

PROGRESS AND CHALLENGES: THE STATE OF SECURITY IN THE BALKANS

This article argues that despite some progress in the area of security the Balkans, the countries of the region still face hard and soft security challenges. The unprecedented financial, political and military engagement of the EU and its member states in the Balkans have shown limited results. The author argues that the international community, particularly the European Union, should rethink its strategies toward the Balkans and address security issues in a coherent and timely manner if it wants to consolidate the accomplishments to date.

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Security is a precondition of development, the recently adopted European Security Strategy confirms.¹ If we measure the prospects for development and successful reform according to the level of security which has been reached and according to the degree to which civilians perceive threats to their safety, the Western Balkans today present a rather gloomy picture despite the achievements to date, most notably the success of bringing end to the armed conflict of the 1990s and stabilizing the region. The countries of the region still face a myriad of both “hard” and “soft” security challenges, most notably in the areas of defense and security sector reform, justice and home affairs, in combating the proliferation of small arms and light weapons and establishing effective border management, not to mention such tasks as preventing potential threats of terrorism.

Weak states are both the cause and the result of the problems in the area of security. Even with the unprecedented financial, political and military engagement of the EU and its members states in the Balkans since the beginning of the 90s, efforts to create strong, responsive states able to provide for public security have shown limited results. Continued international support and involvement is therefore indispensable. The outburst of violence in Kosovo in mid-March painfully reminded the international community that the presence of an international military capability able to prevent and contain crises is still more needed than many wanted to concede.

However, with public security in some countries partially or completely in the hands of international organizations, elected officials can afford to remain unaccountable to the citizens, creating a situation which perpetuates security problems. Open political questions related to statehood do not only limit the degree to which strong states can be established, but they are also conducive to a feeling of insecurity among civilians. The international community, and the European Union in particular, is challenged to address these issues in a coherent and timely manner.

The State of Defense and Security Sector Reform

Despite the increasing emphasis on issues of “soft” security, the challenges for the countries of the Western Balkans to reform their armed forces and establish civil-military relations according to democratic standards are still formidable.

Budgetary constraints and requirements for Partnership for Peace (PfP) or NATO Membership enforce the need to downsize, restructure and professionalize the armies and establish civilian –and in particular parliamentary– control of the military, including transparent defense budgets. In many countries of the region, progress toward comprehensive base closure and conversion strategies as well as retraining and resettlement programs for military personnel has been slow. Structural changes within the Southeast European Ministries of Defense

¹ Council of the European Union, “A Secure Europe in a Better World: European Security Strategy,” 12 December 2003, p. 2.

have been insufficient to strengthen civilian oversight of the armed forces and manage the reform process.

Progress in this area greatly depends on domestic politics and the respective governments' political will to implement reforms. Changes are likely to upset entrenched interests of the military, intelligence, nationalist forces and organized crime. After years of conflict, the governments are challenged to formulate new national security strategies and military doctrines as the framework for reform. National security strategies need to reflect the changed situation in the Western Balkans, emphasizing a collective security approach for the region instead of presenting neighboring countries as a threat.

Serbia and Montenegro is an exceptional study case of accumulated challenges. Budgetary reasons to address the issue of defense and security sector reform are paramount: between 2000 and 2002, the country's defense budget's share of the GDP was between 4-6 percent each year as compared to 1-2 percent in NATO countries, representing a big burden in a country confronted with a dire economic situation. As 98 percent of the defense budget had been spent in the fall of 2002, the Ministry of Defense was forced to send one fourth of the soldiers home over the weekends in order to save on food rations.

The Yugoslav People's Army (JNA) position in the federal state was unique as the 1974 constitution provided it with the mandate to maintain and preserve the Yugoslav federation and its socialist constitutional order. In addition to the challenge of redefining its position in the new state, the Army of Serbia and Montenegro (VSCG) is struggling to get to terms with the legacy of the conflicts in the 1990s. Though it was not directly involved in the conflict in Bosnia and Herzegovina and most war crimes in Bosnia and Herzegovina and Kosovo were committed by special forces and semi-official units, it bears responsibility for providing support to the Serb Army of the Republika Srpska (VRS) and keeping close relations during the Milošević regime. Numerous members of the VJ were thus indicted for war crimes by the International Criminal Tribunal for the former Yugoslavia (ICTY). Given the reluctance of the government following the demise of the Milošević regime to purge and reform the security forces immediately, the armed forces were nevertheless for a long time able to preserve their structure and staff.

