest level, the situation would certainly have deteriorated into another large-scale conflict. And the continued presence of an EU Special Representative in Skopje, along with all the other instruments of the international community, has been an important stabilising factor in the period since the 2001 crisis. It is unfortunate that the international community has not yet been able to sort out the problem of the country's name, and thus send its inhabitants a reassuring message about the state's long-term viability.

To me, that points up the advantages of establishing a more visible international presence in Belgrade. The hard-security questions of accountability for war crimes and democratic control of the security services also remain salient in Serbia. They are also obstacles blocking Belgrade's membership of NATO's Partnership for Peace. The experience of having a High Representative or a Special Representative (something more than the "stronger Commission presence" you propose) in the Bosnian and the Macedonian situations has been positive: they have ensured that the international community was able to speak with one voice and that local actors were not able to go "forum-shopping". Of course, it is also important to have the right policy objectives in the first place. As long as the international community – the European Union in particular – remains wedded to the futile policy of implementing the State Union between Serbia and Montenegro, progress in both countries can be expected to be slow.

The two countries that do not have the same unresolved hard-security issues – Albania and Croatia – are instructive of the limits of external engagement. In Croatia, a clear decision has been made by all sections of the political elite to deal with past issues and move forward. Albania, on the other hand, remains hampered by the unwillingness of its leaders to engage in meaningful reforms which would open up the country. In both cases we have seen a rejection of the 19th century game of territorial aggrandisement in favour of the 21st century game of international integration. That is a political decision, not an economic one. But it's one that is made by the elites of the countries themselves, rather than by the European Union and the international community. You can take a horse to water, but you cannot make it drink. And in countries where the governments are not prepared to move forward, the European Union should not

be compelled to offer additional carrots rather than more sticks.

Yours,  
Nicholas

Dear Nicholas,

Let me answer your direct questions first. In 1997, there was a need for an assertive international role in Bosnia and Herzegovina and withdrawal then would have been a disaster. And yes, Bosnia and Herzegovina in 2004 is a very different country from 1997. In 1997, people who have since been indicted for war crimes controlled the Interior Ministry, the Presidency and the Army of Republika Srpska. In 1997, not a single Bosnian Muslim had returned to Republika Srpska and whenever return was tried houses were burned down. At this very moment, however, the process by which more than 220,000 properties are being returned to pre-war owners is coming to a successful conclusion. Mosques are being rebuilt, not blown up, in Republika Srpska. Indicted war criminals are either in The Hague or hiding in the mountains on the country's borders (or in neighbouring countries). This is why the vast international powers assumed in 1997 are neither needed nor suited to today's situation.

You are right to insist that Karadzic and Mladic need to be brought to justice for the crimes they committed, but this hardly justifies a permanent international institution able to overrule politicians elected by Bosnian citizens, most of whom were actually the victims of these crimes. You do not limit Bosnian democracy because Mladic may be hiding somewhere in Serbia. The most appropriate response to the tragedy of the early 1990s is a democratic, multi-ethnic country on the path to EU integration. This is not a long-term strategic aim, as you put it: I would like to see this Bosnian government follow Ankara, Skopje and Zagreb and submit an official application to the European Union before the end of 2006.

Let me pose a direct question to you: why is the mechanism that you praise for the former Yugoslav Republic of Macedonia\* – a respected EU Special Envoy, an international police mission that focuses on capacity building, plus a realistic European perspective for a fully sovereign country – not suited to Bosnia and Herzegovina? Ankara and Skopje have achieved tremendous progress and carried out painful and sensitive reforms in recent years as a result of, not despite, democracy. Bosnia and Herzegovina has also achieved progress, but as long as the "Bonn powers" exist, its people will not get the credit. Many observers will always argue – as you do yourself – that no progress would be possible "without muscular international intervention". You could continue to make this argument for another decade.

I'm not sure how much we disagree on the international role in Kosovo. Let me ask you directly: would you support the establishment of a multi-ethnic Kosovo Interior Ministry and then make the protection of minorities the key standard that Kosovo institutions –



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and not only, as at present, an internationally led UNMIK Pillar – must meet? Giving local institutions responsibility to provide security for minorities has always involved a leap of faith, but it has worked well in Bosnia and Herzegovina, in the former Yugoslav Republic of Macedonia\* and in the Presevo valley in southern Serbia. In the Balkans as anywhere else, making institutions accountable to the people they serve produces better outcomes.

I doubt most Kosovo politicians would regard economic matters as “mere window-dressing”. However, as long as UN lawyers argue, for example, that giving licences to investors to mine Kosovo’s minerals may be in breach of the UN mandate in Kosovo, there is a link between its status and its prosperity. Kosovo may soon find itself in the absurd situation that the “Kuwait of lignite” cannot legally mine its own coal to supply its own power station. This is why I believe that UNMIK must change the way it interprets its role as trustee now. It is, after all, trustee on behalf of the Albanians,

Serbs and others who live in Kosovo, whose economic plight grows more desperate by the day.

Yours,  
Gerald

Dear Gerald,

The idea that the Office of the High Representative (OHR) in Bosnia and Herzegovina is now or could ever become “a permanent international institution” is a straw man. Nobody advocates that, certainly not the present holder of the office – in almost every utterance he has made since taking up the position, he has made it clear that the task is finite rather than ever-expanding. Speaking to the UN Security Council immediately after the September 2002 elections, he said: “My approach will be to distinguish ruthlessly between those things that are truly essential, and those that are simply desirable. The OHR, with the executive power it wields, should focus on the first. There are many other agencies to undertake the longer-term, developmental tasks once we have gone.”