In 2001, the Army of Serbia and Montenegro (VSCG) proved its readiness for cooperation and expertise in helping NATO and OSCE manage an Albanian secessionist rebellion in Southern Serbia. In 2003, the ambitious plan for reforming and restructuring the VSCG included far-reaching steps for military reform. These positive developments were rewarded by increased external assistance through cooperation with NATO or programs such as the UNDP's Ministry of Defence Civilian Oversight and Reform Project (MoDCOR), but could not replace full cooperation with the Tribunal and the thorough compliance with UN Security Council Resolution 1244 as main prerequisites for PfP Membership which would offer full access to technical and financial support for the reform process. Currently, any federal mili-

tary reforms are hindered, as the final status of the newly established state of Serbia and Montenegro will not be decided upon until 2006.²

Disarming Societies: Combating the Proliferation of Small Arms and Light Weapons in the Balkans

International and national efforts to curb the proliferation of Small Arms and Light Weapons (SALW) in the Balkans reflect global developments in the field of disarmament since the end of the Cold War. The success of various initiatives by both governmental and non-governmental organizations to fight SALW has been limited, and the widespread possession of firearms by civilians still represents a core obstacle to the development of peaceful societies in many countries of Southeast Europe.

In a region where weapons have traditionally played an important role in the value system of the local and rural population, the Communist concept of partisan warfare as the official defense doctrine fell on fertile ground. In the 1990s, this doctrine turned against its inventors as irregular military forces raided the arms depot of the JNA and helped arm civilians for the self-defense of local territories. Inexpensive SALW which could be used with a minimum of training flooded the black market, and the problem was exacerbated by the simultaneous rise of organized crime. A second factor contributing to the proliferation of SALW was the breakdown of public order in Albania in March 1997 when vast amounts of weapons were looted from military depots and police stations, most of which are still unaccounted for.³

The central initiative in response to these challenges is the South Eastern Europe Clearing-house for the Control of Small Arms and Light Weapons (SEESAC) created in May 2002 and located in Belgrade. The areas SEESAC operates in include cross-border control, legislative and regulatory issues, management information, awareness and communication, collection programs, destruction programs and management issues.⁴

The collection and destruction programs can be subdivided into two categories: the first group of measures are conducted by international peacekeeping forces in the immediate aftermath of a conflict in the framework of demobilization, disarmament and reintegration programs targeting former combatants. Such disarmament efforts have been comparatively successful in Kosovo and Macedonia, although it is impossible to fully assess the number of SALW still in the hands of paramilitary forces. The second category of weapon collection measures target civilians, their success depending on the attractiveness of incentives for the population to co-operate, ranging from pay-back programs to amnesty and credible threat of punishment in the case of non-compliance and accompanying awareness raising campaigns. Various methods have been used by the international community to disarm civilians in Albania, Bosnia and

² Tobias Pietz, "The Shaky Road toward Partnership for Peace and Military Reform in Serbia and Montenegro with NATO in mind," *SOE-Monitor*, Vol.4, No.1 (January 2004).

³ Wolf-Christian Paes, "Combating the Proliferation of Small Arms and Light Weapons in the Balkans," *SOE-Monitor*, Vol.4, No.1 (January 2004).

Herzegovina, Croatia, Kosovo and Macedonia. Their overall success is extremely mixed, and small arms are still widely available in the region.

Cross-border SALW control initiatives are contingent on the willingness of governments to cooperate. The recent history of conflict and secession in the Western Balkans and interests of criminal networks are not conducive to such cooperation. More importantly, the biggest obstacle to success is the degree to which civilians still perceive external and internal threats to their safety, including the likelihood of renewed ethnic conflict and threat from organized crime networks. In many countries of the region, citizens are distrustful of programs run by international actors. In view of states which are unable to assume ownership of programs and to ultimately provide for public safety, the motivation of citizens to take care of their own security is likely to persist.

An Unholy Alliance: Organized Crime, Corruption and the Security Sector

The Western Balkans today present a mix of weak states, former failed states and protectorates. All of them are characterized by the fact that security and justice as public goods are not or only partially provided by the state, though to a different degree from state to state. Failing to enforce the law, these weak states facilitate the increase of organized crime and corruption.

The wars in former Yugoslavia gave rise to corruption and trans-border organized crime, especially smuggling, trafficking and illegal trade in the region –activities which have been among the main obstacles to the successful transition to democracy and market economy. These illegal activities have become an important source of income for different groups, connecting politicians, their security force lobbies and organized crime structures in a dangerous symbiosis. As a consequence, corruption permeated the state apparatus and the judiciary in particular. Elites and interest groups –often defined according to ethnic lines- still have inordinate sway over state structures.

The example of former Yugoslavia has shown that even a temporary symbiosis between authorities and organized crime can permanently transform state and national interests into private interests and foster the development of corrupt, non-transparent and crime-permeated societies and criminalized economies. Moreover, it helps institutionalize the connection between political-ethnic and criminal interests.⁵

In response to these problems, Justice and Home Affairs are central to the reform process, notably with the objective of strengthening the rule of law and an independent judiciary with an emphasis on combating organized crime, corruption, illegal migration and trafficking in human beings, as well as developing an effective and accountable police force. The track record of the numerous anti-corruption initiatives to date is disappointing: while such efforts raised public awareness of the problem, they failed to reduce the actual levels of corruption.

⁴ For more on SEESAC see www.seesac.org.

⁵ Center for the Study of Democracy, *Smuggling in Southeast Europe*.

One of the most dangerous and enduring forms of corruption affecting both the security of the individual citizen and the state is the symbiosis between organized crime and representatives from the security sector. It represents a major obstacle to establishing police forces able to provide public security in their societies by preventing human rights violations, protecting democratic institutions and fighting corruption.

The difficult task of reforming police forces in a post-conflict environment meets with structural, behavioral and resource problems not to mention a deeply entrenched tradition of police forces serving the state rather than the public. During the conflicts of the 1990s in former Yugoslavia, distinctions between the military, police forces and paramilitary units were blurred, creating distrust among the citizens. The specific challenge is to downsize and demobilize a militarized and oversized police, integrate ethnic minorities in its structures, deal with personnel from the old apparatus and with parallel local authorities. Extensive retraining measures include refocusing the police on serving public, introducing the principles of democratic policing and making former opponents work together for the public good.

Local authorities are unable to deal with police reform without substantial external support. Civilian police missions such as the European Union Police Mission in Bosnia and Herzegovina, the UNMIK Police Force in Kosovo as well as Proxima in Macedonia play an increasing role in monitoring, reforming and restructuring local police forces or even help establish an indigenous local police force. Even the most ambitious programs to eliminate corruption are doomed to fail where salaries of police personnel are low and local governments are unable to provide even basic material and resources.

Police reform can only succeed if other parts of the security sector, in particular the justice and penal systems are simultaneously reformed according to democratic standards. An appropriate police capacity is also a crucial element of efforts to deter and combat terrorism. Securing borders according to European Union standards requires police and military capacities to implement a coherent and concerted approach to border security and management on a regional level.⁶

Successful security sector reform depends on sufficient knowledge about the relevant issues among opinion-makers, politicians and parliamentarians, and it ultimately depends on the acceptance by an informed public. Awareness among relevant segments of the societies in Southeast Europe is still far from satisfactory.

In Pursuit of Strong States

Not surprisingly, public trust in state structures and their ability to protect citizens' rights and to provide for their physical and economic security is generally very low in the Balkans. The

⁶ Thorsten Stodiek, "The Police Component of Post-conflict Security Sector Reform," *SOE-Monitor*, Vol.4, No.1 (January 2004).

consolidation of achievements in the region will depend on whether it will be possible to establish strong, effective and trustworthy states representing their citizens. Political elites are the main protagonists of state reform and state building processes. However, international engagement and influence in these processes in the Western Balkans have been considerable over the last decade. The success to date has been limited for various reasons.

Three main sources of state weakness in the Balkans can be identified. One is the destructive effect the political opening has had on the civil service, the bureaucratic structures and administrative agencies: the consequences of cadres employed under the previous system leaving the civil service and taking both material resources and expertise with them.

The second is the impact of the constitutional choices made in the Balkans under heavy international involvement and pressure –constitutional choices which promote and protect the interests of those elites who were involved in their creation, which often allocate power by (ethically defined) group affiliation and which created states competing with strongly decentralized powers, parallel structures as well as international presence with inordinate power. International assistance has focused on the organization of the state for ethnic groups to share power as the main strategy of ensuring rights, thereby fostering ethnic polarization and neglecting the enforcement of individual rights.

The third source of state weakness is the impact of “the dominant project of postcommunist elites” –extraction from the state through the “privatization of decision-making mechanisms or the existence of government.”