The question is, therefore, not whether the OHR should hand over to something resembling the international regime in Skopje, but when. You seem to think the ideal moment would have been somewhere between 1997 and 2004, though you don’t say exactly what date or why. I think it will not be this year, but it should and could be within another year or two. The situations are very different. The Ohrid Agreement, which ended the Macedonian conflict, reaffirmed the state’s structures and provided mechanisms for embedding the ethnic Albanian minority more securely within that state. The leaders of the 2001 insurgency now proclaim their commitment to the integration of their people with the rest of the country.

That was not the case after the Bosnian conflict. The Dayton Peace

Agreement established a Bosnian constitutional system in which all the incentives were for the leaders of the three national groups to build three different polities and to ignore or, as far as it was possible, further weaken the central state. War crimes indictees are indeed in the mountains on the country’s borders, and they remain under the protection of the security forces of parts of the Bosnian state. The destruction of Bosnian democracy was caused not by the High Representative but by the war. When the Bosnian state has the same level of credibility with its own people that the Macedonian state has, then the transition to a Macedonian level of engagement will be appropriate. I don’t think that day is far off and I observe that the OHR is planning for it. It certainly should not be many years before Sarajevo’s application for EU membership is submitted, following those from Ankara, Skopje and Zagreb.

I wish I shared your confidence that Kosovo’s politicians regard economic development as more than window-dressing. Any snapshot of press reporting of their statements will show comments on big-picture political issues (over many of which they have no formal control) outnumber those on substantive economic issues by two to one. Moreover, half of the economic statements concern the extraordinary legalistic cul-de-sac that the UN administration has got itself into on privatisation. I’m therefore happy to agree with you that UNMIK’s interpretation of its trusteeship mandate is far too restrictive in the economic field. I’m also in agreement with you on the need to empower the Kosovo Protection Corps to protect Kosovo’s citizens of whatever ethnicity, though I think you skate a little rapidly over the problems experienced in the return of refugees elsewhere in the Balkans. The key factor determining the success of returns in Bosnia and Herzegovina has not been the level of local ownership and accountability of the security forces,

but the fact that those who drove out the displaced in the first place have been held accountable.

Yours,  
Nicholas

Dear Nicholas,

I suggest substantially reinforcing the multi-ethnic Kosovo Police Service, not the Kosovo Protection Corps, which has much lower credibility among Kosovo Serbs. Otherwise, I think we agree that the United Nations needs to devolve more powers, and that it needs to do so quickly. The priority for the international mission in Kosovo in the coming year should be local institution-building in the security sphere and a major campaign to allow all displaced persons to repossess their property. Kosovo needs a real government to confront its deepening economic and social crisis and this means institutions controlled by its citizens, not by international administrators. No other arrangement is going to provide stability.

Let me be precise about my proposal for Bosnia and Herzegovina. By the end of this year, the "Bonn powers" should be revoked for good. Lord Ashdown should be the last High Representative, as he himself announced when he arrived in Sarajevo more than two years ago. There should not be another flurry of last-minute impositions towards the end of this year, as was the case in the months before his predecessors left office. Instead, a fully sovereign Bosnian government should aim to begin negotiations for an Association Agreement with the European Union in early 2005. This would constitute a major success for Bosnians, the international community and for Lord Ashdown himself. It would truly mark the end of the post-war period.

In general, the international presence should look very different in 2006

from today. Everywhere, democratically elected governments should be in charge of governance. Everywhere, the primary focus in the security field should be to strengthen the capacity of domestic (multi-ethnic) police forces, not to replace them. Everywhere, the European Commission's presence should be substantially reinforced, focusing on both setting European standards and helping domestic institutions meet them. In Skopje and Zagreb, EU membership negotiations should be in full swing. What Pristina and Sarajevo need as much as Belgrade and Tirana to catch up with their regional neighbours are governments capable of taking responsibility. One cannot teach political elites to run a marathon by attempting to carry them towards the finishing line.

Yours,  
Gerald


Dear Gerald,

Certainly one should not carry the runners to the finishing line – the problem has been to get them to the starting line! We should not set dates for the sake of setting dates. Much better, surely, to define the tasks that need to be done for the mission to be declared complete. Lord Ashdown clearly expects to have substantially completed those tasks in Bosnia and Herzegovina by this time next year. I don't believe that any value is added to the process by introducing the further sense of urgency that you propose. In any case, the end of this year is also the date that the European Union takes over from NATO as the main security provider in Bosnia and Herzegovina, and it is surely more prudent not to change everything at once. You yourself rightly complain about the lack of continuity in the international missions in the region.

While I agree with your portrait of the desirable – indeed, the likely – shape of the international presence in 2006, I remain worried that we do

not actually know what the shape of the region's borders will be. The one thing missing from your prescription for Kosovo is a sense of movement towards resolving its final status. The promise of a mid-2005 "review" made by the Contact Group is a step in that direction but needs to be made more substantive. Without this crucial element of the broader political context, all the effort invested in institution-building and economic development will be worth nothing. I'll leave the debate about whether or how we should pick and choose which indigenous Kosovo security structures to nurture for another time, but note in closing that a continued NATO presence in Kosovo is also going to be necessary for several years to come.

Yours,  
Nicholas

 For more on the European Stability Initiative, see [www.esiweb.org](http://www.esiweb.org)

 For more on the International Crisis Group, see [www.crisisweb.org](http://www.crisisweb.org)



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