Elites and specific interest groups easily gained access to state assets, including security and intelligence forces. Where civilians belonging to certain groups do not feel protected or even feel threatened by their own government, they will understandably turn to alternative sources of security instead of the state. The ensuing alienation between the state and its citizens, between political elites and their constituencies results in a “crisis of representation.” It is, among others, reflected in the dramatically decreasing participation rates in elections as well as in the increase of protest votes bringing governments to power which are less likely to continue reform processes.⁷

International involvement aims at arresting the elite’s extraction project, raise the public’s awareness for “bad and “good” choices and ensure policy predictability. To the disappointment and dismay of the international community, citizens in the countries of the region have continued to vote for politicians who are likely to continue the extraction process and who are less likely to cooperate with regard to reform measures. In fact, constraints imposed by the international community contributed to the estrangement between elected officials and their voters. These constraints served political elites as an excuse for their lack of responsibility and accountability toward the electorate. The phenomenon of elected politicians being more ac-

⁷ Center for Policy Studies and Central European University, *In Search of Responsive Government: State Building and Economic Growth in the Balkans* (Budapest: Central European University Press, 2003), pp. 37-45.

countable to international actors can be perceived by the voters as a failure to vote for a policy or even a policy change and alienates politicians from their voters. It separates election campaigning from governance and makes it impossible to hold politicians accountable, and it makes political learning of the electorate ineffective. In societies where international involvement is perceived as a negative factor, citizens will ultimately feel motivated to vote for political parties that oppose international pressure.⁸

The Hague Tribunal is a fitting example. It is used to delegitimize individuals associated with the violent conflicts of the 90s publicly and to physically remove them from their countries in the hope that their influence and thus the influence of specific groups will decrease. Many individuals have indeed been extradited and removed from the national scenes, though some of the most important ones are still free. However, the Tribunal has not played a constructive role in raising the public's awareness for justice. The aggressive way it has communicated its conditions to the societies in the region made politicians in the eyes of their constituencies appear more accountable to the international community than to their electorates, contributing to the growing gap between politicians and their voters.

The Job is Not Done

The mission of international military forces in former Yugoslavia has been to end conflict, to deter renewed hostilities, to establish a secure environment and ensure public safety and order as a framework for democratization and reform. Today, there is still a significant international presence in Bosnia and Herzegovina, Kosovo and Macedonia consisting of international troops and international police operations committed to providing public security.

In Bosnia and Herzegovina, the General Framework Agreement for Peace, referred to as the Dayton Peace Agreement, provides the political and legal framework for the NATO Stabilization Force (SFOR). Since the initial deployment of 60.000 troops in December 1995, SFOR has adjusted its deployment both in numbers and in tasks in order to reflect the changing security environment. In 1999, SFOR counted 33.000 troops, in 2002 16.000 troops, and it is expected to decrease to 7.000 personnel by June 2004.⁹

As the first EU mission, on 1 January 2003 the European Union Police Mission of 500 officers replaced the United Nation's International Police Task Force in Bosnia and Herzegovina. During its three-year mandate, the mission is training local police officers and establishing sustainable policing arrangements in line with European standards and practice.

In Macedonia, NATO's military mission Allied Harmony was deployed in 2001 after the crisis leading up to the Ohrid Agreement. At the request of the Macedonian government, the first

⁸ Center for Policy Studies and Central European University, *In Search of Responsive Government: State Building and Economic Growth in the Balkans*, (Budapest: Central European University Press, 2003), pp. 46-47.

⁹ For more on the history of the NATO-led Stabilization Force (SFOR) in Bosnia and Herzegovina see: <http://www.nato.int/sfor/docu/d981116a.htm>.

European Union military mission Concordia of 350 troops took over on 31 March 2003 with a six-month-mandate which was later extended until 15 December 2003.¹⁰ On 15 December 2003, police mission Proxima with 200 personnel replaced the military mission Concordia with a mandate of one year, reflecting the changes security environment and needs in the country.¹¹

NATO's Kosovo Force (KFOR) forms the core of the international peacekeeping mission in Kosovo which counted some 46.000 military personnel from 39 countries in 1999. KFOR's mandate derives from a Military Technical Agreement signed by NATO and Yugoslav commanders on 9 June 1999 and from UN Security Council Resolution 1244 of 12 June 1999 which followed NATO Operation Allied Force.¹² Currently KFOR counts some 18.500 troops which were bolstered by approximately 230 soldiers from SFOR on 18-19 March as a consequence of the outbursts of violence in the province.

UN Security Council Resolution 1244 furthermore served as the framework for the establishment of the United Nations Mission in Kosovo (UNMIK), an interim civilian administration led by the United Nations and including the United Nations Police Force.

The international community has repeatedly pledged to keep up its presence in the region until "the job is done" and "self-sustaining stability is reached,"¹³ meaning until the local governments are able to provide for security without external support and, no less important, until civilians of all ethnic groups will feel protected by the states they live in. So far, reforms to date have been slower than expected and political developments are still far from being predictable. Ownership over security therefore cannot or can only partially be transferred to local authorities, leaving local politicians comfortably unaccountable to the public. The international community thus carries the burden of responsibility and takes the blame for setbacks.

The widely criticized failure of the KFOR and UNMIK to anticipate the violent outburst in Kosovo and to react in a timely and appropriate manner exemplifies the dilemma. In the aftermath of the March violence, representatives of the international community reminded local politicians that they were responsible for building a multiethnic society in Kosovo where the rights of all citizens are protected. These were rather helpless efforts to distract from the international community's failure. In a province where UNMIK and KFOR are officially responsible for public security, local politicians might be morally responsible, but not officially accountable.

¹⁰ See "Council Decision 2003/563/CFSP of July 29, 2003 on the extension of the European Union military operation in Macedonia," *Official Journal of the European Union*, No.L 190/21, 30 July 2003.

¹¹ "Council Joint Action 2003/681/CFSP on the European Union Police Mission in Macedonia (EUPOL ,Proxima), September 29, 2003," *Official Journal of the European Union*, No.L 249/67, 1 October 2003.

¹² For NATO's Role in Relation to Kosovo see: <http://www.nato.int/docu/facts/2000/kosovo.htm>.

¹³ EU and NATO Agree on concerted Approach for the Western Balkans: <http://nato.in/docu/pr/2003/p03-089e.htm>.

This is not to say that responsibility for public security can be fully and immediately transferred to local authorities in Kosovo or any other state with international presence. However, more inclusive solutions for the problem of ownership of security need to be found to increase the accountability of local politicians –and such solutions need to go beyond the recently established Kosovo Security Advisory Group.

The fact that the international presence was not capable and not ready to contain the crises at the very beginning has contributed to the sense of insecurity and distrust among the local population, and to the impression that the international community it is only half-heartedly engaged. International policy toward the region still relies on ad-hoc measures in response to crises based on the vague hope that the region will remain peaceful rather than long-term strategies.

The Only Option

“The credibility of our foreign policy depends on the consolidation of our achievements [in the Balkans]” the European Union’s Security Strategy admits.¹⁴ This commitment to the Balkans as a foreign policy priority and as a future part of the EU is not matched by the necessary political will. In view of other pressing international issues, attention to the Balkans has been steadily declining not only in Washington, but also in Europe –and in the relevant EU member capitals in particular. At the same time reforms in the region are stagnating and threats to public security are still considerable. Setbacks like the recent crisis in Kosovo put the credibility of years of heavy international engagement at stake.

The prospect of accession of the countries of the Western Balkans to the EU and NATO is expected to be the main catalyst for reforms. Integration into Euro-Atlantic structures indeed is important and will eventually contribute to development and stability, but the sheer prospect of belonging to the Euro-Atlantic club in some distant future is not a stabilizing factor as such.

Today public trust in state structures is least developed and violent conflicts are most likely in those post-conflict societies in the Balkans where statehood issues have not been solved or where the existence of the state is contested by particular –mostly ethnically defined– groups or organized crime networks. Despite all rhetoric, the international community is undecided on the big open questions in the Balkans: the status of Kosovo, the constitutional conflict in Macedonia, the continued state crises in Bosnia and Herzegovina as well as in Serbia and Montenegro. The question of when and how these difficult political issues should be addressed is strongly contested. It is obvious that preserving the status quo represents no less a threat to security. However, any approach depends on a concerted strategy, backed by politi-

¹⁴ Council of the European Union, “A Secure Europe in a Better World: European Security Strategy,” 12 December 2003, p.8.

cal will and, if necessary, by military commitment, and it needs to be based on consensus within the European Union as well as between the EU and the United States.

Whether through direct military engagement or assistance programs –the international community has imposed itself as the most important factor to foster security in the Balkans and thereby create a framework for development. Some international policy-makers will go as far as to praise Southeast Europe as a positive example for missions in other crisis areas of the world and will advocate increased disengagement from the region through fast solutions. However, as the region has still not extricated itself from the circle of instability and underdevelopment, the international community is doomed to stay, and to rethink its strategies toward the Balkans if it wants to consolidate the accomplishments to date. Public opinion in the societies of the region is thereby far more relevant than has heretofore been acknowledged. Reforms and their protagonists –namely local politicians and the international community– need reliable constituencies.